

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
OMNIPARK METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
FEBRUARY 19, 2024

A regular meeting of the Board of Directors of the OmniPark Metropolitan District (referred to hereafter as the “Board”) was convened on Monday, February 19, 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 and Alex Fink; CliftonLarsonAllen, LLP (“CLA”)
Russ Dykstra, Esq. and Dani Kaiser; Spencer Fane, LLP
Leigh Dufresne; BrightView Landscaping (“BrightView”)
John Cotten; ByDesign, LLC

ADMINISTRATIVE MATTERS

Call to Order and Agenda: Director Egitto called the meeting to order at 11:34 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 January 15, 2024 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 January 15, 2024 regular meeting, as presented.

FINANCIAL MATTERS

December 31, 2023 Unaudited Financial Statements: Mr. Fink reviewed the financial statements with the Board. Discussion ensued regarding the assessed value discrepancy between 2023 and 2024. Following review and discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst

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and, upon vote, unanimously carried, the Board accepted the December 31, 2023 Unaudited Financial Statements, as presented.

December 31, 2023 Schedule of Cash Position, Updated as of February 13, 2024: Mr. Fink reviewed the Schedule of Cash Position with the Board. Following review, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board accepted the December 31, 2023 Schedule of Cash Position, updated as of February 13, 2024, as presented.

February 2024 Claims and Directors' Fees Totaling \$17,275.48: Mr. Fink reviewed the February 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 February 2024 Claims and Directors' Fees Totaling \$17,275.48, as presented.

LANDSCAPE MAINTENANCE ISSUES

BrightView February 2024 Landscape Maintenance Status Report: Ms. Dufresne reviewed the report with the Board.

Pedestrian Improvements and Survey of Lincoln and Park Meadows Drive: Ms. Dufresne presented improvement design options to the Board. Discussion ensued. Following discussion, the Board directed BrightView to move forward with the options presented. It was noted that a formal proposal for the improvements will be presented at the March meeting for Board consideration.

Ms. Jones provided an update to the Board on communications with the City of Lone Tree regarding shared maintenance and cost responsibilities with the District.

Proposals for Installation of 2024 Holiday Decor: Ms. Alles reviewed the proposals for 2024 holiday decor and a comparison chart with the Board. Discussion ensued. Director Egitto requested more information to be included in a comprehensive comparison to be presented at the March meeting.

MANAGER MATTERS

Survey: Ms. Jones provided an update to the Board, noting she is working with HCL Engineering & Surveying, LLC to complete the survey. HCL is requesting an additional \$2,000.00 in addition to the approved \$5,000.00 to include the two adjacent parcels in the survey.

Following discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board approved an additional \$2,000.00 for HCL to complete the survey in a total amount not to exceed \$7,000.00.

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ENGINEER MATTERS

Booster Pump: Mr. Cotten provided an update to the Board, noting that Xcel has approved the booster pump application and Bigfoot Electric has obtained the permit from Xcel. Bigfoot Electric has submitted a permit to Douglas County to request the ability to work in the Right of Way. Installation is anticipated to begin within the next few weeks.

Following discussion, upon a motion duly made by Director Vanderryst, seconded by Director Egitto and, upon vote, unanimously carried, the Board approved the installation of the booster pump and related costs in an amount not to exceed \$3,000.00. It was noted that Bigfoot Electric will provide a proposal to be put into the District's form of contract for Board consideration at the March meeting.

LEGAL MATTERS – ATTORNEY REPORT

Detention Pond Maintenance Obligation and Ownership: Attorney Kaiser reviewed her findings regarding detention pond maintenance obligation and ownership with the Board, noting that Pond A is the only pond that the District is responsible for maintaining. Discussion ensued. It was noted that Attorney Kaiser will convert the information presented into a memorandum for Ms. Jones to relay to the City of Lone Tree so they can inform the property owners of the other ponds that are their maintenance responsibility. It was noted that BrightView will check on the maintenance of the pond in the next few weeks.

Title Work for Corner Parcels: Attorney Kaiser provided an update to the Board, noting that she acquired title work for both parcels that will be part of the survey. Discussion ensued. It was noted that Attorneys Dykstra and Kaiser will continue research on the lien of one of the parcels and provide the Board with an update at the March meeting.

Attorney Dykstra noted that Attorney Kaiser will be taking over as the attorney of the District due to his retirement.

Attorney Kaiser also provided an update to the Board on recent legislation. Discussion ensued.

DIRECTORS' ITEMS

None.

OTHER BUSINESS

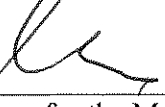
Quorum for Next Meeting – March 18, 2024 at 11:30 a.m.: A quorum will be confirmed for the March 18, 2024 meeting a couple of weeks prior.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Egitto adjourned the meeting at 12:30 p.m.

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Respectfully submitted,

By: 
Secretary for the Meeting