

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ARISTA METROPOLITAN DISTRICT HELD FEBRUARY 18, 2021

A Regular Meeting of the Board of Directors (referred to hereafter as the "Board") of the Arista Metropolitan District (referred to hereafter as the "District") was convened on Thursday, the 18th day of February, 2021, at 10:00 a.m. The meeting was open to the public.

The meeting was held via Zoom Video Conferencing and at Wiens Capital Management, LLC, 555 Eldorado Boulevard, Suite 200, Broomfield, Colorado 80021-3342 due to the State of Emergency declared by Governor Polis and Public Health Order 20-28 Implementing Social Distancing Measures, and threat posed by the COVID-19 coronavirus.

ATTENDANCE

Directors In Attendance Were:

Joseph L. Zepeda (at the physical location)
David Hostetler (at the physical location)
Timothy Wiens (at the physical location)
Jordon Wiens (at the physical location)
William R. Maestas (via Zoom)

Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc. (at the physical location)

Zachary P. White, Esq.; White Bear Ankele Tanaka & Waldron, P.C. (at the physical location)

Shelby Clymer; CliftonLarsonAllen, LLP (at the physical location)

Tami Worker; Martin/Martin, Inc. (at the physical location)

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: Mr. White advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the 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. White inquired into whether

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members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to 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.

ADMINISTRATIVE MATTERS

Agenda: The Board reviewed the proposed Agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by President Zepeda, seconded by Director Maestas 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 noted that due to concerns regarding the spread of the coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the District Board meeting was held via Zoom. Six people were present at the physical location at Wiens Capital Management, LLC, 555 Eldorado Boulevard, Suite 200, Broomfield, Colorado 80021-3342. Ms. Finn reported that notice was duly posted and that no objections to the video and audio-conferencing manner of the meeting or any requests that the video and audio-conferencing manner of the meeting be changed by the public have been received.

Minutes: The Board reviewed Minutes of the November 18, 2020 Regular Meeting.

Following review, upon motion duly made by President Zepeda, seconded by Director Jordan Wiens and, upon vote, unanimously carried, the Minutes of the November 18, 2020 Regular Meeting were approved, as presented.

Consent Agenda: The Board considered the following actions:

- Ratify approval of Easement Agreement for the Arista Metropolitan District to grant a Temporary Construction and Perpetual Maintenance/Repair Easement to Arista Place, LLC (8001).
- Ratify approval of Easement Agreement for the Arista Metropolitan District to grant a Temporary Construction and Perpetual Maintenance/Repair Easement to Arista Place II, LLC (8181).

Following discussion, upon motion duly made by Director Timothy Wiens, seconded by Director Maestas and, upon vote, unanimously carried, the Board approved and/or ratified approval of the Consent Agenda items.

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PUBLIC COMMENT **Public Comment:** There were no public comments.

OPERATION AND MAINTENANCE **Arista Parking Garage Repair Project:** Ms. Worker provided a presentation to the Board regarding the current repairs and construction issues. She noted Western Specialty Contractors is doing a good job. President Zepeda distributed cost estimates for repair work to the Board.

Field Observation Reports 1 & 2 as Issued by Martin/Martin Consulting Engineers: The Board reviewed the Field Observation Reports 1 & 2 as issued by Martin/Martin Consulting Engineers. No action was taken by the Board.

Repair Directives 1, 2, 3 and 4 as Issued by Martin/Martin Consulting Engineers: The Board reviewed the Repair Directives 1, 2, 3 and 4 as issued by Martin/Martin Consulting Engineers. No action was taken by the Board.

Proposal for Development of a Maintenance Manual for the Parking Garage: Ms. Worker reviewed with the Board a sample of a proposal for development of a Maintenance Manual for the parking garage. President Zepeda recommended approving the proposal.

Following discussion, upon motion duly made by Director Timothy Wiens, seconded by Director Maestas and, upon vote, unanimously carried, the Board approved the proposal for development of a Maintenance Manual for the parking garage. The Board further authorized President Zepeda to prepare an addendum to the current contract for additional work.

Security Services for the Parking Garage: The Board discussed security services for the Parking Garage.

