

# RECORD OF PROCEEDINGS

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## MINUTES OF THE COORDINATED SPECIAL MEETING OF

WESTGATE METROPOLITAN DISTRICT NO. 1  
WESTGATE METROPOLITAN DISTRICT NO. 2  
WESTGATE METROPOLITAN DISTRICT NO. 3  
WESTGATE METROPOLITAN DISTRICT NO. 4

HELD  
February 24, 2022

The Coordinated Special Meeting of the Boards of Directors (collectively, “Boards”) of Westgate Metropolitan District No. 1, Westgate Metropolitan District No. 2, Westgate Metropolitan District No. 3, and Westgate Metropolitan District No. 4 (collectively, “Districts”) was held virtually via MS Teams on Thursday, February 24, 2022 at 9:00 a.m.

### ATTENDANCE

#### Directors in Attendance:

Marc Savela, President/Chairman  
Ronald Corsentino, Vice President/Assistant Secretary/Assistant Treasurer  
Brian Spittell, Vice President/Assistant Secretary/Assistant Treasurer  
Mary-Kate Corbitt, Vice President/Assistant Secretary/Assistant Treasurer

#### Also in Attendance:

David O’Leary, Esq.; Spencer Fane, LLP  
Chris Morton, Broe Real Estate.  
Geol Scheirman, Lyndsey Paavilainen, Elaina Cobb, Kirsten Starman, Joan Howell, and Brendan Campbell; Pinnacle Consulting Group, Inc.

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### CALL TO ORDER

The Coordinated Special Meeting of the Board of Directors of Westgate Metropolitan District Nos. 1, 2, 3 and 4 was called to order at 9:04 a.m. by Director Savela, noting that a quorum was present for each of the Boards. Each of the Directors confirmed their qualifications to serve on the Boards. The Boards also confirmed prior to the meeting each of the Directors had been notified of the meeting.

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### COMBINED MEETINGS

The Boards of Directors determined to hold coordinated meetings of the Districts and to prepare combined minutes of action taken by the Districts at such meetings. Unless otherwise noted herein, all official action reflected in these minutes shall be deemed to be action of all the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

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### MEETING NOTICE

Mr. Scheirman reported notices of the Board Meetings were properly posted on the District's website in compliance with state statutes, Board resolution and pursuant to Section 24-6-402(2)(c)(III) C.R.S., regarding meeting notices. The Notice also included the agenda items. Meetings are open to the public.

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### CONFLICTS OF INTEREST

Conflicts of Interest: Mr. O'Leary discussed the law relating to conflicts of interest and ethical standards for public officials, and the statutory requirements to disclose any potential conflict of interest to the Boards and to the Secretary of State. Mr. O'Leary further advised the Boards regarding the requirements pertaining to general and specific conflicts. Mr. O'Leary indicated that appropriate forms disclosing potential conflicts had previously been sent to and completed by each of the Directors at least 72 hours in advance of the meeting as required by statute. The Boards acknowledged all Board Members are employees or affiliated with WRD4 Greeley Property, LLC, and its predecessor entity, and its heirs, successors, affiliates, and assigns, the primary landowners, and the developer within the Districts. Mr. O'Leary noted additional potential conflicts and questions should be submitted to Spencer Fane, LLP for review and preparation of applicable disclosure statements in advance of each meeting. Mr. O'Leary discussed the obligations of individual Directors to assure that the state law regarding disclosure of potential conflicts of interest is properly satisfied. The Boards reviewed the agenda for the meeting, following which each Board Member present confirmed the contents of the written disclosures previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Boards determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Boards to act.

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### AGENDA

The Boards reviewed the agenda. Upon motion duly made by Director Savela, seconded by Director Corsentino, and upon vote, it was unanimously

**RESOLVED** to approve the agenda, as presented.

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### ADMINISTRATIVE ITEMS

The minutes of the November 11, 2021 Special Board Meeting and the December 15, 2021 Special Board Meeting were presented and reviewed. Following review and discussion, upon motion duly made by Director Savela, seconded by Director Corsentino and, upon vote, it was unanimously



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**RESOLVED** to approve the November 11, 2021 Special Board Meeting and the December 15, 2021 Special Board Meeting minutes, as presented.

