

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE ARISTA METROPOLITAN DISTRICT HELD MARCH 16, 2023

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 Thursday, the 16th day of March, 2023, at 1:30 p.m. The meeting was held via Zoom Video Conferencing and at Wiens Capital Management, LLC 555 Eldorado Boulevard Suite 200 Broomfield Colorado 80021-3342. This meeting 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.

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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 Timothy Wiens 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. District Board meeting was held at Wiens Capital Management, LLC 555 Eldorado Boulevard, Suite 200, Broomfield, Colorado 80021. Ms. Finn reported that notice was duly posted and that no objections to the meeting location or any requests that the meeting be changed by the public have been received.

Minutes: The Board reviewed Minutes of the November 16, 2022 Regular Meeting.

Following review, upon motion duly made by Director Timothy Wiens, seconded by Director Hostetler and, upon vote, unanimously carried, the Minutes of the November 16, 2022 Regular Meeting were approved, as presented.

Consent Agenda: The Board considered the following actions:

- Ratify approval of proposal from Generator Source LLC for the replacement of the Coolant Sensor & Block Heater, for the amount of \$920.94.

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

iPads: Ms. Finn noted the iPads have been ordered and she will deliver them to the Board once she has received the shipment.

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:

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Fund	Period Ending Nov. 30, 2022	Special Check Brinkman Construction, Inc.	Period Ending Dec. 31, 2022	Period Ending January 31, 2023
General	\$ 107,970.22	\$ -0-0	\$ 83,253.50	\$ 115,678.79
Debt Service	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital Projects	\$ 105,991.00	\$ 497,061.00	\$ 57,188.50	\$ 1,662.75
Total	\$ 213,961.22	\$ 497,061.00	\$ 140,442.00	\$ 117,341.54

Fund	Period Ending Feb. 28, 2023
General	\$ 100,309.15
Debt Service	\$ -0-
Capital Projects	\$ 46,903.02
Total	\$ 147,212.17

Following discussion, upon motion duly made by Director Jordan 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 December 31, 2022 and the cash position statement dated December 31, 2022, updated March 10, 2023.

Following review and discussion, upon motion duly made by Director Timothy Wiens, 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, 2022 and the cash position statement dated December 31, 2022, updated March 10, 2023.

2022 Audit: Ms. Clymer reviewed the draft 2022 Audit with the Board.

Following review and discussion, upon motion duly made by Director Timothy Wiens, seconded by Director Maestas, and upon vote, unanimously carried, the Board approved the 2022 Audited Financial Statements and authorized execution of the Representations Letter, subject to final legal review and receipt of an unmodified opinion letter by the Auditor.

LEGAL MATTERS

May 2, 2023 Regular Election: Attorney Whited noted the May 2, 2023 Regular Election has been cancelled.

Debt Restructuring: Director Hostetler discussed the status of the debt restructuring and his conversations with the City and County of Broomfield. No action was taken by the Board at this time.

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Third Modification to Original Service Plan for Arista Metropolitan District: Attorney White noted the Third Modification to Original Service Plan is on hold.

2023 Legislative Update: Attorney White discussed new legislation affecting special districts.

OPERATION AND MAINTENANCE

Parking Garage:

Second Addendum to Independent Contractor Agreement between the District and Western Waterproofing Company, Inc. d/b/a Western Specialty Contractors for 2022 Parking Garage Repair and Maintenance: Director Zepeda discussed with the Board the Second Addendum to Independent Contractor Agreement between the District and Western Waterproofing Company, Inc. d/b/a Western Specialty Contractors for 2022 Parking Garage Repair and Maintenance.

Following review and discussion, upon motion duly made by Director Jordan Wiens, seconded by Director Maestas, and upon vote, unanimously carried, the Board approved the Second Addendum to Independent Contractor Agreement between the District and Western Waterproofing Company, Inc. d/b/a Western Specialty Contractors for 2022 Parking Garage Repair and Maintenance, for the amount of \$59,035.

Agreement between the District and Martin/Martin Consulting Engineers for Parking Garage Repair Consultation: The Board reviewed an Agreement between the District and Martin/Martin Consulting Engineers for parking garage repair consultation.

Following review and discussion, upon motion duly made by Director Timothy Wiens, seconded by Director Jordan Wiens, and upon vote, unanimously carried, the Board approved the Agreement between the District and Martin/Martin Consulting Engineers for parking garage repair consultation.

Security Cameras: Director Jordan Wiens discussed the discussed the status of Phase II of the installation of additional security cameras in the parking garage with the Board.

Charging Stations: Director Zepeda discussed the possibility of installing charging stations in the parking garage. It was noted Director Jordan Wiens will research the requirements for installing charging stations.

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CAPITAL MATTERS **Gallery Park Project:** Director Zepeda noted the Subdivision Development Agreement with Steadfast Companies required Gallery Park to be constructed in 2025.

Parkland Street Extension Project:


Final Payment to Brinkman Construction, Inc.: The Board entered into discussion regarding the final payment to Brinkman Construction, Inc.

Following review and discussion, upon motion duly made by Director Zepeda, seconded by Director Timothy Wiens, and upon vote, unanimously carried, the Board authorized the final payment to Brinkman Construction, Inc.

ADJOURNMENT

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

Respectfully submitted,

By:  _____
Secretary for the Meeting