

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE HARVEST CROSSING METROPOLITAN DISTRICT NO. 4 HELD JUNE 29, 2022

A Special Meeting of the Board of Directors (the “Board”) of the Harvest Crossing Metropolitan District No. 4 (formerly known as Villages at Murphy Creek Metropolitan District No. 1, referred to hereafter as the “District”) was convened on Wednesday, June 29, 2022 at 1:00 p.m. The meeting was open to the public via conference call.

ATTENDANCE

Directors In Attendance Were:

Daniel Frank
Marc L. Cooper
Richard Frank

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Paula Williams, Esq. and Tim O’Connor, Esq.; McGeady Becher P.C.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Mr. Solin noted that a quorum was present and requested members of the Board disclose any potential conflicts of interest with regard to any matters scheduled for discussion at the meeting, and incorporated for the record those applicable disclosures made by the Board members prior to the meeting in accordance with the statute. No additional conflicts were disclosed.

PUBLIC COMMENT

There were no public comments.

ADMINISTRATIVE MATTERS

Agenda: Mr. Solin reviewed a proposed Agenda for the District’s Special Meeting with the Board.

Following discussion, upon motion duly made by Director Cooper, seconded by Director D. Frank and, upon vote, unanimously carried, the Agenda for the Special

RECORD OF PROCEEDINGS

Meeting was approved, as presented.

Approval of Meeting Location: The Board entered into discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District Board meetings.

Following discussion, upon motion duly made by Director Cooper, seconded by Director D. Frank and, upon vote, unanimously carried, the Board determined that the District meeting was held by conference call and in person at the offices of McGeady Becher P.C. The Board further noted that notice of the time, date, location and conference bridge information was duly posted and that they have not received any objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the boundaries of the District.

CONSENT AGENDA

The Board considered the following actions:

- Approve the Minutes from the January 24, 2022, April 19, 2022 and May 24, 2022 Special Meetings.
- Ratify approval of Service Agreement with Independent District Engineering Services (“IDES”) for Cost Verification Services.

Following discussion, upon motion duly made by Director Cooper, seconded by Director D. Frank and, upon vote, unanimously carried, the Board approved and/or ratified approval of the remaining Consent Agenda items.

FINANCIAL MATTERS

2021 Application for Exemption from Audit: The Board discussed the requirements for an audit.

Following review and discussion, upon motion duly made by Director D. Frank, seconded by Director Cooper and, upon vote, unanimously carried, the Board approved execution of the Application for Exemption from Audit for 2021.

Cost Verification Report No. 3: The Board deferred discussion.

Requisition No. 2: The Board deferred discussion.

Resolution Regarding the Imposition of System Development Fees: The Board entered into discussion regarding a Resolution Regarding the Imposition of System Development Fees.

Following review and discussion, upon motion duly made by Director D. Frank,

RECORD OF PROCEEDINGS

seconded by Director Cooper and, upon vote, unanimously carried, the Board adopted the Resolution Regarding the Imposition of System Development Fees.

Additional Bonds Issuance: There was no update at this time.

LEGAL MATTERS

Regional Infrastructure Authority: The Board entered into discussion regarding the regional improvements and participation in Regional Infrastructure Authority. It was noted that Director Cooper is working with other Developers and the City of Aurora on creating a project list for MARIA.

Revenue Pledge Agreement from Harvest Crossing MD No. 3 to Harvest Crossing MD No. 4: The Board entered into discussion regarding a Revenue Pledge Agreement from Harvest Crossing MD No. 3 to Harvest Crossing MD No. 4. Following discussion, it was determined the Agreement is not needed.


OTHER MATTERS

There were no other matters to discuss.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director R. Frank, seconded by Director Cooper and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: 
Secretary for the Meeting