

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
OMNIPARK METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
JULY 18, 2022

A regular meeting of the Board of Directors of the OmniPark Metropolitan District (referred to hereafter as the "Board") was convened on Monday, July 18, 2022, 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
Russ Dykstra; Spencer Fane, LLP
Michael Crespin; BrightView Landscaping
John Cotten; ByDesign LLC

ADMINISTRATIVE MATTERS

Call to Order and Approval of Agenda: Director Egitto called the meeting to order at 11:34 a.m. Following review, upon a motion duly made by Director Vanderryst, seconded by Director Egitto and, upon vote, unanimously carried, the Board approved the agenda, as amended.

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

Quorum, Location of Meeting and Posting of Meeting Notices: A quorum and the location of the meeting were confirmed, and verified notice has been posted.

Public Comment: None.

Minutes of the June 20, 2022 Regular Meeting: Following review, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board approved the Minutes of the June 20, 2022 regular meeting, as presented.

FINANCIAL ITEMS

June 30, 2022 Unaudited Financial Statements and Cash Position Schedule: Mr. Fink reviewed the Unaudited Financial Statements and Cash Position

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Schedule 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 June 30, 2022 Unaudited Financial Statements and Cash Position Schedule, as presented.

July 2022 Claims Totaling \$31,262.10 and Directors' Fees: Mr. Fink reviewed the July 2022 Claims and Directors' Fees with the Board. Director Egitto inquired about utility locate charges. Following review, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board approved the July 2022 Claims totaling \$31,262.10 and Directors' Fees, as presented.

Receipt of BrightView Invoice for Aspect Apartments Dog Damage Solution Work: It was confirmed that CLA received BrightView's invoice for the Aspect Apartments dog damage solution work.

Other: None.

LANDSCAPE MAINTENANCE ISSUES

Tree Replacement at Key Bank (10470 Park Meadows Drive) – Adam Hill: The Board discussed their visit to the District and noted that they are open to removing some of the trees to accomplish higher visibility for Key Bank and Chili's as long as the solution is synergistic with the desired look of the Monument sign design. Mr. Crespin provided a few possible options for tree removal and shrub installation. The Board discussed permissions relating to the City of Lone Tree and directed BrightView to brainstorm a tree replacement solution. Once an approach is identified, the District may coordinate cost sharing with Key Bank. BrightView will bring renderings/proposals with pricing to the August meeting and CLA will inform Key Bank that the Board is entertaining options. The Board noted that they are satisfied with the current landscaping design adjacent to the entry monuments. The Board discussed the Lincoln sidewalk frontages and Attorney Dykstra mentioned potential permissions/easements to allow maintenance of non-District property. Mr. Cotten stated that he will search for parcel maps for clarification on this issue.

BrightView July 2022 Landscape Maintenance Status Report: Mr. Crespin reviewed the Landscape Maintenance Status Report with the Board, noting that his team will likely treat areas with Revive due to the recent heat. He informed the Board of the drought restrictions being imposed by the City of Centennial. Ms. Jones and Mr. Crespin discussed the Aspect Apartments dog damage solution, maintenance responsibility and frequency. It was determined that BrightView will maintain the dog stations weekly and if the apartment would like more frequent cleaning, they can coordinate that on their own.

Proposal for Turf Replacement in the Amount of \$2,775: Following review, upon a motion duly made by Director Egitto, seconded by

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Director Vanderryst and, upon vote, unanimously carried, the Board ratified the proposal for turf replacement on the west side of Park Meadows Drive in the amount of \$2,775, as presented. Attorney Dykstra noted that the approval of this proposal does not include the Terms and Conditions listed in the proposal, as they have been stated in the District's master agreement with BrightView.

Proposal for Day Lily Installation for Median Landscaping in the Amount of \$1,840: Director Egitto directed BrightView to find out if the water/irrigation is functioning for the medians. Following review, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board approved the proposal for day lily installation for median landscaping in the amount of \$1,840, as presented.

Power Box and Bollard Repair: Mr. Crespin informed the Board that BrightView will replace the missing bolts on the bollards and will contact the company listed on the power box for repair. He noted that both repairs are within BrightView's master agreement with the District and no extra cost will be incurred.

Landscape Design at Monument Signs at Lincoln and Park Meadows Drive: This item was discussed previously under the July 2022 Landscape Maintenance Status Report.

Booster Pump Pricing Proposal – John Cotten: Mr. Cotten provided an update to the Board regarding the booster pump, noting that he is waiting for further information from Xcel Energy regarding a new pump or a new motor. He stated that BrightView is working on getting information from the supplier. He informed the Board that the District may need an easement for the booster pump based on information gathered from Xcel. He stated that he will ask Taylor Goertz to research the District's plats and will coordinate with Attorney Dykstra if nothing is found.

Other: None.

MANAGER ITEMS

Other: None.

ENGINEER ITEMS

Other: None.

LEGAL MATTERS – ATTORNEY REPORT

Directors' Tax Parcel Bill Lease Agreement and Confirmation of No Reimbursement Necessary: Attorney Dykstra reviewed the Lease Agreement entered into in 2019 stating that no reimbursement is necessary from the Board of Directors when the District pays the tax parcel bill.

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SPIMD Overlap Consent Resolution: Attorney Dykstra informed the Board that the Southeast Public Improvement Metropolitan District is amending their Service Plan and that the District must consent to any changes. He stated that he has not yet received the proposed amendments nor a Resolution, but he will provide any updates as he receives more information. No action was taken.

Other: None.

BOARD MEMBER ITEMS

Other: Director Egitto inquired about the timeline of the intersection redesign at Lincoln and I-25.

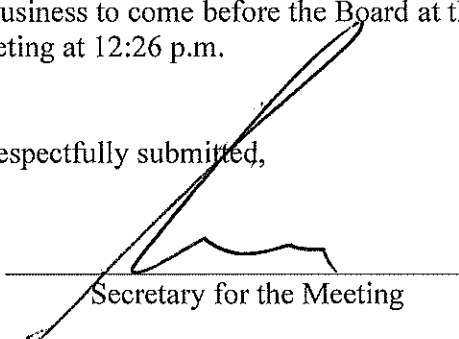
OTHER BUSINESS

Quorum for Next Meeting – August 15, 2022 at 11:30 a.m.: A quorum was confirmed for the August 15, 2022 meeting.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Egitto adjourned the meeting at 12:26 p.m.

Respectfully submitted,



Secretary for the Meeting