Following discussion, upon motion duly made by Director Jordan Wiens, seconded by Director Maestas and, upon vote, unanimously carried, the Board authorized President Zepeda to terminate the Agreement with the current contractor and engage a new security service company.

Addendum to the Independent Contractor Agreement Between the District and Frontier Fire Protection, Inc. for Electrical Work: The Board discussed an Addendum to an Independent Contractor Agreement between the District and Frontier Fire Protection, Inc. for electrical work.

Following discussion, upon motion duly made by Director Jordan Wiens, seconded by Director Maestas and, upon vote, unanimously carried, the Board approved an Addendum to the Independent Contractor Agreement between the District and

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Frontier Fire Protection, Inc. for electrical work, in the amount of \$7,733 and authorized Attorney White to prepare an Addendum.

Independent Contractor Agreement Between the District and 5280 Electrical for Site Lighting Maintenance Services for the Parking Garage: The Board reviewed an Independent Contractor Agreement between the District and 5280 Electrical for site lighting maintenance services for the Parking Garage.

Following discussion, upon motion duly made by Director Jordan Wiens, seconded by Director Maestas and, upon vote, unanimously carried, the Board approved the Independent Contractor Agreement between the District and 5280 Electrical for site lighting maintenance services for the Parking Garage.

CAPITAL MATTERS **Capital Improvement Project Report:** President Zepeda distributed a Capital Improvement Project Report to the Board.

Shepsfield Park: President Zepeda reported to the Board the Shepsfield Park is 100% complete except for an irrigation system issue. It was noted that once the irrigation system issue is resolved the City and County of Broomfield will accept the improvement.

Parcel A Improvements: President Zepeda reported to the Board he is waiting for the final acceptance paperwork from the City and County of Broomfield for the Parcel A Improvements.

Parkland Street Extension Project: President Zepeda reported to the Board the City and County of Broomfield and Colorado Department of Transportation approved the drawings for the Parkland Street Extension Project, subject to minor changes. He is working on obtaining preliminary costs estimate and the work is expected to begin November 25, 2021 through May 23, 2022.

Terrace Pond Park Project: President Zepeda reported to the Board the Terrace Pond Park sod is scheduled to be installed on April 1, 2021. It was also noted there are irrigation controller issues and the District is working with the City and County of Broomfield to find a resolution to the issues.

Gallery Park Project: President Zepeda reported to the Board the SDP was approved by the City and County of Broomfield. It was noted the work is scheduled for May 20, 2022 through November 15, 2022.

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FINANCIAL MATTERS

Payment of Claims: The Board considered approval of the payment of claims for the following periods:

Fund	Period Ending November 2020	Period Ending December 2020	Period Ending January 2021
General	\$ 28,969.73	\$ 39,725.62	\$ 115,340.63
Debt Service	\$ -0-	\$ -0-	\$ 42.00
Capital Projects	\$ 302,411.55	\$ 49,242.41	\$ 60,009.17
Total	\$ 331,381.28	\$ 88,968.03	\$ 175,391.80

Following discussion, upon motion duly made by Director Zepeda, seconded by Director Maestas and, upon vote, unanimously carried, the Board approved the payment of claims, as presented.

Financial Statements: Ms. Clymer reviewed with the Board the unaudited financial statements of the District for the period ending December 31, 2020 and the cash position statement dated December 31, 2020, updated January 20, 2021.

Following review and discussion, upon motion duly made by Director Hostetler, seconded by Director Maestas and, upon vote, unanimously carried, the Board approved the unaudited financial statements of the District for the period ending December 31, 2020 and the cash position statement dated December 31, 2020, updated January 20, 2021.

LEGAL MATTERS

Resolution Designating 24-Hour Posting Location: The Board reviewed a Resolution Designating 24-Hour Posting Location.

Following review and discussion, upon motion duly made by Director Maestas, seconded by Director Zepeda and, upon vote, unanimously carried, the Board adopted the Resolution Designating 24-Hour Posting Location.

ADJOURNMENT

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

Respectfully submitted,

By: *Ann Finn*
Secretary for the Meeting

TITLE	Arista MD - Minutes
FILE NAME	02.18.21 Spec Minutes.pdf and 2 others
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02 / 28 / 2022

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