

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ARISTA METROPOLITAN DISTRICT HELD JUNE 20, 2024

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 20<sup>th</sup> day of June 2024, at 11:00 a.m. The meeting was held at Wiens Capital Management, LLC 555 Eldorado Boulevard Suite 200 Broomfield Colorado 80021-3342 and via Zoom Meeting. This meeting was open to the public.

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#### **ATTENDANCE**

##### **Directors In Attendance Were:**

Joseph L. Zepeda  
Timothy Wiens (via Zoom)  
Jordon Wiens  
William R. Maestas

Following discussion, upon motion made by Director Maestas, seconded by Director Zepeda and, upon vote, unanimously carried, the absence of Director Hostetler was excused.

##### **Also In Attendance Were:**

Ann Finn, Public Alliance LLC

Jacob Elsner, Esq.; White Bear Ankele Tanaka & Waldron, P.C. (via Zoom)

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 Regular Meeting.

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Following discussion, upon motion duly made by Director Maestas and seconded by Director Zepeda, 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 District Board meeting was held at Wiens Capital Management, LLC 555 Eldorado Boulevard, Suite 200, Broomfield, Colorado 80021 and via Zoom Meeting. 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.

**Special District Association's ("SDA") Annual Conference:** Ms. Finn discussed with the Board the Special District Association's Annual Conference on September 10-12, 2024.

**Consent Agenda:** The Board considered the following actions:

- Review and approve Minutes of the February 15, 2024 and April 18, 2024 Regular Meetings (enclosures).
- Ratify approval of Independent Contractor Agreement between the District and Broomfield Sign Company, Inc. for park sign at Gallery Park (enclosure).
- Ratify approval of proposal from Frontier Fire Protection to replace a section of 6" main and 1" pipe feeding drum drip (enclosure).
- Ratify approval of proposal from Professional Elevator Inspections, Inc. for periodic inspections, in the amount of \$458 (enclosure).

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 period ending June 13, 2024, in the amount of \$903,238.47.

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

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**Financial Statements:** Ms. Clymer reviewed with the Board the unaudited financial statements of the District for the period ending April 30, 2024 and the cash position statement dated April 30, 2024, updated June 13, 2024.

Following review and discussion, upon motion duly made by Director Zepeda, seconded by Director Timothy Wiens and, upon vote, unanimously carried, the Board approved the unaudited financial statements of the District for the period ending April 30, 2024 and the cash position statement dated April 30, 2024, updated June 13, 2024.

**2023 Audit:** Ms. Clymer presented the 2023 Audit to the Board.

Following discussion, upon motion duly made by Director Zepeda, seconded by Director Maestas and, upon vote, unanimously carried, the Board approved the 2023 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.

**2025 Budget Hearing:** The Board discussed the 2025 Budget Hearing.

Following discussion, upon motion duly made by Director J. Wiens, seconded by Director Zepeda and, upon vote, unanimously carried, the Board determined to hold the public hearing to consider adoption of the 2025 Budget on November 20, 2024, at 10:00 a.m., to be held at Wiens Capital Management, LLC, 555 Eldorado Boulevard, Suite 200, Broomfield, Colorado 80021.

**Annual Parking Garage Operating Budget:** The Board entered into discussion regarding the annual parking garage operating budget. Director Zepeda noted he will be working with Ms. Clymer on the draft 2025 budget.

**Payment to Flock Safety for Falcon Camera License Plate Readers:** The Board reviewed an invoice from Flock Safety for Falcon Camera License Plate Readers.

Following discussion, upon motion duly made by Director J. Wiens, seconded by Director Zepeda and, upon vote, unanimously carried, the Board ratified approval of the payment to Flock Safety for Falcon Camera License Plate Readers, in the amount of \$22,500. Ms. Finn noted the Safety Grant reimbursement the District \$4,533.75 for the license plate readers.

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### **LEGAL MATTERS**

**Proposal from Frontier Fire for Inspection and Monitoring Services:** The Board reviewed a proposal from Frontier Fire for inspection and monitoring services.

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Following discussion, upon motion duly made by Director J. Wiens, seconded by Director Zepeda and, upon vote, unanimously carried, the Board approved the proposal from Frontier Fire for inspection and monitoring services, in the amount of \$4,560, subject to review and approval by Director Zepeda.

**Electric Vehicle Supply Infrastructure Program:** Director J. Wiens reported to the Board there is an issue with the location of charging stations and the program is being reengineered. He noted the charging stations are expected to be installed in the first quarter of 2025.

**Independent Contractor Agreement between the District and Environmental Landworks Company, Inc. for Landscape Maintenance:** The Board reviewed an Independent Contractor Agreement between the District and Environmental Landworks Company, Inc. for landscape maintenance

Following discussion, upon motion duly made by Director J. Wiens, seconded by Director Zepeda and, upon vote, unanimously carried, the Board approved the Independent Contractor Agreement between the District and Environmental Landworks Company, Inc. for landscape maintenance.

**Resolution Adopting a Digital Accessibility Policy and Designation of Compliance Officer:** The Board reviewed a Resolution Adopting a Digital Accessibility Policy and Designation of Compliance Officer.

Following discussion, upon motion duly made by Director J. Wiens, seconded by Director Zepeda and, upon vote, unanimously carried, the Board adopted the Resolution Adopting a Digital Accessibility Policy and Designation of Compliance Officer.

**Park Maintenance:** Director Zepeda review a proposal from Norris Design, Inc. to survey Red Point Ridge, prepare a report regarding deficiencies per the landscape plan and so that it can be sent to the City and County of Broomfield with a notice that the park is not being maintained adequately per the report. Director J. Wiens suggested the same be done for the medians, streets, sidewalks and Wadsworth frontage area.

Following discussion, upon motion duly made by Director T. Wiens, seconded by Director J. Wiens and, upon vote, unanimously carried, the Board approved the proposal from Norris Design, Inc., for the amount of \$7,500.

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### **CAPITAL MATTERS**

**Terrace Ponds Park:** Director Zepeda reported Terrace Ponds Park was accepted by the City and County of Broomfield and surety has been returned to the District.

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**Shepsfield Park:** Director Zepeda reported Shepsfield Park was accepted by the City and County of Broomfield and surety has been returned to the District.

**Gallery Park:** Director Zepeda reported Gallery Park should be completed by the end of August.

**Parkland:** Director Zepeda reported there is ongoing design coordination regarding the Dry Valley Ditch. He noted the project is expected to start late 2024 and completed in the first quarter of 2025.

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### **OTHER**

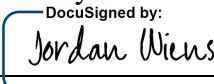
**Town Hall:** The Board entered into discussion regarding scheduling a Town Hall. Following discussion, the Board determined to schedule the Town Hall for September 19, 2024 at 11:00 a.m., at Wiens Capital Management, LLC, 555 Eldorado Boulevard Suite 200, Broomfield Colorado 80021.

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### **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 Zepeda and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By:   
Secretary for the Meeting