

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE CITYSET METROPOLITAN DISTRICT NO. 2 HELD NOVEMBER 18, 2020

A Special 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, November 18, 2020, at 9:30 a.m. Due to concerns regarding the spread of the coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board Meeting was held by conference call 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:

Navin Dimond
Jason Gaede
William G. Martinic
Aly-Khan Merali

Following discussion, upon motion made by Director N. Dimond, seconded by Director Martinic, the absence of Director A. Dimond was excused.

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Paula Williams, Esq.; McGeady Becher P.C.

Kimberly Johans; Simmons & Wheeler, P.C.

Howard Pollack and Dave Womack; Stonebridge Companies (“SBCO”)

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. Attorney Williams noted that all Directors’ Disclosure Statements had been filed by the statutory deadline.

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ADMINISTRATIVE MATTERS

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

Following discussion, upon motion duly made by Director N. Dimond, seconded by Director Martinic and, upon vote, unanimously carried, the Agenda was approved, as presented.

Approval of Meeting Location: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board Meeting.

Following discussion, upon motion duly made by Director Dimond, seconded by Director Martinic and, upon vote, unanimously carried, the Board determined that due to concerns regarding the spread of COVID-19 and the spread of the virus by limiting in-person contact, the District Board meeting was held and properly noticed to be held via teleconference. The Board further noted that notice providing the conference bridge information was duly posted and that it had not received any objections or any requests that the means of hosting the meeting be changed by tax paying electors within the District's boundaries.

Minutes: The Board reviewed the Minutes of the September 22, 2020 Special Meeting and the September 30, 2020 Special Meeting.

Following discussion, upon motion duly made by Director N. Dimond, seconded by Director Martinic and, upon vote, unanimously carried, the Minutes of the September 22, 2020 Special Meeting and the September 30, 2020 Special Meeting were approved, as presented.

Resolution No. 2020-11-01; Establishing 2021 Regular Meeting Dates, Time and Location and Designating Location for Posting of 24-Hour Notices: The Board discussed Resolution No. 2020-11-01; Establishing 2021 Regular Meeting Dates, Time and Location and Designating Location for Posting of 24-Hour Notices.

Following discussion, upon motion duly made by Director N. Dimond, seconded by Director Martinic and, upon vote, unanimously carried, the Board adopted Resolution No. 2020-11-01; Establishing 2021 Regular Meeting Dates, Time and Location and Designating Location for Posting of 24-Hour Notices. The Board scheduled regular meetings for June 16, 2021 and November 17, 2021 at 9:30 at Stonebridge Companies, 4949 South Niagara Street, Suite 300, Denver, CO 80207.

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§32-1-809, C.R.S. Reporting Requirements, Mode of Eligible Elector Notification for 2021: The Board entered into discussion regarding §32-1-809, C.R.S. Transparency Notice reporting requirements and mode of eligible elector notification.

Following discussion, the Board directed staff to post the required information to the SDA website, satisfying the statutory requirement.

PUBLIC COMMENT

There was no public comment.

FINANCIAL MATTERS

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

Fund	Period Ending Oct. 8, 2020	Period Ending Nov. 11, 2020
General	\$ 20,018.73	\$ 60,300.61
Debt Service	\$ -0-	\$ 52,563.82
Capital Projects	\$ -0-	\$ -0-
Total Claims	\$ 20,018.73	\$ 112,864.43

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

Unaudited Financial Statements: Ms. Johanns reviewed the unaudited financial statements through the period ending September 30, 2020.

Following review and discussion, upon motion duly made by Director N. Dimond, seconded by Director Martinic and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending September 30, 2020

2020 Audit: The Board discussed the engagement of Haynie & Company to perform the 2020 audit for an amount not to exceed \$6,000.

Following review and discussion, upon motion duly made by Director N. Dimond, seconded by Director Martinic and, upon vote, unanimously carried, the Board approved the engagement of Haynie & Company to perform the 2020 audit for an amount not to exceed \$6,000.

2020 Budget Amendment Hearing: The President opened the public hearing to consider the Resolution to Amend the 2020 Budget and discuss related issues.

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It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2020 Budget and the date, time, and place 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 review and discussion, it was determined an amendment to the 2020 Budget was not needed.

2021 Budget Hearing: The President opened the public hearing to consider the proposed 2021 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2021 Budget and the date, time and place 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. No public comments were received and the public hearing was closed.

Ms. Johanns reviewed the estimated 2020 expenditures and the proposed 2021 expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2020-11-02 to Adopt the 2021 Budget and Appropriate Sums of Money. Upon motion duly made by Director N. Dimond, seconded by Director Gaede and, upon vote, unanimously carried, Resolution No. 2020-11-02 to Adopt the 2021 Budget and Appropriate Sums of Money was adopted, as discussed, and execution of the Certification of Budget and Certification of Zero Mill Levies was authorized, prior to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2020. Mr. Solin was authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2021.

DLG-70 Mill Levy Certification Form: The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Following discussion, upon motion duly made by Director N. Dimond, seconded by Director Gaede and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties

2022 Budget Preparation: The Board entered into discussion regarding appointing the District Accountant to prepare the 2022 Budget and setting the date for a Public Hearing to adopt the 2022 Budget for November 17, 2021.

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Following discussion, upon motion duly made by Director N. Dimond, seconded by Director Gaede and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2022 Budget; directed that the 2022 draft budget be the Same as the 2021 adopted budget unless a Board Member provides input to adjust those assumptions, and set the date for a Public Hearing to adopt the 2022 Budget for the November 17, 2021.

LEGAL MATTERS

Resolution Regarding Continuing Disclosure Policies and Procedures: The Board determined to defer discussion until after the Limited Tax General Obligation and Special Revenue Refunding and Improvements Bonds, Series 2020, have closed.

PROJECTS

Parking Lot and Repaving: The Board the parking lot and repaving repairs, noting the repairs are complete.

The Board further discussed reimbursement to the Developer for costs related to the repairs.

Following review and discussion, upon motion duly made by Director N. Dimond, seconded by Director Martinic and, upon vote, unanimously carried, the Board authorized reimbursement to the Developer and authorized Requisition from the project fund, upon final receipt of the Engineer's Verification of costs, subject to final review by Directors Martinic and Gaede.

Following discussion, upon motion duly made by Director N. Dimond, seconded by Director Martinic and, upon vote, unanimously carried, the Board approved the engagement of Element Engineering for Cost Verification Services related to the parking lot repairs.

Landscape Matters: Mr. Solin updated the Board on the following items:

1. Additional planting and refreshing of Landscape.
2. Grounds maintenance.
3. Holiday lighting.

Fountain Repair: The Board deferred discussion.

Ventilation in Camera Room: Mr. Solin reported to the Board that the ventilation in the camera room has been completed.

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UPS back-up for the Security Camera System. Mr. Solin reported to the Board that the UPS back-up for the security camera system has been completed.

Elevator Enclosure: Mr. Solin reported to the Board that an Insurance claim was filed for wind damage to the elevator enclosure.

OTHER MATTERS

None

ADJOURNMENT

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

Respectfully submitted,

By 

Secretary for the Meeting