RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF WESTERLY CREEK METROPOLITAN DISTRICT

HELD
October 19, 2026

The Regular Meeting of the Board of Directors of Westerly Creek Metropolitan District was held at the MCA Cube and via Zoom and Teleconference on Monday, October 19, 2026, at 6:30 p.m.

ATTENDANCE

Directors in Attendance:
Robert Douglas Marsh, President
Jack Seward, Vice President
Matthew Blackburn, Treasurer
Omid Jazaeri, Secretary
John Karner, Assistant Secretary

Also in Attendance:
Kevin Mitts, Matt Sorenson, and Andrew Kunkel; Pinnacle Consulting Group, Inc.
Lee Freedman, Esq.; VF-Law

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ADMINISTRATIVE ITEMS

Call to Order: The Regular Meeting of the Board of Directors of the Westerly Creek Metropolitan District was called to order by Director Marsh at 6:30 p.m.

Declaration of Quorum/Director Qualifications: Director Marsh noted that a quorum was present, with five out of five Directors in attendance. All Board Members confirmed their qualifications to serve on the Board.

Disclosure of Potential Conflicts of Interest: Mr. Mitts advised the Board that pursuant to Colorado law, certain disclosures by Board Members might be required prior to taking official action at a meeting. Mr. Mitts reported that disclosures for those Board Members who provided Pinnacle Consulting Group, Inc. with notice of potential or existing conflicts of interest, if any, were filed with the Colorado Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Mitts inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members

present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda: Upon a motion duly made by Director Marsh, seconded by Director Jazaeri, and upon vote, unanimously carried, it was

RESOLVED to approve the agenda, as presented.

Public Comment: There were no Public Comments received.

CONSENT AGENDA

Director Marsh reviewed the items on the consent agenda with the Board. Director Marsh advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any Director. Director Seward requested the September 21, 2026, Regular Meeting Minutes be removed from the Consent Agenda. Upon a motion duly made by Director Seward, Seconded by Director Jazaeri, the following items on the consent agenda were unanimously approved, ratified and adopted:

A. Minutes – September 21, 2026, Annual Meeting.
B. Payment of Claims.

September 21, 2026, Regular Meeting Minutes: Director Seward requested changes to the September 21, 2026, Regular Meeting Minutes to add "Director Seward directed Mr. Freedman to confer with the Park Creek Metropolitan District regarding compliance with the Settlement Agreement" to the end of the Executive Session section of the minutes. Following review and discussion, upon a motion duly made by Director Seward, seconded by Director Jazaeri, and upon vote, unanimously carried, it was

RESOLVED to approve the September 21, 2026, Regular Meeting Minutes, as subject to finalization with the requested changes.

FINANCIAL ITEMS

Finance Manager Status Update: Mr. Sorenson provided the Finance Manager Status Update to the Board and answered questions. Mr. Sorenson noted the draft 2027 budget was distributed to the Board by the statutory October 15th deadline. Director Blackburn requested an update on the share file system for the Financial Statements and Mr. Sorenson stated it is completed and will be distributed soon.

2027 Budget Discussion: Mr. Sorensen led a discussion regarding the 2027 Proposed Budget and answered questions regarding 2025 actuals,

year to date actuals, projected actuals, revenue transfers, and mill levy adjustments.

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DISTRICT MANAGER ITEMS

Status of Asset Management Plan: Director Seward provided an update on the status of the Asset Management Plan to the Board. Director Karner requested Mr. Mitts and Mr. Freedman review and finalize the terms of the contract with Matrix Design Group, Inc. to fit the desired scope of work.

Draft Master Calendar: Director Marsh discussed the Draft Master Calendar with the Board.

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LEGAL ITEMS

2021 Park Creek Settlement Agreement Regarding Ex Officio and Resident Seats on the Park Creek Metropolitan District Board of Directors: Director Marsh discussed the 2021 Park Creek Settlement Agreement regarding Ex Officio and Resident Seats on the Park Creek Metropolitan District Board of Directors.

Engagement of an Authorized Designated Election Official for the 2027 Election: Mr. Freedman provided an update regarding obtaining a Designated Election Official for the 2027 Election. Mr. Freedman noted his firm is not hiring a D.E.O. and recommended the Board engage a D.E.O. for the 2027 Election. Mr. Mitts discussed options for engaging a D.E.O.

Policy Resolution Regarding AI Bots in Board Meetings: Mr. Freedman asked if the Policy Resolution Regarding AI Bots in Board Meetings should be combined with the District Bylaw's being considered for implementation. Director Marsh and Director Jazaeri suggested the Policy be implemented separately from the District Bylaw's.

Implementation of District Bylaw's: Director Marsh discussed the Implementation of the District Bylaw's with the Board.

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EXECUTIVE SESSION

Executive session, pursuant to C.R.S. § 24-6-402(4)(b) C.R.S. for the purpose of receiving legal advice regarding the SDC Settlement Agreement.

Mr. Freedman advised the Board that it was permitted, upon compliance with requisite statutory procedures under the Colorado Open Meetings Law, for the Board to convene an executive session, pursuant to C.R.S. § 24-6-402(4)(b) C.R.S. for the purpose of receiving legal advice regarding

the SDC Settlement Agreement. Upon a motion duly made by Director Seward, seconded by Director Blackburn, and upon vote, unanimously carried, it was

RESOLVED to convene an Executive Session, pursuant to C.R.S. § 24-6-402(4)(b) C.R.S. for the purpose of receiving legal advice regarding the SDC Settlement Agreement.

The Board returned from Executive Session at 7:56 p.m. No decisions or actions were taken in the Executive Session.

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DIRECTOR ITEMS

Capital Expenditure Projects to Park Creek Metropolitan District: Director Blackburn discussed the need for Westerly Creek Metropolitan District to advocate to Park Creek Metropolitan District to help improve the parking at North Field High School and requested the District request Park Creek Metropolitan District install a temporary parking lot for the school at the adjacent field.

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ADJOURNMENT

There being no further business to come before the Board, Director Marsh adjourned the meeting at 8:12 p.m.

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The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting. Respectfully submitted,

Andrew Kunkel

Andrew Kunkel, Recording Secretary for the Meeting