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## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE CITYSET METROPOLITAN DISTRICT NO. 2 HELD JUNE 28, 2023

A Regular Meeting of the Board of Directors (hereinafter referred to as the “Board”) of CitySet Metropolitan District No. 2 (hereinafter referred to as the “District”) was held on Wednesday, June 28, 2023, at 9:00 a.m. This District Board Meeting was held via Zoom without any individuals (neither district representatives nor the general public) attending in person. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

Mark Hays  
Ashley Dimond  
William G. Martinic

Following discussion, upon motion made by Director Hays, seconded by Director Martinic, the absence of Director Gaede was excused. Director Martinic was appointed as acting President for this meeting only.

#### Also In Attendance Were:

David Solin; Special District Management Services, Inc. (“SDMS”)

Paula Williams, Esq. and Tim O’Connor, Esq.; McGeady Becher P.C.

Kimberly Johannis; Simmons & Wheeler, P.C.

#### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

**Disclosure of Potential Conflicts of Interest:** The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board and to the Secretary of State. Mr. Solin noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. No new conflicts of interest were disclosed, and Attorney Williams reported that all Directors’ Disclosure Statements had been filed by the statutory deadline.

#### ADMINISTRATIVE MATTERS

**Agenda:** The Board reviewed the proposed Agenda for the District’s Special Meeting.

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Following discussion, upon motion made by Director Hays, seconded by Director Martinic and, upon vote, unanimously carried, the Agenda was approved.

**May 2, 2023 Election:** Mr. Solin discussed with the Board the results of the May 2, 2023 Regular Election for Directors (“Election”). It was noted that the Election was cancelled, as allowed under Colorado law, by the Designated Election Official because there were not more candidates than positions available on the Board of Directors. Directors Martinic and Dimond were each deemed elected to 4-year terms ending in May, 2027.

**Resignation of Peggy Ripko as Secretary to the Board:** The Board discussed the resignation of Peggy Ripko as Secretary to the Board and considered the appointment of David Solin as Secretary to the Board.

Following discussion, upon motion duly made by Director Hays, seconded by Director Martinic and, upon vote, unanimously carried, the Board acknowledged the resignation of Peggy Ripko and appointed David Solin as Secretary to the Board.

**Appointment of Officers:** Following discussion, upon motion duly made by Director Gaede, seconded by Director Dimond and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Jason Gaede
Treasurer	Mark Hays
Secretary	David Solin
Assistant Secretary	Ashley Dimond
Assistant Secretary	William G. Martinic

**Minutes:** The Board reviewed Minutes of the November 16, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director Gaede, seconded by Director Dimond and, upon vote, unanimously carried, the Minutes of November 16, 2022 Regular Meetings were approved, as presented.

**PUBLIC  
COMMENT**

There was no public comment.

**FINANCIAL  
MATTERS**

**Project Fund Disbursement Request from the District’s Limited Tax General Obligation and Special Revenue Refunding and Improvement Bond:** The Board reviewed the Project Fund Disbursement Request from the District’s Limited Tax General Obligation and Special Revenue Refunding and

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Improvement Bond, Series 2020 dated February 11, 2023, in the amount of \$16,339.09.

**Resolution No. 2023-05-01 Regarding Payment of Project Costs:** The Board reviewed Resolution No. 2023-05-01 Regarding Payment of Project Costs.

Following discussion, upon motion duly made by Director Gaede, seconded by Director Dimond and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-05-01 Regarding Payment of Project Costs.

**Valet Services Invoices:** Mr. Solin reported to the Board that the process is still working well.

**Claims:** The Board reviewed and considered ratifying approval of payment of claims for the periods ending as follows:

<b>Fund</b>	Period Ending Nov. 30, 2022	Period Ending Dec. 31, 2022	Period Ending Jan. 31, 2023	Period Ending Feb. 28, 2023
General	\$ 9,156.57	\$ 56,313.08	\$ 22,696.40	\$ 43,282.88
Debt Service	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital Projects	\$ -0-	\$ -0-	\$ -0-	\$ -0-
<b>Total Claims</b>	<b>\$ 9,156.57</b>	<b>\$ 56,313.08</b>	<b>\$ 22,696.40</b>	<b>\$ 43,282.88</b>

