

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE ARISTA METROPOLITAN DISTRICT HELD NOVEMBER 15, 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 Wednesday, the 15<sup>th</sup> day of November, 2023, at 10:00 a.m. The meeting was held 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:

David Solin; Special District Management Services, Inc.

Shelby Clymer; CliftonLarsonAllen, LLP

#### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: It was 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. 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 and seconded, 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

## RECORD OF PROCEEDINGS

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Wiens Capital Management, LLC 555 Eldorado Boulevard, Suite 200, Broomfield, Colorado 80021. Mr. Solin 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.

**Meeting Minutes:** The Board reviewed and approved the minutes of the November 1, 2023 Special Meeting

**2024 Meetings:** The Board discussed business to be conducted in 2024 and location (virtual and/or physical) or meetings. Board acknowledged meeting dates are to be approved in the Annual Administrative Resolution and deferred action on Resolution 2023-11-01 until first regular meeting of 2024.

**2024 Transparency Notice:** The Board discussed §32-1-809, C.R.S., Transparency Notice reporting requirements and mode of eligible elector notification. The board acknowledged that the notice will be prepared and filed in accordance with the direction given in the Annual Administrative Resolution.

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

### **FINANCIAL MATTERS**

**Review, Ratify and Approve the Payment of Claims:** Ms. Clymer presented claims listed below for the periods listed below:

- Period ending June 30, 2023, in the amount of \$142,392.52
- Period ending July 31, 2023, in the amount of \$130,359.65
- Period ending August 30, 2023, in the amount of \$112,423.40
- Period ending September 30, 2023, in the amount of \$115,670.04
- Period ending October 31, 2023, in the amount of \$236,945.79
- Special Check for final payment for Parkland Street Extension; in the amount of \$15,176.59

Following review, upon a motion duly made and seconded, the Board unanimously approved the payment of claims.

**Review and Accept the Unaudited Financial Statements Through the Period Ending June 30, 2023:** Ms. Clymer presented the unaudited financial statements through June 30, 2023. Following review, upon a motion duly made and seconded, the Board unanimously accepted the financial statements.

**Audit Engagement Letter:** The Board considered an engagement of Haynie & Company for preparation of 2023 Audit, in the amount of \$8,000.

## RECORD OF PROCEEDINGS

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Following review, upon a motion duly made and seconded, the Board unanimously approved the engagement letter.

**Consider Approval of CliftonLarsonAllen 2024 Scope of Work and Master Service Agreement:** Ms. Clymer presented the 2024 Scope of Work and Master Service Agreement related to accounting and financial services.

Following review, upon a motion duly made and seconded, the Board unanimously approved the 2024 Scope of Work and Master Service Agreement.

**2023 Budget Amendment Hearing:** Not needed.

**2024 Budget Hearing:** The President opened the Public Hearing to consider the proposed 2024 Budget and to discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2024 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 proposed 2024 expenditures.

Following discussion, the Board considered adoption of a Resolution to Adopt the 2024 Budget and Appropriate Sums of Money and Set Mill Levies (for the General Fund at 18.873 mills, for the Debt Service Fund at 61.838 mills, and for Other Fund(s) at 0.000 mills, for a total mill levy of 80.711 mills), subject to receipt of final assessed valuations. Upon motion duly made and seconded and, upon vote, unanimously carried, the Resolution was adopted, subject to the receipt of final assessed valuations, 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.

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### **LEGAL MATTERS**

**Consider Approval of 2024 Annual Administrative Resolution:** The Board reviewed the proposed resolution which is generally the same as prior years.

Following review, upon a motion duly made and seconded, the Board unanimously adopted the Resolution.

## RECORD OF PROCEEDINGS

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**Discuss Implementation of Accessibility Standards for Individuals with a Disability for Information Technology Employed by the District:** The board discussed updates to the website that will be needed in 2024 to comply with new rules. No action was needed.

**Status of Bond Issuance:** The Board discussed the status and noted the closing is planned for December pending consent from the City and County of Broomfield which is expected after their final review of documents provided by Ms. Lay.

**Contribution Agreement with Star Broomfield, LLC:** The Board discussed the current discussions with Star Broomfield, LLC. Further negotiations are needed on the agreement. No action was taken.

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### **OPERATION AND MAINTENANCE**

**Discuss Parking Garage:** The Board discussed the parking garage and the status of the Xcel Energy's Electric Vehicle Supply Infrastructure ("EVSI") program. Mr. J. Wiens updated the board on progress.

No action was needed.

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### **CAPITAL MATTERS**

**Approval of Third Amendment to Independent Contractor Agreement with Western Waterproofing Company, INC d/b/a Western Specialty Contractors:** Mr. Zepeda presented the Independent Contractor Agreement.

Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement.

**Approval of Independent Contractor Agreement with Moore Electrical Enterprises for Shepsfield Park Electrical Installations:** Mr. Zepeda presented the Independent Contractor Agreement.

Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement.

**Discuss status of Terrace Ponds Park:** Mr. Zepeda provided an update on the status of Terrace Ponds Park.

**Discuss status of Shepsfield Park:** Mr. Zepeda provided an update on the status of Shepsfield Park.

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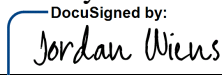
## RECORD OF PROCEEDINGS

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### 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