

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE ARISTA METROPOLITAN DISTRICT HELD DECEMBER 10, 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 10th day of December, 2022, at 10:00 a.m. The meeting was held via Zoom Video Conferencing and was open to the public.

ATTENDANCE

Directors In Attendance Were:

Joseph L. Zepeda
David Hostetler
Timothy Wiens
Jordon Wiens
William R. Maestas

Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

Zachary P. White, Esq.; White Bear Ankele Tanaka & Waldron, P.C.

Shelby Clymer; CliftonLarsonAllen, LLP

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 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.

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Following discussion, upon motion duly made by Director Maestas, seconded by Director Zepeda 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. District Board meeting was held via Zoom. 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 October 1, 2021 Special Meeting.

Following review, upon motion duly made by Director Maestas, seconded by Director Zepeda and, upon vote, unanimously carried, the Minutes of the October 1, 2021 Special Meeting were approved, as presented.

2022 Annual Administrative Resolution: The Board reviewed a 2022 Annual Administrative Resolution.

Following discussion, upon motion duly made by Director Zepeda, seconded by Director Maestas and, upon vote, unanimously carried, the Board adopted the 2022 Annual Administrative Resolution.

2022 Regular Meeting Dates: The Board entered into discussion regarding setting dates for 2022 Regular Meetings.

Following discussion, the Board determined to schedule Regular Meetings on March 10, June 16, September 15 and November 16, 2022. The meetings will be held at 10:00 a.m., via Zoom Video Conferencing.

Insurance Coverage: Ms. Finn discussed with the Board insurance renewal and insurance schedules.

Following discussion, the Board directed Ms. Finn to take the necessary actions to renew the District's insurance coverage.

Consent Agenda: The Board considered the following actions:

- Ratify approval of final payment to Western Specialty Contractors.
- Ratify approval of proposal from Colorado Doorways Inc., for the replacement of doors, in the amount of \$2,181.

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- Ratify approval of proposal from Horizon Glass for repair work on the doors in the parking garage, in the amount of \$6,980.
- Ratify approval of proposal from BSC Signs for signage, in the amount of \$10,842.70.
- Notice of rate increase from Special District Management Services, Inc.

Following discussion, upon motion duly made by Director Zepeda, seconded by Director J. Wiens 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.

OPERATION AND MAINTENANCE **Independent Contractor Agreement with Western Specialty Contractors for Parking Garage Maintenance Services:** The Board reviewed an Independent Contractor Agreement with Western Specialty Contractors for Parking Garage Maintenance Services.

Following discussion, upon motion duly made by Director J. Wiens, seconded by Director Maestas and, upon vote, unanimously carried, the Board approved the Independent Contractor Agreement with Western Specialty Contractors for Parking Garage Maintenance Services.

CAPITAL MATTERS **Capital Improvement Project Report:**

Gallery Park: Director Zepeda reported the Gallery Park Project construction drawings are currently under review by the City and County of Broomfield (“City”) and he expects to receive comments back from the City in two to three weeks.

Parkland Street Extension Project: Director Zepeda reported the Parkland Street Extension Project construction drawings were approved by the City and County of Broomfield and the Colorado Department of Transportation (“CDOT”). He noted the public bid opening will occur in February.

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

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Fund	Period Ending Sept. 30, 2021	Period Ending October 31, 2021	Period Ending Nov. 30, 2021
General	\$ 121,513.57	\$ 62,419.70	\$ 69,349.77
Debt Service	\$ 6,000.00	\$ -0-	\$ -0-
Capital Projects	\$ 1,211.00	\$ 916.25	\$ 13,581.71
Total	\$ 128,724.57	\$ 63,244.01	\$ 82,931.47

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 October 31, 2021 and the cash position statement dated October 31, 2021, updated November 23, 2021.

Following review and discussion, upon motion duly made by Director T. Wiens, seconded by Director Zepeda and, upon vote, unanimously carried, the Board approved the unaudited financial statements of the District for the period ending October 31, 2021 and the cash position statement dated October 31, 2021, updated November 23, 2021.

2021 Audit: The Board reviewed the proposal from Haynie & Company to perform the 2021 Audit.

Following discussion, upon motion duly made by Director Zepeda, seconded by Director J. Wiens and, upon vote, unanimously carried, the Board approved the engagement of Haynie & Company, to perform the 2021 Audit, for an amount not to exceed \$6,600.

2021 Budget Amendment Hearing: The President opened the Public Hearing to consider an Amendment to the 2021 Budget and to discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2021 Budget and the date, time and location of the Public Hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this Public Hearing. No public comments were received and the Public Hearing was closed.

Following discussion, upon motion duly made by Director Hostetler, seconded by Director Maestas and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-12-02; Resolution to Amend the 2021 Budget. A copy of the Resolution is attached hereto and incorporated herein by this reference.

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2022 Budget Hearing: The President opened the Public Hearing to consider the proposed 2022 Budget and to discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2022 Budget and the date, time and location of the Public Hearing was made in a newspaper having general circulation within the District. No written objections were received prior to the Public Hearing. No public comments were received and the Public Hearing was closed.

Ms. Clymer reviewed the estimated 2021 expenditures and the proposed 2022 expenditures.

Following discussion, the Board considered adoption of Resolution No. 2021-12-03; Resolution to Adopt the 2022 Budget and Appropriate Sums of Money and Set Mill Levies (for the General Fund at 20.000 mills, for the Debt Service Fund at 60.711 mills, and for Other Fund(s) at 0.000 mills, for a total mill levy of 80.711 mills). Upon motion duly made by Director Hostetler, seconded by Director Maestas and, upon vote, unanimously carried, the Resolution was adopted, subject to the revisions as noted, and execution of the Certification of budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2021. Ms. Finn was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of the City and County of Broomfield and the Division of Local Government not later than December 15, 2021. Ms. Finn was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2022. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

Master Service Agreement for Accounting Services between the District and CliftonLarsonAllen LLP: The Board entered into discussion regarding a Master Service Agreement for Accounting Services between the District and CliftonLarsonAllen LLP.

Following review and discussion, upon motion duly made by Director Zepeda, seconded by Director Maestas and, upon vote, unanimously carried, the Board approved the Master Service Agreement for Accounting Services between the District and CliftonLarsonAllen LLP, subject to approval by legal of the final language.

LEGAL MATTERS

2022 Regular Election for Directors: Attorney White reviewed with the Board a Resolution Calling a Regular Election for Directors on May 3, 2022, appointing the Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election.

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Following discussion, upon motion duly made by Director Zepeda, seconded by Director T. Wiens and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-12-04; Resolution Calling a Regular Election for Directors on May 3, 2022, appointing the Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election. A copy of the Resolution is attached hereto and incorporated herein by this reference

Designation of Method for Providing Notice of Call for Nominations: The Board entered into discussion regarding the designation of method for providing Notice of Call for Nominations to its residents.

Following discussion, the Board determined to mail and publish the Notice of Call for Nominations.

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

ADJOURNMENT

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

Respectfully submitted,

By: *Ann Finn*
Secretary for the Meeting