

## RECORD OF PROCEEDINGS

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MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
OMNIPARK METROPOLITAN DISTRICT (THE "DISTRICT")  
HELD  
JANUARY 17, 2022

A regular meeting of the Board of Directors of the OmniPark Metropolitan District (referred to hereafter as the "Board") was convened on Monday, January 17, 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  
Dennis Bedford; BrightView Landscaping  
John Cotten; ByDesign, LLC

### ADMINISTRATIVE MATTERS

**Call to order and approval of agenda:** Director Egitto called the meeting to order at 11:31 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 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 December 20, 2021 special 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 December 20, 2021 special meeting, as presented.

### FINANCIAL ITEMS

**September 30, 2021 Cash Position Schedule:** Mr. Fink reviewed the Cash Position Schedule with the Board, noting that the December Financial Statements will be presented at the February meeting. Following review and

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discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board accepted the September 30, 2021 Cash Position Schedule, as presented.

**December 2021 Claims Totaling \$23,747.13 and Directors' Fees:** Ms. Jones reviewed the December 2021 Claims and Directors' Fees with the Board. Following review, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board approved the December 2021 Claims totaling \$23,747.13 and Directors' Fees, as presented.

**Other:** None.

### LANDSCAPE MAINTENANCE ISSUES

**BrightView January 2021 Landscape Maintenance Status Report:** Mr. Bedford reviewed the Landscape Maintenance Status Report with the Board.

**BrightView proposal for holiday décor removal in the amount of \$3,091.66:** Mr. Bedford reviewed the proposal with the Board, noting that the amount is the same paid for the same service last year. Following review and discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board approved only the proposal for holiday décor removal in the amount of \$3,091.66, apart from the terms and conditions listed in the proposal per Attorney Dykstra, as these terms are listed in the master Service Agreement with BrightView.

**BrightView proposal for dog damage solution:** Mr. Bedford reviewed the proposal and process for dog damage solution installation with the Board, noting that it will cost approximately \$13,000 to redesign each section. Discussion ensued regarding alternative solutions to dog damage. The Board directed BrightView to engage the Aspect Apartments property manager regarding process and solutions. Mr. Bedford noted that he will bring an update to the February meeting. No action was taken.

**Booster Pump Update – John Cotten:** Mr. Cotten provided an update to the Board regarding the booster pump, noting that he will touch base with the Xcel Energy community representative.

**Tree replacement at Key Bank – 10470 Park Meadows Drive:** Ms. Jones discussed tree replacement at Key Bank with the Board. The Board determined to wait until Key Bank's property manager follows up with her with a proposal for tree replacement. Mr. Bedford noted that he will discuss the options for this work with his team.

**Other:** None.

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### MANAGER ITEMS

**Other:** None.

### ENGINEER ITEMS

**Other:** None.

### LEGAL MATTERS – ATTORNEY REPORT

**Amendment to BrightView 2022 Landscape Agreement:** Attorney Dykstra reviewed the Amendment with the Board. Following review, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board approved the Amendment to BrightView 2022 Landscape Agreement, as presented. Director Egitto and Attorney Dykstra discussed extending District services to external developments. Attorney Dykstra informed the Board regarding Self-Nomination forms and publication for the vacant seats on the Board.

**Other:** None.

### BOARD MEMBER ITEMS

**Other:** None.

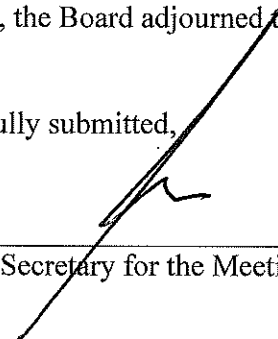
### OTHER BUSINESS

**Quorum for next meeting – February 21, 2022 at 11:30 a.m.:** It was determined that CLA will reach out to confirm a quorum at a date closer to the meeting.

### ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board adjourned the meeting at 12:17 p.m.

Respectfully submitted,



Secretary for the Meeting