

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS COMMUNITY AUTHORITY HELD APRIL 25, 2022

A Regular Meeting of the Board of Directors of the Loretto Heights Community Authority (referred to hereafter as "Board") was convened on Monday, April 25, 2022, at 2:00 p.m. The Authority Board meeting was held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Mark J. Witkiewicz, representing Loretto Heights MD No. 1
Kevin J. Smith, representing Loretto Heights MD No. 3
Otis C. Moore, III, representing Loretto Heights MD No. 4

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the absence of Director Andrew Klein was excused.

Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

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. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding 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 the statute.

Attorney Hoistad noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

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ADMINISTRATIVE MATTERS

Agenda: Ms. Finn distributed for the Board's review and approval a proposed Agenda for the Authority's Regular Meeting.

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Agenda was approved, as presented.

Meeting Location/Manner and Posting of Meeting Notice: 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. The Board determined that the meeting would be held via video/telephonic means, and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the Authority's Service Area.

Minutes: The Board reviewed the minutes of the January 24, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the minutes of the January 24, 2022 Regular Meeting were approved.

PUBLIC COMMENT

There were no public comments.

FINANCIAL MATTERS

Cash Position Statements: Ms. Ross reviewed with the Board the schedule of cash position statements dated December 31, 2022, updated as of April 20, 2022.

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board accepted the schedule of cash position statements dated December 31, 2022, updated as of April 20, 2022, as presented.

CAPITAL/ CONSTRUCTION/ MATTERS

Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 5 ("Report No. 5"): The Board reviewed and considered the approval of Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 5,

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dated April 9, 2022, prepared by Schedio Group LLC, for the amount of \$149,420.35.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 5, dated April 9, 2022, prepared by Schedio Group LLC, for the amount of \$149,420.35, subject to final review by Ms. Ross.

Verified Public Improvement Costs Pursuant to Report No. 5: The Board considered the acceptance of verified public improvement costs pursuant to Report No. 5.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Board accepted the verified public improvement costs pursuant to Report No. 5.

Reimbursement by Loretto Heights Metropolitan District No. 1 to Hartman Ely Investments LLC: There were no expenses pursuant to Report No. 5 that were reimbursable to Hartman Ely Investments LLC. No action was taken.

Reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC: The Board considered the acknowledgment of the reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC under the Facilities Funding and Acquisition Agreement between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LLC, pursuant to Report No. 5.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC under the Facilities Funding and Acquisition Agreement between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LLC, pursuant to Report No. 5.

Requisition Nos. 28 through 36 under the Loretto Heights Community Authority's Special Revenue Bonds, Series 2021⁽³⁾ (the "Authority Bonds"): Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Board ratified approval of Requisition No. 28 under the Authority Bonds., Series 2021, in the total amount of \$30,843.58, Requisition No. 29 under the Authority Bonds, Series 2021, in the total amount of \$168,952.80, Requisition No. 30 under the Authority Bonds., Series 2021, in the total amount of \$93,415.50, Requisition

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No. 31 under the Authority Bonds., Series 2021, in the total amount of \$143,000.43, Requisition No. 32 under the Authority Bonds., Series 2021, in the total amount of \$64,173.00, and Requisition No. 33 under the Authority Bonds, Series 2021, in the total amount of \$55,693.19, Requisition No. 34 under the Authority Bonds., Series 2021, in the total amount of \$29,801.36, Requisition No. 35 under the Authority Bonds., Series 2021, in the total amount of \$145,949.70, Requisition No. 36 under the Authority Bonds., Series 2021, in the total amount of \$292,353.67.

LEGAL MATTERS

There were no legal matters.


OTHER BUSINESS

There were no other matters to discuss at this time.

ADJOURNMENT

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

Respectfully submitted,

By: 
Secretary for the Meeting