

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
OMNIPARK METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
NOVEMBER 21, 2022

A regular meeting of the Board of Directors of the OmniPark Metropolitan District (referred to hereafter as the "Board") was convened on Monday, November 21, 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 11:36 a.m. Following review, upon a motion duly made, seconded 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 October 17, 2022 Regular Meeting: Following review, upon a motion duly made by Director Vanderryst, seconded by Director Egitto and, upon vote, unanimously carried, the Board approved the Minutes of the October 17, 2022 regular meeting, as presented.

Resolution Regarding 2023 Annual Administrative Matters: Following review, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board adopted the

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Resolution Regarding 2023 Annual Administrative Matters, as presented.

2023 Meeting Dates: Third Monday of Each Month at 11:30 a.m.:
The Board confirmed the dates and time for 2023 meetings.

Requirements of Section 32-1-809, C.R.S. and Compliance for 2023 (District Transparency Notice): Attorney Dykstra noted that this item was included in the Resolution Regarding 2023 Annual Administrative Matters. No additional action was taken.

2023 Insurance Renewal and Documents Needed to Obtain or Maintain Insurance Coverage Through the Colorado Special Districts Property and Liability Pool and T. Charles Wilson Risk Management and Membership in the Special District Association: Ms. Jones reviewed the 2023 insurance renewal with the Board. Following discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board approved the 2023 insurance renewal documents needed to maintain insurance coverage through the Special Districts Property and Liability Pool and T. Charles Wilson Risk Management and authorized the District's membership in the Special District Association.

FINANCIAL ITEMS

September 30, 2022 Unaudited Financial Statements and Cash Position Schedule: Mr. Fink reviewed the Unaudited Financial Statements and Cash Position Schedule with the Board. Discussion ensued regarding the ColoTrust bank account current interest rate. Following review and discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board accepted the September 30, 2022 Unaudited Financial Statements and Cash Position Schedule, as presented.

November 2022 Claims Totaling \$14,695.92 and Directors' Fees: Mr. Fink reviewed the November 2022 Claims and Directors' Fees with the Board. Discussion ensued regarding engagement of new pest control contractor. Ms. Jones noted she will solicit a proposal from Orkin. 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 November 2022 Claims totaling \$14,695.92 and Directors' Fees, as presented.

Public Hearing to Consider Amendment of the 2022 Budget. If Necessary, Consider Adoption of Resolution to Amend the 2022 Budget: Mr. Fink noted that no amendment to the 2022 Budget is necessary. No action was taken.

Public Hearing on the Proposed 2023 Budget and Consider Adoption of Resolution to Adopt the 2023 Budget and Appropriate Sums of Money: Director Egitto opened the public hearing to consider the proposed 2023 Budget and to discuss related issues at 11:49 a.m.

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It was noted that Notice stating that the Board would consider adoption of the 2023 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 11:50 a.m.

The Board reviewed the estimated 2022 expenditures and the proposed 2023 expenditures.

Upon motion duly made by Director Vanderryst, seconded by Director Egitto and, upon vote, unanimously carried, the Board approved the 2023 Budget, as discussed, and adopted the Resolution to Adopt the 2023 Budget and Appropriate Sums of Money, as presented.

District Accountant to Prepare the DLG-70 Certification of Tax Levies Form for Certification to the Board of County Commissioners and Other Interested Parties: Ms. Jones and Mr. Fink discussed CLA's new policy for the District's accountant to prepare the DLG-70 Certification of Tax Levies form and for a Board member to sign it. Following discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board authorized the District accountant to prepare the DLG-70 Certification of Tax Levies form for certification to the Board of County Commissioners and other interested parties.

Appointment of Board Member to Sign the DLG-70 Certification of Tax Levies: Following discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board appointed Director Egitto to sign the DLG-70 Certification of Tax Levies.

Appointment of District Accountant to Prepare 2024 Budget: Attorney Dykstra noted that this item was included in the Resolution Regarding 2023 Annual Administrative Matters. No additional action was taken.

