

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
OMNIPARK METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
JANUARY 15, 2024

A regular meeting of the Board of Directors of the OmniPark Metropolitan District (referred to hereafter as the “Board”) was convened on Monday, January 15, 2024, at 11:30 a.m., at the offices of CliftonLarsonAllen LLP (“CLA”), 8390 E. Crescent Pkwy., Suite 300, Greenwood Village, Colorado 80111. This District Board meeting was also available via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Richard Egitto, President
Hank Vanderryst, Secretary/Treasurer

Also, In Attendance Were:

Anna Jones, Rachel Alles, Chelsea Bojewski and Alex Fink;
CliftonLarsonAllen, LLP (“CLA”)
Russ Dykstra, Esq.; Spencer Fane, LLP
Michael Crespín and Leigh Dufresne; BrightView Landscaping (“BrightView”)
John Cotton; ByDesign, LLC

ADMINISTRATIVE MATTERS

Call to Order and Agenda: Director Egitto called the meeting to order at 11:38 a.m. Following review, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote unanimously carried, the Board approved the agenda, as presented.

Disclosures of Potential Conflicts of Interest: All required conflicts have been filed.

Quorum, Location of Meeting and Posting of Meeting Notice: A quorum and the location of the meeting were confirmed and verified notice was posted.

Public Comment: None.

Minutes of the December 18, 2023 Regular Meeting: Following review, upon motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote unanimously carried, the Board approved the minutes of the December 18, 2023 regular meeting, as presented.

FINANCIAL MATTERS

Cash Position Schedule as of September 30, 2023, updated January 10, 2024: Mr. Fink reviewed the Schedule of Cash Position with the Board. It was noted that the December 31, 2023 financial statements will be presented at the

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February Board meeting. Following review, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board accepted the Schedule of Cash Position as of September 30, 2023, updated January 10, 2024, as presented.

January 2024 Claims and Directors' Fees Totaling \$5,449.83: Mr. Fink reviewed the January 2024 Claims and Directors' Fees with the Board. Following review, upon motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board approved the January 2024 Claims and Directors' Fees Totaling \$5,449.83, as presented.

LANDSCAPE MAINTENANCE ISSUES

BrightView January 2024 Landscape Maintenance Status Report: Mr. Crespin reviewed the report with the Board. Director Egitto provided an update regarding discussion on the installation of trees within the eastern border of the District.

Additional Flower Options for Entryway: The Board discussed the prior year's flower options and how they performed. Ms. Dufresne reviewed 2024 options. The Board directed BrightView to choose an option they think would bloom at the proper times to yield color all season long.

Pedestrian Improvements and Survey of Lincoln and Park Meadows Drive: Ms. Jones provided an update to the Board. CLA will continue to coordinate with the City through BrightView on potential improvements. Ms. Jones stated she found a responsive surveyor for the area to determine the property ownership lines. Attorney Dykstra will obtain the title documents. Following discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board approved engagement of a surveyor, not to exceed \$5,000.00.

Attorney Dykstra noted that BrightView or CLA should be present when the surveyor visits the site.

Removal of Holiday Decor: Mr. Crespin reviewed with the Board. He will provide a discounted proposal for installation for 2024 at the February meeting. Following discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board approved the removal of the holiday décor.

MANAGER MATTERS

None.

ENGINEER MATTERS

Booster Pump: Mr. Cotten noted that ByDesign, LLC is still waiting on a response from Xcel.

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Detention Pond Insurance: Ms. Jones and Attorney Dykstra provided an update to the Board. They need to confirm that the detention ponds in the District were properly insured. The District has maintenance responsibility for the ponds, but does not own them. Attorney Dykstra noted the District would need an easement from the ponds' private property owners, giving the District the right to enter the property and maintain the area. Attorney Dykstra's office will determine each pond's ownership and determine the need for the District's insurance purposes. Discussion ensued. The Board directed Attorney Dykstra and Mr. Cotton to research the pond ownership and inform the group as to what they feel is the best course of action.

**LEGAL MATTERS –
ATTORNEY REPORT**

COLT Newly Formed URA and Board Representation: Attorney Dykstra reviewed with the Board, noting this would have little to no effect on the District. Discussion ensued.

Legislative Update: Attorney Dykstra provided a legislative update to the Board.

**DIRECTOR
MATTERS**

None.

OTHER BUSINESS

Quorum for Next Meeting – February 19, 2024 at 11:30 a.m.: A quorum will be confirmed for the February 19, 2024 meeting a couple weeks prior.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Egitto adjourned the meeting at 12:27 p.m.

Respectfully submitted,

By: _____
Secretary for the Meeting