

## RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING OF  
THE BOARDS OF DIRECTORS OF THE  
HORIZON METROPOLITAN DISTRICT NO. 5 (THE “DISTRICTS”)  
HELD  
JULY 12, 2022

A special meeting of the Board of Directors (referred to hereafter as the “Boards”) of the District was convened on Tuesday, July 12, 2022, at 1:00 p.m. via Microsoft Teams. The meeting was open to the public.

### ATTENDANCE

#### **Directors In Attendance Were:**

David Crowder, Jr., President  
Karen Voit, Vice President  
Jason Rutt, Secretary

Treasurer Garcia was absent and excused.

#### **Also, In Attendance Were:**

Josh Miller, Stephanie Odewumi and Margaret Henderson; CliftonLarsonAllen LLP  
Alan Pogue, Esq.; Icenogle Seaver Pogue, P.C.

### ADMINISTRATIVE MATTERS

**Call to Order and Approval of Agenda:** The meeting was called to order at 1:09 p.m. The Boards reviewed the agenda for the special meeting. Following review, upon a motion duly made by Director Voit, seconded by Director Rutt and unanimously carried, the District No. 5 Board approved the agenda, as presented.

**Disclosures of Potential Conflicts of Interest:** The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Boards of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Attorney Pogue that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors, and no additional conflicts were disclosed at the meeting.

**Quorum, Location of Meeting and Posting of Meeting Notice:** A quorum was confirmed. The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District’s Board meeting. Following discussion, and upon motion duly made by Director Voit, seconded by Director Crowder, and, upon vote, unanimously carried, the Board

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determined that this meeting was conducted via Microsoft Teams, without any individuals (neither Districts' representatives nor the general public) attending in person. The Board further noted that notice providing the time, date and video link information was duly posted and that no objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries were received. Upon a motion duly made by Director Rutt, seconded by Director Crowder and, upon vote, unanimously carried, the District No. 5 Board noted Lisa Garcia was absent and excused.

**Public Comment:** There was no public comment.

### LEGAL MATTERS

**Public Hearing to Consider Petition for the Inclusion of Land into Horizon Metropolitan District No. 5 for Certain Real Property Owned by LendLease Horizon, LLC:** Attorney Pogue informed the Board that the Aurora Sentinel published the incorrect Notice of Public Hearing at the May 17, 2022 Board meeting, noting the need for the Board reapproving the Petition for the Inclusion of Land. It was noted that the correct Notice of Public Hearing at this meeting was published in the Aurora Sentinel on July 7, 2022. The District No. 5 Board opened the public hearing at 1:12 p.m. to consider the inclusion of real property into the boundaries of the District. It was noted that publication of Notice stating that the District No. 5 Board would consider approving the inclusion of property into the boundaries of the District was made in a newspaper having general circulation within the District. No written objections were received prior to the public hearing. No further public comments were received, and the public hearing was closed at 1:13 p.m.

Following review, upon a motion duly made by Director Crowder, seconded by Director Voit and, upon vote, unanimously carried, the District No. 5 Board approved the Petition for the Inclusion of Land into Horizon Metropolitan District No. 5 for Certain Real Property Owned by LendLease Horizon, LLC, as presented.

### OTHER BUSINESS

**Other:** None.

### ADJOURNMENT

There being no further business to come before the Boards at this time, Director Crowder adjourned the meeting at 1:25 p.m.

Respectfully submitted,

DocuSigned by:

*Jason Rutt*

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Secretary for the Meeting