

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ARISTA METROPOLITAN DISTRICT HELD SEPTEMBER 19, 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 19<sup>th</sup> day of September, 2024, at 10:00 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.

#### ATTENDANCE

##### Directors In Attendance Were:

Joseph L. Zepeda  
David Hostetler  
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 T. Wiens was excused.

##### Also In Attendance Were:

Ann Finn, Public Alliance LLC

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:** 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.

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

- Review and approve Minutes of the June 20, 2024 Regular Meeting.
- Ratify approval of Independent Contractor Agreement between the District and Norris Design, Inc. to assess the condition of the parks, in the amount of \$6,500.

Following discussion, upon motion duly made by Director J. Wiens, seconded by Director Maestas 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 September 13, 2024, in the amount of \$755,172.39.

Following discussion, upon motion duly made by Director Zepeda, seconded by Director J. Wiens 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 June 30, 2024 and the cash position statement dated June 30, 2024, updated September 12, 2024.

Following review and discussion, upon motion duly made by Director Wiens, seconded by Director Zepeda and, upon vote, unanimously carried, the Board approved the unaudited financial statements of the District for the period ending June 30, 2024 and the cash position statement dated June 30, 2024, updated September 12, 2024.

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**Draft 2025 Budget:** Ms. Clymer reviewed with the Board the draft 2025 budget.

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### **LEGAL MATTERS**

There were no legal matters to discuss at this time.

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### **OPERATION MATTERS**

**Annual Parks Assessment Reports from Norris Design, Inc.:** Director Zepeda reviewed the Annual Parks Assessment Reports from Norris Design, Inc.

Following review and discussion, upon motion duly made by Director Hostetler, seconded by Director Maestas and, upon vote, unanimously carried, the Board authorized Director Zepeda to communicate with the City concerning the current conditions/deficiencies of the parks. Director J. Wiens noted the medians, streets and Wadsworth ROW need maintenance as well.

#### **Parking Garage:**

*Annual Inspection Report by Martin/Martin Inc.:* Director Zepeda noted the recent annual inspection identified a need for a coating system on the top floor of the parking garage. The projected cost for this work is \$740,000, which is within budget.

*Proposal from Western Specialty Contractors for Repairs and Top Coating:* The Board reviewed a proposal from Western Specialty Contractors for repairs and top coating the top floor of the parking garage.

Following review and discussion, upon motion duly made by Director Hostetler, seconded by Director Maestas and, upon vote, unanimously carried, the Board approved the proposal from Western Specialty Contractors for repairs and top coating the top floor of the parking garage.

Electric Vehicle Supply Infrastructure Program: Director J. Wiens noted he is waiting for equipment to be delivered. Once delivered, installation is expected to be in December or January.

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### **CAPITAL MATTERS**

**Gallery Park:** Director Zepeda reported Gallery Park should be completed by October 15, 2024 and came in \$900 over budget. He noted that once the project is completed, he will schedule a walkthrough with the City of Broomfield.

**Parkland Street:** Director Zepeda reported the access permit with CDOT expired so the drainage plans needed to be updated and are currently under review by the City of Broomfield and CDOT. He noted the estimated project costs is \$3 million and is expected to be complete in 6 to 8 months.

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### OTHER

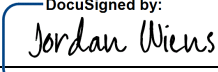
There were no other matters to discuss this time.

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### ADJOURNMENT

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

Respectfully submitted,

By:   
Secretary for the Meeting