

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
OMNIPARK METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
NOVEMBER 20, 2023

A regular meeting of the Board of Directors of the OmniPark Metropolitan District (referred to hereafter as the "Board") was convened on Monday, November 20, 2023, 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, Esq.; Spencer Fane, LLP
Dennis Bedford; BrightView Landscaping ("BrightView")
John Cotten; ByDesign LLC
Dan Raine; City of Lone Tree

ADMINISTRATIVE MATTERS

Call to Order and Agenda: Director Egitto called the meeting to order at 11:33 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 September 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 September 18, 2023 regular meeting, as presented.

Resolution Regarding 2024 Annual Administrative Matters: Ms. Jones and Attorney Dykstra reviewed the Resolution with the Board. Following review, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote unanimously carried, the Board adopted the Resolution

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Regarding 2024 Annual Administrative Matters, as presented.

2024 Meeting Dates – Third Monday of Each Month at 11:30 a.m.:

The Board confirmed the third Monday of each month at 11:30 a.m. for meetings in 2024.

Requirements of Section 32-1-809, C.R.S. and Direct Staff Regarding Compliance for 2024 (District Transparency Notice): Attorney Dykstra reviewed the requirements with the Board and noted that CLA will prepare and file the District's Transparency Notice pursuant to statute.

**FINANCIAL
MATTERS**

Public Hearing to Consider Amendment of 2023 Budget and Adoption of Resolution to Amend the 2023 Budget: Mr. Fink stated no amendment was necessary.

Public Hearing on Proposed 2024 Budget and Adoption of Resolution to Adopt the 2024 Budget and Appropriate Sums of Money: Director Egitto opened the public hearing to consider the proposed 2024 Budget at 11:39 a.m.

It was noted that Notice stating that the Board would consider adoption of the 2024 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed at 11:40 a.m.

Mr. Fink reviewed the 2024 Budget with the Board, noting that the general fund mill levy was reduced by one mill. Discussion ensued. Ms. Jones also provided an update to the Board regarding the ongoing communication with the City of Lone Tree.

Following review and discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board approved the 2024 Budget and adopted the Resolution to Adopt the 2024 Budget and Appropriate Sums of Money, as presented.

September 30, 2023 Unaudited Financial Statements, Cash Position as of November 10, 2023 and Property Tax Schedule:

Mr. Fink reviewed the Unaudited Financial Statements, the Schedule of Cash Position and Property Tax 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 September 30, 2023 Unaudited Financial Statements, Schedule of Cash Position as of November 10, 2023 and Property

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Tax Schedule, as presented.

October 2023 Claims and Directors' Fees Totaling \$28,835.97 and November 2023 Claims and Directors' Fees Totaling \$27,241.57: Mr. Fink reviewed the October and November 2023 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 October 2023 Claims and Directors' Fees Totaling \$28,835.97 and November 2023 Claims and Directors' Fees Totaling \$27,241.57, as presented.

District Accountant to Prepare and Sign the DLG-70 Certification of Tax Levies Form for Certification to the Board of County Commissioners and other interested parties: Upon motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote unanimously carried, the Board authorized the District accountant to prepare and sign the DLG-70 Certification of Tax Levies form for certification to the Board of County Commissioners and other interested parties.

District Accountant to Prepare 2025 Budget: No action was taken, as this item is listed in the Resolution Regarding 2024 Annual Administrative Matters.

District Accountant or Engagement of Outside Accountant to Prepare Application for Exemption from Audit for 2023: The Board appointed the District accountant to prepare the Application for Exemption from Audit for 2023. No action was taken, as this item is listed in the Resolution Regarding 2024 Annual Administrative Matters.

Mr. Raine introduced himself to the Board and reviewed the SPIMD Vision 2035 Lone Tree Link on Demand Funding application. Discussion ensued.

LANDSCAPE MAINTENANCE ISSUES

BrightView October and November 2023 Landscape Maintenance Status Report: Mr. Bedford reviewed the Landscape Maintenance Status Reports with the Board.

Request Removal of Russian Olive Tree from the City of Lone Tree: This item was not discussed.

2024 Proposed Landscape Budget: Mr. Bedford reviewed the proposed landscape budget with the Board. Following review and discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote unanimously carried, the Board approved the 2024 proposed landscape budget, as presented.

Proposal for 2023 Holiday Lighting in the amount of \$11,140.00: Mr.

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Bedford reviewed the proposal with the Board. Discussion ensued. It was noted that Mr. Bedford will ask his managers about a potential cost reduction and will update the Board in the next couple of days. Following discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board conditionally approved the proposal for 2023 Holiday Lighting in the amount of \$11,140.00, subject to a reduction in cost negotiated by BrightView.

2024 Flower Options: Mr. Bedford reviewed the 2024 flower options with the Board, noting there is no additional cost due to the work being included in the annual landscape budget. The Board directed Mr. Bedford to install option one in spring 2024.

MANAGER MATTERS

CliftonLarsonAllen LLP Master Services Agreement and Related Statement(s) of Work for 2024: Ms. Jones reviewed the Master Services Agreement and Statements of Work 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 CliftonLarsonAllen LLP Master Services Agreement and related Statements of Work for 2024, as presented.

2024 Insurance Renewal and Property Schedule: Following discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote unanimously carried, the Board approved the 2024 insurance renewal and accepted the property schedule, subject to final review of property schedule by Mr. Bedford and Mr. Cotten.

Resolution Excluding Worker's Compensation: Ms. Jones and Attorney Dykstra reviewed the Resolution with the Board. The Board determined to approve worker's compensation insurance coverage for 2024.

Membership in the Special District Association for 2024: Ms. Jones reviewed 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 renewal of the District's membership in the Special District Association for 2024.

SPIMD Vision 2035 Lone Tree Link on Demand Funding Application: This item was previously discussed.

Communication and Memo with the City of Lone Tree: This item was previously discussed.

ENGINEER MATTERS

Booster Pump: Mr. Cotten provided an update to the Board, noting that he is still waiting for a response from Xcel. He noted he will check with IMEG to see

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if they have received a response. Ms. Jones noted she has a couple of contacts at Xcel that she will try to get a hold of.

LEGAL MATTERS –
ATTORNEY REPORT

None.

DIRECTOR
MATTERS

It was noted that CLA will schedule an on-site visit with the City of Lone Tree Public Works Director the week of the November 27th with CLA and the Board.

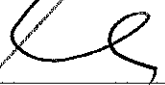
OTHER BUSINESS

Quorum for Next Meeting – December 18, 2023 at 11:30 a.m.: A quorum was confirmed for the December 18, 2023 meeting.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Egitto adjourned the meeting at 12:38 p.m.

Respectfully submitted,

By: 
Secretary for the Meeting