<b>Fund</b>	Period Ending Feb. 28, 2023 Special Payment	Period Ending March 31, 2023	Period Ending April 30, 2023	Period Ending May 31, 2023
General	\$ 27,348.14	\$ 15,505.60	\$ 12,674.96	\$ 21,825.19
Debt Service	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital Projects	\$ -0-	\$ -0-	\$ -0-	\$ -0-
<b>Total Claims</b>	<b>\$ 27,348.14</b>	<b>\$ 15,505.60</b>	<b>\$ 12,674.96</b>	<b>\$ 21,825.19</b>

Following review, upon motion duly made by Director Hays, seconded by Director Dimond and, upon vote, unanimously carried, the Board ratified the payment of claims.

**Unaudited Financial Statements:** Ms. Johanns reviewed the unaudited financial statements through the period ending March 31, 2023.

Following review and discussion, upon motion duly made by Director Hays, seconded by Director Martinic and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending March 31, 2023.

**2022 Budget Amendment Hearing:** The President opened the public hearing to consider the Resolution to Amend the 2022 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2022 Budget and the date, time, and place

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of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. There were no comments from the public in attendance and the public hearing was closed.

Following discussion, upon motion duly made by Director Martinic, seconded by Director Hays and, upon vote, unanimously carried, the Board adopted the Resolution Amending the 2022 Budget.

**2022 Audit:** Ms. Johanns reviewed the 2022 draft audit with the Board.

Following discussion, upon motion duly made by Director Martinic, seconded by Director Hays and, upon vote, unanimously carried, the Board approved the 2022 audit, subject to final review by Legal Counsel and Director Hays and authorized execution of the Representations Letter.

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### **LEGAL MATTERS**

**Potential Dissolution of CitySet Metropolitan District No. 1:** Attorney Williams discussed with the Board the potential dissolution process of CitySet Metropolitan District No. 1.

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### **PROJECTS OPERATIONS/ MAINTENANCE/ CAPITAL REPAIRS**

**Landscape Maintenance Matters:** Mr. Solin and Director Martinic updated the Board on the status of landscape maintenance matters.

**Service Agreement for Operator Services between the District and Ramey Environmental Compliance, Inc.:** The Board reviewed the Service Agreement for Operator Services between the District and Ramey Environmental Compliance, Inc.

Following review and discussion, upon motion duly made by Director Martinic, seconded by Director Dimond and, upon vote, unanimously carried, the Board ratified approval of the Service Agreement for Operator Services between the District and Ramey Environmental Compliance, Inc.

**Change Order No. 1 and No. 2 under Service Agreement for Operator Services with Ramey Environmental Compliance, Inc.:** The Board reviewed Change Order No. 1 and No. 2 under Service Agreement for Operator Services with Ramey Environmental Compliance, Inc. in the amounts of \$1,100 and \$688.72, respectively, for pump maintenance and pump meter.

Following review and discussion, upon motion duly made by Director Martinic, seconded by Director Dimond and, upon vote, unanimously carried, the Board ratified approval of Change Order No. 1 and No. 2 under Service Agreement for

Operator Services with Ramey Environmental Compliance, Inc. in the amounts of \$1,100 and \$688.72, respectively, for pump maintenance and pump meter.

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**Service Agreement for 2023 Landscape Maintenance between the District and Powder Country LLC and Change Order No. 1 for Summer Annuals and Change Order No. 2:** The Board reviewed the Service Agreement for 2023 Landscape Maintenance between the District and Powder Country LLC and Change Order No. 1 for Summer Annuals and Change Order No. 2 for tree replacement.

Following review and discussion, upon motion duly made by Director Martinic, seconded by Director Dimond and, upon vote, unanimously carried, the Board ratified approval of the Service Agreement for 2023 Landscape Maintenance between the District and Powder Country LLC and Change Order No. 1 for Summer Annuals and Change Order No. 2 for tree replacement.

**Proposal from Rose Paving LLC:** The Board discussed the proposal from Rose Paving LLC for asphalt repairs and restriping.

Following review and discussion, upon motion duly made by Director Martinic, seconded by Director Dimond and, upon vote, unanimously carried, the Board approved proposal from Rose Paving LLC for asphalt repairs and restriping.


### **OTHER MATTERS**

There were no other matters for discussion.

### **ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made, seconded and upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By   
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Secretary for the Meeting