

MINUTES OF A JOINT SPECIAL MEETING OF THE  
BOARDS OF DIRECTORS

OF

EASTERN HILLS METROPOLITAN DISTRICT NOS. 2, 4 & 5

Held: Thursday, October 3, 2019 at 11:00 a.m. at 3033 East 1<sup>st</sup>  
Avenue, Suite 725, Denver, CO

Attendance

The joint special meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve, were in attendance.

Jonathan Alpert  
Marc Cooper  
Eric Miller  
Steven Cohen

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; and John Simmons, Simmons & Wheeler P.C. District Accountant;

Call to Order

Director Alpert called the meeting to order.

Declaration of Quorum/  
Director Qualifications/  
Reaffirmation of  
Disclosures

Mr. Waldron advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Waldron reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Mr. Waldron inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Combined Meetings

The Boards of Directors of the Districts have determined to hold joint meetings of the Districts and to prepare joint minutes of action taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes is the

action of each of the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

**Approval of Agenda**

The Boards reviewed the proposed agenda. Following discussion, upon motion duly made and seconded, the Boards approved the agenda as amended.

**Consider Approval of Resolution Declaring Return of Active Status (District No. 5)**

Mr. Waldron review the Resolution Declaring Return to Active Status with the Board of District No. 5. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

**Public Comment**

None.

**Consent Agenda**

The Boards reviewed the items on the consent agenda. Mr. Waldron advised the Boards that any item may be removed from the consent agenda to the regular agenda upon the request of any director. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved and adopted:

- Minutes from the November 20, 2018 Meeting (District Nos. 2 & 4)
- Minutes from the December 6, 2010 Joint Special Meeting (District No. 5)
- 2018 Consolidated Annual Report
- 2018 Audit Exemption Applications
- Special District Disclosure Notice Pursuant to §32-1-809, C.R.S.
- Joint Resolution Calling May 5, 2020 Regular Election
- Joint Resolution Designating 24-Hour Posting Location
- Special District Public Disclosure Notice Pursuant to §32-1-104.8 (District No. 5)
- Public Records Request Policy (District No. 5)
- Joint Resolution Providing for the Defense and Indemnification of Directors and Employees of the Districts

**Legal Matters**

**Consider Adoption of 2020 Annual Administrative Resolution**

Mr. Waldron reviewed the 2020 Joint Annual Administrative Resolution with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the resolution.

Review Insurance Property and Liability Schedule and Limits

Mr. Waldron reviewed the property and liability schedule and limits with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the schedule and directed legal counsel to bind coverage.

Discuss Legislative Update

Mr. Waldron reviewed the legislative update with the Boards. No action necessary.

Consider Approval of Engagement Letters with White Bear Ankele Tanaka & Waldron for Legal Services (District No. 5)

Mr. Waldron reviewed the Engagement Letter with White Bear Ankele Tanaka & Waldron with the Board of District No. 5. Mr. Waldron noted specifically that the arbitration provision had been revised to make it clear that arbitration applies to this engagement letter as well as any prior engagement with the District. Mr. Waldron also noted and discussed the addition of the representative client list section. Mr. Waldron stated that as he is not independent as to the engagement, the Board is advised to have separate legal counsel review the engagement letter. The Board of District No. 5 declined to engage separate legal counsel to review the letter. Following discussion, upon a motion duly made and seconded, the Board of District No. 5 approved the engagement letter with White Bear Ankele Tanaka & Waldron for legal services.

Other Legal Matters

None.

### **Financial Matters**

Consider Acceptance of Unaudited Financial Statements

Mr. Simmons reviewed the June 30, 2019 Unaudited Financials with the Boards of District Nos. 2 & 4. Following discussion, upon a motion duly made and seconded, the Boards of District Nos. 2 & 4 unanimously accepted the financials.

Consider Approval/Ratification of Claims Payable (District Nos. 2 & 4)

Mr. Simmons reviewed the claims payable with the Board of District No. 2 in the amount of \$123,058.14. Following discussion, upon a motion duly made and seconded, the Board of District No. 2 unanimously ratified the claims payables.

Mr. Simmons reviewed the claims payable with the Board of District No. 4 in the amount of \$1,008.20. Following discussion, upon a motion duly made and seconded, the Board of District No. 4 unanimously ratified the claims payables.

Discuss Preliminary AV's

The Boards engaged in general discussion regarding the Arapahoe County Assessor's reports on assessed valuation. No action taken.

Public Hearing on 2019 Budget (District No. 5)

Director Jonathan Alpert opened the public hearing on the proposed 2019 Budget. Mr. Waldron noted that the notice of public hearing was published in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of 2019 Budget Resolution (District No. 5)

Mr. Simmons reviewed the proposed 2019 Budget Resolution with the Board of District No. 5. Following discussion, upon motion duly made and seconded, the Board of District No. 5 unanimously approved the resolution adopting the 2019 budget and appropriating funds therefore.

