

**COLUMBINE HEIGHTS METROPOLITAN DISTRICT
ORGANIZATIONAL MATTERS RESOLUTION**

RESOLUTION

WHEREAS, the Board of Directors (the “Board”) of Columbine Heights Metropolitan District (the “District”) is required to perform certain administrative obligations during each calendar year to comply with certain statutory requirements, as further described below, and to assure the efficient operations of the District; and

WHEREAS, the Board desires to set forth such obligations herein and to designate, where applicable, the appropriate person or person(s), including District’s legal counsel, management and/or accountant, to perform such obligations on behalf of the District; and

WHEREAS, the Board further desires to acknowledge and ratify herein certain actions and outstanding obligations of the District.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF COLUMBINE HEIGHTS METROPOLITAN DISTRICT HEREBY RESOLVES AS FOLLOWS:

1. The Board directs District management to prepare an accurate map as specified by the Division for filing with the Colorado Division of Local Government (the “Division”), the Weld County Clerk and Recorder, and the Weld County Assessor on or before January 1 of each year, as required by Section 32-1-306, C.R.S.

2. Pursuant to Section 24-32-116(3)(b), C.R.S, the Board directs legal counsel to update the Division with any of the following information previously provided to the Division, in the event such information changes: (i) the official name of the District; (ii) the principal address and mailing address of the District; (iii) the name of the District’s agent; and (iv) the mailing address of the District’s agent.

3. The Board directs legal counsel to prepare, no more than sixty (60) days prior to and not later than January 15, 2025, the District’s annual transparency notice containing the information set forth in Section 32-1-809(1), C.R.S., and to provide such notice to the eligible electors of the District in one of the manners set forth in Section 32-1-809(2), C.R.S. In addition, legal counsel is directed to file a copy of the notice with the Weld County Board of County Commissioners, Weld County Assessor, Weld County Treasurer, Weld County Clerk and Recorder, the Frederick Board of Trustees, and the Division as set forth in Section 32-1-104(2), C.R.S. A copy of the notice shall be made available for public inspection at the principal business office of the District.

4. The Board directs the District’s accountant to submit the proposed 2025 budget for the District to the Board by October 15, 2024 to schedule a public hearing on the proposed budget, prepare a final budget, and a budget resolution, including certifications of mill levies; and amendments to the budget if necessary; to certify the mill levies to Weld County on or before December 15, 2024; and to file the approved budget and amendments thereto with the proper

governmental entities in accordance with the Local Government Budget Law of Colorado, Sections 29-1-101 to 29-1-115, C.R.S.

5. In the event additional real property is included into the boundaries of the District in the future, the Board authorizes legal counsel to record the special district public disclosure document and a map of the new boundaries of the District concurrently with the recording of the order for inclusion in the Weld County Clerk and Recorder's office in accordance with Section 32-1-104.8(2), C.R.S.

6. The Board directs legal counsel to notify the Frederick Board of Trustees of any alteration or revision of the proposed schedule of debt issuance set forth in the financial plan attached to the District's Service Plan, as required by Section 32-1-202(2)(b), C.R.S.

7. For any nonrated public securities issued by the District, the Board directs the District's accountant to prepare and file with the Division on or before March 1, 2024, an annual information report with respect to any of the District's nonrated public securities which are outstanding as of the end of the District's fiscal year in accordance with Section 11-58-105, C.R.S.

8. The Board hereby authorizes the District's accountant to prepare and file an Audit Exemption and Resolution for approval of Audit Exemption for the District with the State Auditor by March 31, 2024 as may be required by Section 29-1-604, C.R.S.; or, as may be required by Section 29-1-603, C.R.S., the Board authorizes that an audit of the District's financial statements be prepared and submitted to the Board before June 30, 2024 and filed with the State Auditor by July 31, 2024.

9. If the District holds property presumed abandoned and subject to custody as unclaimed property pursuant to the Unclaimed Property Act (§§38-13-101 *et seq.*, C.R.S.), the Board directs legal counsel to prepare an unclaimed property report that covers the twelve months preceding July 1, 2024 and submit the report to the Colorado State Treasurer by November 1, 2024, in accordance with Section 38-13-401 *et seq.*, C.R.S.

10. If required, the Board directs the District's accountant to oversee the preparation of any continuing annual disclosure report required to be filed not later than the date required by the applicable continuing disclosure agreement, in accordance with the Securities Exchange Commission Rule 15c2-12.

11. The Board designates the Secretary of the District as the official custodian of "public records," as such term is used in Section 24-72-202(2), C.R.S. Public records may also be maintained at the offices of Icenogle Seaver Pogue, P.C., 4725 S. Monaco St., Suite 360, Denver, CO 80237 and Pinnacle Consulting Group, Inc., 550 W. Eisenhower Blvd, Loveland CO 80537.

12. The Board directs legal counsel to advise it on the requirements of the Fair Campaign Practices Act Section 1-45-101 *et seq.*, C.R.S., when applicable.

13. The Board directs that all legal notices shall be published in accordance with Section 32-1-103(15), C.R.S., in a paper of general circulation within the boundaries of the

District, or in the vicinity of the District if none is circulated within the District including, but not limited to, the *Longmont Times-Call*.

14. The Board hereby determines that each director shall not receive compensation for the directors' services in accordance with Section 32-1-902(3)(a)(II), C.R.S.