APPOINTMENTS  
TO FILL BOARD  
VACANCY

The Board considered the appointment of Bryan Reid to fill the board vacancy on District No. 2, John Spiegelman to fill the board vacancy on District Nos. 1 and 4, and Mildred Candelaria to fill the board vacancy on District No. 3. Mr. O’Leary noted that publication of a notice of vacancy with respect to vacancy on the boards of directors of District Nos. 1-4 had occurred in the Greeley Tribune and no letters of interest in filling the vacancy were submitted by any other qualified eligible electors within ten days of the publication of the notice. Mr. Reid, Mr. Spiegelman and Ms. Candelaria submitted their documentation and were qualified candidates to serve as directors until the next regular election of the Districts. Following review and discussion, upon motion duly made by Director Savela, seconded by Director Corsentino and, upon vote, it was unanimously

**RESOLVED** to appoint Bryan Reid to the Board of Directors of District No. 2 to fill the term expiring May 2023.

**FURTHER RESOLVED** to appoint John Spiegleman to the Board of Directors of District Nos. 1 and 4 to fill the term expiring May 2023.

**FURTHER RESOLVED** to appoint Mildred Candelaria to the Board of Directors of District No. 3 to fill the term expiring May 2023.

PUBLIC COMMENT

The Boards opened the meeting to public comments. Upon receiving no comments, this portion of the meeting was closed.

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CAPITAL  
INFRASTRUCTURE  
& RELATED  
FINANCIAL ITEMS

Approval of Request for Partial Capital Public Improvement Cost Acceptance #2: Ms. Starman presented to the District No. 1 Board the request for Partial Capital Public Improvement Cost Acceptance #2 for Public Improvements in the amount of \$432,977.72. Following review and discussion, upon motion duly made by Director Savela, seconded by Director Corsentino, and upon unanimous vote, it was

**RESOLVED** to approve the request for Partial Capital Public Improvement Cost Acceptance #2 in the amount of \$432,977.72.

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Approval of Project Fund Requisition Draw for Capital Infrastructure Expenses: Following review and discussion of the Project Funds Draw Request in the amount of \$432,977.72, a motion was duly made by Director Savela, seconded by Director Corsentino, and upon unanimous vote, it was

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**RESOLVED** to approve the Project Fund Requisition Draw for Capital Public Infrastructure Expenses in the amount of \$432,977.72 and authorize District accountant to facilitate the bond fund transfer upon execution of Draw Request No.1.

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Approval of Resolution of the Districts to Reimburse Partial Capital Public Improvement Notice for Capital Public Improvement Cost Acceptance for Public Improvements in the amount of \$432,977.72: Mr. O’Leary provided for the Districts Boards’ consideration the Resolution of the Districts to Reimburse Partial Capital Public Improvement Notice for Public Improvements. Following review and discussion, upon motion duly made by Director Savela, seconded by Director Corsentino, and upon unanimous vote, it was

**RESOLVED** to approve the Resolution to Reimburse Partial Capital Public Improvement Notice for Public Improvement Costs and Expenses in the amount of \$432,977.72.

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### MANAGER’S REPORT

Discussion on Covenants and Design Guidelines: The Boards discussed Covenants and Design Guidelines and relayed that those would be put in place by the builders of the individual districts. The Board authorized the District consultants to work with the builders as necessary to coordinate and complete those Covenants and Guidelines as necessary.

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### FINANCIAL ITEMS

Review and Consider Secondary Signatory for the Westgate Metropolitan District bank accounts. Following review and discussion, upon motion duly made by Director Savela, seconded by Director Corsentino, and upon unanimous vote, it was

**RESOLVED** to approve Mary Kate Corbitt as the secondary signor for the Westgate Metropolitan District.

### DEVELOPMENT UPDATE

Mr. Morton provided the Boards with a development update noting that development had begun on the project and grading for the retention pond has started along with the installation of utilities for the project.

### ADJOURNMENT

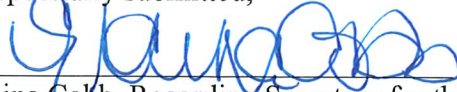
There being no further business to come before the Boards at this time the meeting was adjourned at 9:24 a.m.

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Respectfully submitted,



Elaina Cobb, Recording Secretary for the Meeting