

## RECORD OF PROCEEDINGS

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### MINUTES OF THE COORDINATED REGULAR MEETING OF

WESTGATE METROPOLITAN DISTRICT NOS. 1-4

HELD  
April 27, 2023

The Coordinated Regular 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 and teleconference on Thursday, April 27, 2023, at 9:00 a.m.

#### ATTENDANCE

##### Directors in Attendance:

Marc Savela, Districts 1-4, President/Chairman  
Bryan Reid, District 2, Vice President & Asst. Sec./Asst. Treasurer  
Mildred Candelaria, District 3, Vice President & Asst. Sec./Asst. Treasurer  
Ronald Corsentino, Districts 1-4, Secretary/Treasurer  
Brandon Jack, District 2, Vice President & Asst. Sec./Asst. Treasurer  
John Spiegleman, District 1 & 4, Vice President & Asst. Sec./Asst. Treasurer  
Mary-Kate Corbitt, Districts 1-4, Vice President & Asst. Sec./Asst. Treasurer

##### Directors Absent and Excused:

Brian Spittell, Districts 1, 3 & 4, Vice President & Asst. Sec./Asst. Treasurer

##### Also in Attendance:

David O’Leary; Spencer Fane, LLP  
Chris Morton and Kathryn Novak; Broe Real Estate Group  
Jordan Honea; D.R. Horton  
Shannon Randazzo, Bryan Newby, Jordan Wood, Molly Brodlun, and Nic Ortiz; Pinnacle Consulting Group, Inc.

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#### CALL TO ORDER

The Regular Meeting of the Boards of Directors of Westgate Metropolitan District Nos. 1, 2, 3 and 4 was called to order at 9:00 a.m. by Ms. Randazzo, 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 reflected in these

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minutes.

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MEETING NOTICE Ms. Randazzo reported notices of the Boards 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 the Board Members who are either employees or affiliated with WRD4 Greeley Property, LLC, and its predecessor entity, and its heirs, successors, affiliates, and assigns, and Director Candelaria, who is affiliated with the builder/development entity within District No. 3, and Director Reid, who is affiliated with the builder/development entity within District No. 2, each entity and the affiliations with landowners, and the development entities 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. Following review and discussion, upon motion duly made by Director Savela, seconded by Director Corbitt, and upon unanimous vote, it was

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

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ADMINISTRATIVE  
ITEMS

March 23, 2023, Regular Meeting Minutes: The minutes of the March 23, 2023, Regular Board Meeting were presented and reviewed. Following review and discussion, upon motion duly made by Director Savela, seconded by Director Corbitt, and upon unanimous vote, it was

**RESOLVED** to approve the March 23, 2023, Regular Board Meeting minutes, as presented.

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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

Partial Capital Acceptance of Public Improvement Cost: Mr. Ortiz presented and requested approval of the Partial Capital Acceptance of Public Improvement Cost in the amount of \$645,170.57 and answered questions. Following review and discussion, upon motion duly made by Director Corbitt, seconded by Director Corsentino, and upon unanimous vote, it was

**RESOLVED** to approve the Partial Capital Public Improvement Cost Acceptance in the amount of \$645,170.57.

Project Requisition Draw for Capital Improvement Expenses: Mr. Ortiz presented and requested approval of a Project Requisition Draw for Capital Improvement Expenses in the amount of \$645,170.57 and answered questions. Following review and discussion, upon motion duly made by Director Corbitt, seconded by Director Corsentino, and upon unanimous vote, it was

**RESOLVED** to approve the Project Requisition Draw for Capital Improvement Expenses in the amount of \$645,170.57.

Resolution of the District to Reimburse Partial Capital Public Improvement Notice for Public Improvement Costs and Expenses: Mr. Ortiz presented and requested approval of a Resolution of the District to Reimburse Partial Capital Public Improvement Notice for Public Improvement Costs and Expenses in the amount of \$645,170.57. Following review and discussion, upon motion duly made by Director Corbitt, seconded by Director Corsentino, and upon unanimous vote, it was

**RESOLVED** to approve the Resolution of the District to Reimburse Partial Capital Public Improvement Notice for Public Improvement Costs and Expenses in the amount of \$645,170.57.

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FINANCIAL  
ITEMS

There were no Financial Items brought before the Boards.  
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DISTRICT  
MANAGER  
ITEMS

Manager's Report: Ms. Randazzo presented and reviewed the Manager's Report and answered questions.  
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LEGAL ITEMS

There were no legal items brought before the Boards.  
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DEVELOPMENT  
UPDATE

Mr. Morton reported a walk through with the City of Greeley was completed on April 17<sup>th</sup> with all punch line items submitted on April 19<sup>th</sup>. He reported the initial acceptance with revisions were expected on April 27<sup>th</sup> and the only item outstanding was landscaping. Mr. Morton also reported Continental Building plan to start closing on lots.  
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ITEMS FROM  
DIRECTORS

There were no Director's items brought before the Boards.  
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OTHER MATTERS

There were no other matters brought before the Boards.  
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EXECUTIVE  
SESSION

No executive session was needed at this time.  
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ADJOURNMENT

There being no further business to come before the Boards, upon motion duly made by Director Corsentino, seconded by Director Spiegleman, and upon unanimous vote, the meeting was adjourned at 9:05 a.m.  
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Respectfully submitted,

DocuSigned by:  
*Jordan Wood*

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Jordan Wood, Recording Secretary for the Meeting