15. The Board hereby determines that each member of the Board shall execute an Affidavit of Qualification of Director at such time the member is either elected or appointed to the Board and prior to the District issuing any general obligation debt or other multiple fiscal year obligations. Such forms shall be retained in the District's files. Section 32-1-103(5), C.R.S. sets forth the qualifications required. Pursuant to Sections 32-1-901 and 24-12-101, C.R.S., the Board directs legal counsel to prepare, administer and file an oath of office and a certificate of appointment, if applicable, and procure a surety bond for each Director, and to file copies of each with the Weld County Clerk and Recorder, Weld Clerk of the Court, and with the Division.

16. The Board hereby elects the following officers for the District to serve until the next election or appointment of directors, in accordance with Section 32-1-902, C.R.S.:

Michael Blumenthal	–	President
Bob Quinette	–	Treasurer/Secretary
Harvey Deutsch	–	Assistant Secretary
Jill Knuckles	–	Assistant Secretary

17. The Board approved an indemnification resolution on February 13, 2024, which resolution shall continue in effect as approved, and hereby specifically appropriate sufficient funds for such purpose.

18. In accordance with Section 32-1-104.5(3)(a), C.R.S., District management shall, within one year of the date of the order and decree organizing the District, establish, maintain, and annually update the District's official website. The Board directs District management to maintain and update the official website of the District in compliance with Section 32-1-104.5(3)(a), C.R.S.

19. Stacie L. Pacheco of the law firm known as Icenogle Seaver Pogue, P.C., is hereby appointed as the "Designated Election Official" of the Board for any election to be held by the District. In accordance with Sections 1-1-111(2); 1-13.5-108; and 32-1-804(2), C.R.S., the Board hereby grants all powers and authority for the proper conduct of any election to the Designated Election Official, including but not limited to: calling an election on behalf of the District; approving the final form of ballot issues and questions; preparing TABOR notices; appointing election judges and canvass boards; and cancelling, if applicable, the election.

20. The Board deems it expedient for the convenience of the electors that they shall conduct all regular and special elections of the District via a mail ballot election unless a polling place election is deemed necessary and expressed in a separate election resolution.

21. Pursuant to Section 32-1-1101.5, C.R.S., the Board directs legal counsel to certify the results of special district ballot issue elections to incur general obligation indebtedness by certified mail to the Frederick Board of Trustees and to file a copy of the certification with the Colorado Division of Securities within forty-five (45) days after the election. Furthermore, whenever the District authorizes or incurs a general obligation debt, the Board authorizes legal counsel to record notice of such action and a description of such debt, in a form prescribed by the Division, in the Weld County Clerk and Recorder's office within thirty (30) days after authorizing or incurring the debt in accordance with Section 32-1-1604, C.R.S. Furthermore, whenever the District incurs general obligation debt, the Board directs legal counsel to submit a copy of the recorded notice to the Frederick Board of Trustees within thirty (30) days after incurring the debt in accordance with Section 32-1-1101.5(1), C.R.S.

22. The Board directs legal counsel to prepare and file an application for a quinquennial finding of reasonable diligence with the Frederick Board of Trustees, if requested, in accordance with Section 32-1-1101.5(1.5) & (2), C.R.S.

23. The Board directs legal counsel to prepare and file the special district annual report in accordance with the District's Service Plan and Section 32-1-207(3)(c), C.R.S.

24. The Board has determined that legal counsel will file conflicts of interest disclosures provided by board members with the Secretary of State seventy-two (72) hours prior to each meeting of the Board, in accordance with Sections 32-1-902(3)(b) and 18-8-308, C.R.S. Annually, legal counsel shall request that each Board member submit updated information regarding actual or potential conflicts of interest. Additionally, at the beginning of every term, legal counsel shall request that each Board member submit information regarding actual or potential conflicts of interest.

25. The Board directs District management to obtain proposals for insurance to insure the District against all or any part of the District's liability for injury; to insure the directors acting within the scope of employment by the Board against all or any part of such liability for an injury; and to insure against the expense of defending a claim for injury against the District or its Board.

26. Pursuant to Section 24-6-402(2)(d.5)(II)(E), C.R.S., the Board hereby declares that all electronic recordings of executive sessions shall be retained for purposes of the Colorado Open Meetings Law for ninety (90) days after the date of the executive session. The Board further directs the custodian of the electronic recordings of the executive session to systematically delete all such recordings made for purposes of the Colorado Open Meetings Law at its earliest convenience after the ninetieth (90th) day after the date of the executive session.

27. The District hereby acknowledges, agrees and declares that the District's policy for the deposit of public funds shall be made in accordance with the Public Deposit Protection Act (Section 11-10.5-101 *et. seq.*, C.R.S.). As provided therein, the District's official custodian may deposit public funds in any bank which has been designated by the Colorado Banking Board as an eligible public depository. For purposes of this paragraph, "official custodian" means a designee with plenary authority including control over public funds of a public unit which the official custodian is appointed to serve. The District hereby designates the District's accountant as its

official custodian over public deposits.

28. Unless otherwise authorized by the Board at a duly held meeting, the Board hereby authorizes the Board President or the District Manager to approve any 2024 Task Orders, Work Orders, and Change Orders (individually, the “Order”, collectively, the “Orders”) for any District construction contract and service agreement (the “Contract”), provided, that any Order resulting in an increase in the Contract price to be paid by the District is within the District’s approved budget. Any Orders approved by the District’s Board President or District Manager will be ratified by the Board at a subsequent meeting of the Board.

[Signature Page Follows]

ADOPTED AND APPROVED THIS 13th DAY OF FEBRUARY 2024.

COLUMBINE HEIGHTS METROPOLITAN
DISTRICT

DocuSigned by:

MICHAEL BLUMENTHAL

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By: Michael Blumenthal

Its: President

Signature Page to Columbine Heights MD Organizational Matters Resolution