Statutory Requirements for an Audit. Appointment of District Accountant to Prepare Application for Exemption from Audit for 2022: Mr. Fink informed the Board that the District will not require a 2022 Audit and CLA will prepare the Application for Exemption from Audit for 2022. No action was taken.

Other: None.

LANDSCAPE

Partial Tree Replacement at Monument Signs for Key Bank: Mr. Bedford

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MAINTENANCE ISSUES

provided an update to the Board, noting that he has attempted to meet with the Key Bank representative multiple times to no avail. Discussion ensued. Following discussion, the Board determined to defer this topic until Key Bank reaches out to Mr. Bedford or Ms. Jones.

BrightView November 2022 Landscape Maintenance Status Report: Mr. Bedford reviewed the Landscape Maintenance Status Report with the Board, noting that there have been electrical issues on the west side of Park Meadows Drive affecting the holiday lights. He stated that the issue should be fixed soon.

Renderings for 2023 Monument Sign Flower Design: Mr. Bedford reviewed four options for 2023 flower design at the Monument Signs. Discussion ensued. The Board determined to move forward with the third option, with the first option as a second choice. It was noted that Mr. Bedford will bring pricing proposals for these options to the December meeting.

Proposed 2023 Landscape Budget from BrightView: Mr. Bedford reviewed the 2023 landscape budget with the Board, noting an overall increase of 4%. Discussion ensued. Following review, upon a motion duly made, seconded and, upon vote, unanimously carried, the Board approved the proposed 2023 landscape budget from BrightView, as presented.

Other: Other.

MANAGER ITEMS

CliftonLarsonAllen LLP Statements of Work for 2023: Ms. Jones reviewed the CliftonLarsonAllen 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 statements of work for 2023, as presented.

Other: None.

ENGINEER ITEMS

Retaining Wall Installation and Landscape Maintenance: Mr. Bedford provided an update for the Board, noting that the City of Lone Tree requested a Site Improvement Plan for any work being done in the retaining wall and sidewalk frontage areas. Mr. Cotten stated that he will reach out to the City of Lone Tree gather further information regarding the Site Improvement Plan. It was noted that any work performed in these areas will not begin until early spring 2023. This item was deferred to the December meeting.

Lincoln Sidewalk Frontage Maintenance and Cost Estimates: This item was previously discussed.

Booster Pump Update: Mr. Cotten provided an update to the Board, noting that Taylor Goertz visited the dentist office and confirmed that the property is owned

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by an LLC made up of two doctors in the dentist office. Attorney Dykstra requested an updated easement map from Mr. Cotten and noted that he will coordinate directly with the doctors to get the easement finalized. It was noted that this item will be discussed further in December.

Other: None.

LEGAL MATTERS – ATTORNEY REPORT

Transformer Easement Across Dentist Property: This item was previously discussed.

Resolution Calling a Regular Election for Directors on May 2, 2023, Appointing the DEO and Authorizing the DEO to Perform All Tasks Required for the Conduct of a Mail Ballot Election: Attorney Dykstra reviewed the Resolution, noting that both Directors Egitto and Vanderryst are up for election in 2023. Following discussion, upon a motion duly made by Director Egitto, seconded by Director Vanderryst and, upon vote, unanimously carried, the Board adopted the Resolution Calling a Regular Election for Directors on May 2, 2023, appointing the DEO and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election, as presented.

Other: None.

BOARD MEMBER ITEMS

Other: None.

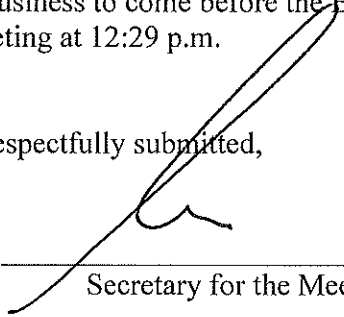
OTHER BUSINESS

Quorum for Next Meeting – December 19, 2022 at 11:30 a.m.: A quorum was confirmed for the December 19, 2022 meeting.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Egitto adjourned the meeting at 12:29 p.m.

Respectfully submitted,



Secretary for the Meeting

