

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE ARISTA METROPOLITAN DISTRICT HELD OCTOBER 1, 2021

A Special 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 Friday, the 1st day of October, 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.

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. (via Zoom)

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

Tami Worker; Martin/Martin, Inc. (at the physical location, for a portion of the meeting)

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: Attorney White advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Attorney White reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron P.C. 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. Attorney White inquired into whether members of the Board had any additional disclosures of potential or existing

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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 Special Meeting.

Following discussion, upon motion duly made by Director Zepeda, seconded by Director Maestas and, upon vote, unanimously carried, the Agenda was approved, as amended.

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. Seven 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 June 17, 2021 Regular Meeting.

Following review, upon motion duly made by Director J. Wiens, seconded by Director Zepeda and, upon vote, unanimously carried, the Minutes of the June 17, 2021 Regular Meeting were approved, as presented.

Resolution No. 2021-10-01; Resolution Designating the Location of Regular Meetings: Ms. Finn discussed with the Board Resolution No. 2021-10-01; Resolution Designating the Location of Regular Meetings.

The Board determined all Regular Meetings of the Board will be held by telephonic, electronic, or other virtual means.

Following discussion, upon motion duly made by Director Zepeda, seconded by Director Wiens and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-10-01; Resolution Designating the Location of Regular Meetings.

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Consent Agenda: The Board considered the following actions:

- Ratify approval of a proposal from TownCloud for the Agenda Enterprise and Website Subscription, in the amount of \$4,188.
- Ratify approval of proposal from Rush Management, Inc. for landscape work, in the amount of \$32,401.60.
- Ratify approval of proposal from BSC Signs for park signs, for an amount not to exceed \$11,000.
- Ratify approval of proposal from Horizon Glass Co. to repair broken glass at the 1st floor southeast stairwell in the parking garage, in an amount of \$1,078.

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

PUBLIC COMMENT

Public Comment: There were no public comments.

FINANCIAL MATTERS

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

Fund	Period Ending June 30, 2021	Period Ending July 31, 2021	Period Ending August 31, 2021
General	\$ 170,473.56	\$ 338,712.24	\$ 149,357.42
Debt Service	\$ -0-	\$ -0-	\$ -0-
Capital Projects	\$ 30,540.90	\$ 172,095.10	\$ 8,257.62
Total	\$ 201,014.46	\$ 510,807.34	\$ 157,615.04

Following discussion, upon motion duly made by Director J. Wiens, seconded by Director Zepeda 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 August 31, 2021 and the cash position statement dated August 31, 2021, updated September 21, 2021.

Following review and discussion, upon motion duly made by Director Hostetler, seconded by Director Zepeda and, upon vote, unanimously carried, the Board approved the unaudited financial statements of the District for the period ending August 31, 2021 and the cash position statement dated August 31, 2021, updated September 21, 2021.

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Draft 2022 Budget: Ms. Clymer reviewed with the Board a draft 2022 Budget. The Board provided comments on the draft Budget.

LEGAL MATTERS

Resolution Authorizing Payment of Sensory Park Fees to the City and County of Broomfield: The Board reviewed a Resolution Authorizing Payment of Sensory Park Fees to the City and County of Broomfield.

Following review and discussion, upon motion duly made by Director Hostetler, seconded by Director Zepeda and, upon vote, unanimously carried, the Board approved the Resolution Authorizing Payment of Sensory Park Fees to the City and County of Broomfield.

Temporary License Agreement with Brinkman Constructors, LLC and Star Broomfield, LLC: The Board deferred discussion.

CAPITAL MATTERS

Capital Improvement Project Report:

Parkland Street Extension Project: Director Zepeda reported the Parkland Street Extension Project is expected to begin in April 2022.

Gallery Park: Director Zepeda reported the Gallery Park Project is expected to begin in October 2022 and the plans are pending approval from the City and County of Broomfield.

Terrace Pond Park Project: Director Zepeda reported the Terrace Pond Park Project is complete.

Release of Retainage to Taylor Kohrs: The Board entered into discussion regard the release of retainage to Taylor Kohrs.

Following review and discussion, upon motion duly made by Director Hostetler, seconded by Director Zepeda and, upon vote, unanimously carried, the Board authorized the release of retainage to Taylor Kohrs once Notice of Final Payment has been published and conformation no claims have been filed with the District.

Shepsfield Park: Director Zepeda reported the Shepsfield Park Project is complete.

Gallery Park Project: Director Zepeda reported the Gallery Park Project is expected to being in 2023.

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OPERATION AND MAINTENANCE

Arista Parking Garage Repair Project (“Project”) by Western Specialty Contractors: Ms. Worker presented to the Board an overview of the repairs and workmanship completed by Western Specialty Contractors on the Arista Parking Garage. Both Ms. Work and Director Zepeda noted Western Specialty Contractors did a great job on the Project.

S14 issued by Martin/Martin, Inc.: The Board reviewed the Field Operation Report – S14 issued by Martin/Martin, Inc.

Maintenance Manual prepared by Martin/Martin, Inc.:

Scope of Services for Annual Maintenance: The Board reviewed and discussed the recommended Scope of Services for Annual Maintenance for the parking garage.

Proposal from Martin/Martin, Inc. for an Annual Inspection Assessment for the Parking Garage: The Board reviewed a proposal from Martin/Martin, Inc. for an annual inspection assessment for the parking garage.

Following review and discussion, upon motion duly made by Director J. Wiens, seconded by Director Zepeda and, upon vote, unanimously carried, the Board approved the proposal from Martin/Martin, Inc. for an annual inspection assessment for the parking garage, in an amount not to exceed \$7,000.

Parking Garage Committee: The Board entered into discussion regarding reinstating the Parking Garage Committee to work on annual maintenance recommendations for the parking garage.

Following review and discussion, upon motion duly made by Director Zepeda, seconded by Director Hostetler and, upon vote, unanimously carried, the Board authorized reinstating the Parking Garage Committee.

ADJOURNMENT

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

Respectfully submitted,

By: 
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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