

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE WILDGRASS METROPOLITAN DISTRICT HELD OCTOBER 18, 2022

A Regular Meeting of the Board of Directors of the Wildgrass Metropolitan District (referred to hereafter as "Board") was convened on Tuesday, the 18<sup>th</sup> day of November, 2022, at 11:30 A.M. at the offices of Jonsen Law Firm, P.C.; 555 Eldorado Blvd., Broomfield, Colorado. The meeting was open to the public.

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**Directors In Attendance Were:**

Marc Gillotti  
Jordan Wiens  
Eric R. Jonsen  
David Seesdorf (via speakerphone)

**Also In Attendance Were:**

AJ Beckman, District Manager, Public Alliance, LLC  
Heather Hartung, Esq.; White, Bear, Ankele, Tanaka & Waldron, PC (via speakerphone)  
Alonso Duran Rodriguez, Accountant, CliftonLarsonAllen LLP

**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 of Directors and to the Secretary of State.

Mr. Beckman 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 additional conflicts of interest were disclosed.

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**ADMINISTRATIVE  
MATTERS**

**Call to Order:** Mr. Beckman called the meeting to order at 11:39 a.m.

**Agenda:** Mr. Beckman reviewed the proposed Agenda for the District's regular meeting.

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

**Absences:** Following discussion, upon motion duly made by Director Wiens seconded by Director Jonsen and, upon vote, unanimously carried, the absence of Heather McNicholas was excused.

**2023 Annual Administrative Resolution:** Following review and discussion, upon motion duly made by Director Jonsen seconded by Director Gillotti and, upon vote, unanimously carried, the Board approved the 2023 Annual Administrative Resolution.

**PUBLIC COMMENT** There was no public comment.

**CONSENT AGENDA** The Board considered the following actions:

- Approval of the September 19, 2022 Regular Meeting Minutes.
- Approval of 809 Transparency Notice
- Adoption of Resolution No. 2022-10-03 Adopting Location of Regular and Special Meetings

Following discussion and review, upon a motion duly made by Director Gillotti, seconded by Director Jonsen and, upon vote unanimously carried, the Board approved the consent agenda, as presented.

**FINANCIAL ITEMS** **Claims:** Mr. Duran Rodriguez reviewed the claims with the Board. Following discussion, upon motion duly made by Director Wiens, seconded by Director Gillotti and, upon vote, unanimously carried, the Board approved the payment of claims as presented.

**Unaudited Financial Statements:** Mr. Duran Rodriguez reviewed the unaudited financial statements for the period ending August 31, 2022 with the Board. The Board directed Mr. Duran to research interest earnings available among the District's savings accounts and to adjust deposits as necessary to maximize interest income.

Following discussion and review, upon a motion duly made by Director Jonsen, seconded by Director Wiens and, upon vote unanimously carried, the unaudited financial statements were approved as presented.

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**2023 Budget:** The President opened the public hearing to consider the proposed 2023 Budget and discuss related issues. It was noted that publication of Notice stating that the Board would consider adoption of the 2023 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 members of the public were present, and the public hearing was closed.

Mr. Duran Rodriguez reviewed with the Board the estimated 2022 expenditures and the proposed 2023 expenditures.

Following discussion, the Board considered the adoption of the Resolutions to Adopt the 2023 Budget and Appropriate Sums of Money and Set Mill Levies (for the General Fund at 5.000 mills and the Debt Service Fund at 28.000 mills for a total mill levy of 33.000 mills). Upon motion duly made by Director Wiens, seconded by Director Gillotti and, upon vote, unanimously carried, the Resolution was adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2022. Mr. Duran Rodriguez was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of the City and County of Broomfield and the Division of Local Government, not later than December 15, 2022. Mr. Duran Rodriguez was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2023. Copies of the adopted Resolutions are attached to these Minutes and incorporated herein by this reference.

### **CAPITAL IMPROVEMENTS ITEMS**

**2022 Landscaping Enhancements:** The Board discussed the status of the 2022 Landscape enhancements.

**2023 Landscape Enhancements:** The Board primarily discussed maintenance to the existing improvements.

### **LEGAL ITEMS**

**Resolution No. 2022-10-04 Calling the May 2, 2023 Election:** Attorney Hartung reviewed with the Board. Following discussion, upon a motion duly made by Director Gillotti, seconded by Director Wiens and upon vote, unanimously carried, the Board adopted Resolution 2022-10-04 Calling the May 2, 2023 Election.

**Master Service Agreement with CliftonLarsonAllen:** Attorney Hartung reviewed the Master Service Agreement with CliftonLarsonAllen LLP.

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Following discussion, upon a motion duly made by Director Wiens, seconded by Director Gillotti and, upon vote unanimously carried, the Board approved the Master Service Agreement with CliftonLarsonAllen LLP.

**Executive Session:** Pursuant to Section 24-6-402(4)(b), C.R.S. upon motion duly made by Director Wiens, seconded by Director Gillotti and, upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 12:11 p.m. for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, instructing negotiators related to damages claimed by a resident as authorized by Sections 24-6-402(4)(b) C.R.S. and for developing a strategy for negotiations and to instruct negotiators pursuant to C.R.S. 24-6-402(e)(I). Furthermore, pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record or electronic recording will be kept of those portions of the executive session that, in the opinion of the Board's attorney, constitutes privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

The Boards reconvened in regular session at 12:20 p.m.

### **OTHER MATTERS**

**Renewal of Special Districts Association of Colorado Membership, 2023:** The Board discussed renewal of the Special Districts Association of Colorado Membership for 2023.

Following discussion and review, upon a motion duly made by Director Wiens, seconded by Director Gillotti and, upon vote unanimously carried, the Board authorized renewal of the Special Districts Association of Colorado Membership for 2023.

**Renewal of General Liability Schedule, Limits and Property Schedule:** The Board reviewed the proposal for renewal of General Liability Schedule, Limits and Property Schedule.

Following discussion and review, upon a motion duly made by Director Wiens, seconded by Director Gillotti and, upon vote unanimously carried, the Board approved the proposal for renewal of General Liability Schedule, Limits and Property Schedule.

### **ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director Wiens, seconded by Director Gillotti and, upon vote, unanimously carried, the meeting was adjourned at 12:30 p.m. There are no more regular meetings in 2022.

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Respectfully submitted,

By

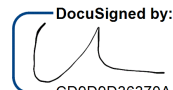
  
Secretary for the Meeting

 President       Treasurer

### ATTORNEY STATEMENT REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing Wildgrass Metropolitan District, I attended the executive session meeting for the Wildgrass Metropolitan District convened at 12:11 p.m. on October 18, 2022 for the sole purpose of discussing o damages claimed by a resident as authorized by §24-6-402(4)(b), C.R.S. . I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Heather L. Hartung, Esq.

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