Public Hearing on 2020 Budget (District No. 2)

Director Jonathan Alpert opened the public hearing on the proposed 2020 Budget. Mr. Waldron noted that the public hearing was published in accordance with Colorado law in the *Aurora Sentinel* on September 19, 2019. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of 2020 Budget Resolution (District No. 2)

Mr. Simmons reviewed the proposed 2020 Budget with the Board of District No. 2. Following discussion, upon motion duly made and seconded, the Boards of District No. 2 unanimously approved the resolution adopting the 2020 Budget, appropriating funds therefore and certifying 70.000 mills for the general fund.

Public Hearing on 2020 Budget (District No. 4)

Director Jonathan Alpert opened the public hearing on the 2020 Budget. Mr. Waldron noted that the public hearing was published in accordance with Colorado law in the *Aurora Sentinel* on September 19, 2019. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of 2020 Budget Resolution (District No. 4)

Mr. Simmons reviewed the proposed 2020 Budget with the Board of District No. 4. Following discussion, upon motion duly made and seconded, the Boards of District No. 4 unanimously approved the resolution adopting the 2020 Budget, appropriating funds therefore and certifying 70.000 mills for the general fund.

Public Hearing on 2020 Budget (District No. 5)

Director Jonathan Alpert opened the public hearing on the 2020 Budget. Mr. Waldron noted that the public hearing was published in accordance with Colorado law in the *Aurora Sentinel* on September 26, 2019. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of 2020 Budget Resolution (District No. 5)

Mr. Simmons reviewed the proposed 2020 Budget with the Board of District No. 5. Following discussion, upon motion duly made and seconded, the Boards of District No. 5 unanimously approved the resolution adopting the 2020 Budget and appropriating funds therefore.

Consider Approval of Auditor Proposals for 2019 Audit/Audit Exemption

Mr. Simmons reviewed the requirements for Audit Exemptions with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously authorized Ms. Simmons to complete 2019 Audit Exemption Applications.

Consider Approval of Resolution Authorizing Payment of Advanced Funds (District No. 2)

Mr. Waldron reviewed the Resolution Authorizing Payment of Advanced Funds with the Board. Following discussion, upon a motion duly made and seconded, the Board approved the resolution.

Other Financial Matters

None.

**Directors' Items**

None.

**Other Business**

None.

**Adjourn**

There being no further business to come before the Boards, and following discussion and upon motion duly made, seconded and unanimously carried, the Boards determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Marc Cooper  
Marc Cooper (Nov 7, 2020 12:38 MST)

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District No. 2 Secretary for the Meeting

The foregoing minutes were approved by District No. 2 on this 10th day of October, 2020.

Marc Cooper  
Marc Cooper (Nov 7, 2020 12:38 MST)

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District No. 4 Secretary for the Meeting

The foregoing minutes were approved by District No. 4 on this 10th day of October, 2020.

Marc Cooper  
Marc Cooper (Nov 7, 2020 12:38 MST)

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District No. 5 Secretary for the Meeting

The foregoing minutes were approved by District No. 5 on this  
10th day of October, 2020.

# 2020-10-05 Eastern Hills Nos. 2,4&5 Execution Packet

Final Audit Report

2020-11-19

Created:	2020-11-06
By:	Dana Anderson (danderson@wbapc.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAOLLGVQ8yJh8cPCABM4O-HF6_XwSjl8a

## "2020-10-05 Eastern Hills Nos. 2,4&5 Execution Packet" History

-  Document created by Dana Anderson (danderson@wbapc.com)  
2020-11-06 - 11:15:06 PM GMT- IP address: 50.209.233.181
-  Document emailed to jonathan alpert (jalpert@alpertcorp.com) for signature  
2020-11-06 - 11:20:04 PM GMT
-  Document emailed to Marc Cooper (mcooper@coopermgmt.com) for signature  
2020-11-06 - 11:20:04 PM GMT
-  Email viewed by jonathan alpert (jalpert@alpertcorp.com)  
2020-11-06 - 11:31:16 PM GMT- IP address: 107.77.199.170
-  Email viewed by Marc Cooper (mcooper@coopermgmt.com)  
2020-11-07 - 7:36:46 PM GMT- IP address: 96.87.51.229
-  Document e-signed by Marc Cooper (mcooper@coopermgmt.com)  
Signature Date: 2020-11-07 - 7:38:03 PM GMT - Time Source: server- IP address: 96.87.51.229
-  Email viewed by jonathan alpert (jalpert@alpertcorp.com)  
2020-11-11 - 6:14:38 PM GMT- IP address: 50.229.13.90
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