

# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF THE BOARDS OF DIRECTORS OF 144<sup>TH</sup> AVENUE METROPOLITAN DISTRICT NOS. 1-2

HELD

October 12, 2023

The Regular Meeting of the Boards of Director for 144th Avenue Metropolitan District Nos. 1-2 was held via MS Teams and Teleconference on Thursday, October 12, 2023, at 3:00 p.m.

### ATTENDANCE

#### Directors in Attendance:

Gus Quinonez, President

Angela Troxel, Secretary & Treasurer

#### Also in Attendance:

Deborah Early; Icenogle Seaver Pogue, P.C.

Kevin Mitts and Wendy McFarland; Pinnacle Consulting Group, Inc.

Marc Raskulinecz and Amanda Benson; CPA Arbour Commons

### ADMINISTRATIVE ITEMS

Call to Order: The Regular Meeting of the Boards of Directors (collectively, the “Boards”) of the 144th Avenue Metropolitan District Nos. 1-2 (collectively, the “District”) was called to order by Mr. Mitts at 3:01 p.m.

Coordinated Meetings: The Boards determined to hold joint meetings of the Districts and to prepare joint minutes of actions taken by the Districts at such meetings. Unless otherwise noted below, the matters set forth below shall be deemed to be the actions of the Board of Directors of 144<sup>th</sup> Avenue Metropolitan District No. 1, with concurrence by the Board of Directors of 144<sup>th</sup> Avenue Metropolitan District No. 2.

Declaration of Quorum/Director Qualifications/Disclosure of Potential Conflicts of Interest: Mr. Mitts noted that a quorum was present, with two out of two Directors in attendance. All Board Members confirmed their qualifications to serve on the Boards. Ms. Early noted written disclosures of potential conflicts of interest for all directors were filed with the Colorado Secretary of State at least 72 hours in advance of the meeting, disclosing potential conflicts of interest that may exist as certain Board Members are employees of or affiliated with CORE Realty Holdings Management, Inc., which is an affiliate of CPA Arbour Commons DST, the landowner of the land within the Districts. Ms. Early advised the Boards that pursuant to Colorado law, certain disclosures may be required prior to taking official action at the meeting. The Boards reviewed the agenda for the meeting, following which each director confirmed the contents of written disclosures previously made, stating the

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fact and summary nature of any matters, as required by Colorado law, to permit official action to be taken at the meeting. Additionally, the Boards determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Boards to act.

Approval of Agenda: The Boards considered the approval of the agenda. Following review and discussion, upon a motion duly made by Director Troxel, seconded by Director Quinonez, and upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda, as presented.

Appointment to Fill Board Vacancy: Ms. Early addressed the Boards noting there is one interested candidate, Amanda Benson, to fill the vacancy on the Boards of Directors for District Nos. 1 and 2. Following review and discussion, upon a motion duly made by Director Troxel, seconded by Director Quinonez, and upon vote, unanimously carried, it was

**RESOLVED** to appoint Amanda Benson to the Boards of Directors of District Nos. 1 and 2.

Election of Officers: Ms. Early discussed the Election of Officers with the Boards. Following review and discussion, upon a motion duly made by Director Troxel, seconded by Director Quinonez, and upon vote, unanimously carried, it was

**RESOLVED** to elect the slate of officers as noted below:

Gus Quinonez – President  
Angela Troxel – Secretary & Treasurer  
Amanda Benson – Assistant Treasurer

Public Comment: There were no Public Comments received.

Director Comment: There were no Director Comments received.

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### CONSENT AGENDA

Mr. Mitts reviewed the items on the consent agenda with the Boards. Mr. Mitts advised the Boards that any item may be removed from the consent agenda to the regular agenda upon the request of any Director. No items were requested to be removed from the consent agenda. Upon a motion duly made by Director Quinonez, Seconded by Director Troxel, the following items on the consent agenda were unanimously approved, ratified, and adopted:

- A. Approval of Minutes – June 8, 2022, Regular Meeting.
- B. Payment of Claims.

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### DISTRICT MANAGER ITEMS

District Manager’s Report: Mr. Mitts presented the District Manager’s Report to the Boards and answered questions.

2024 Master Service Agreements with Operations and Maintenance Service Contractors: Mr. Mitts presented the 2024 Master Service Agreements with Operations and Maintenance Service Contractors to the Boards and answered questions.

- i. CP Arbour Commons MT LLC

Following review and discussion, upon a motion duly made by Director Troxel, seconded by Director Quinonez, and upon vote, unanimously carried, it was

**RESOLVED** to approve the 2024 Master Service Agreements with Operations and Maintenance Service Contractors within the Approved 2024 Budget, as presented.

Authorization of District Manager to Execute 2024 Work Orders with Approved Operations and Maintenance Service Contractors within the Approved 2024 Budget: Mr. Mitts requested the Boards consider delegating authority to the District Manager to Execute 2024 Work Orders with Approved Operations and Maintenance Service Contractors within the Approved 2024 Budget. Following review and discussion, upon a motion duly made by Director Troxel, seconded by Director Quinonez, and upon vote, unanimously carried, it was

**RESOLVED** to authorize the District Manager to Execute 2024 Work Orders with Approved Operations and Maintenance Service Contractors within the Approved 2024 budget, as presented.

Discuss Annual Engagement of District Consultants: Mr. Mitts discussed the Annual Engagement of District Consultants with the Boards.

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Following review and discussion, upon a motion duly made by Director Troxel, seconded by Director Quinonez, and upon vote, unanimously carried, it was

**RESOLVED** to engage the following District Consultants:

Pinnacle Consulting Group, Inc.; District Management  
Icenogle Seaver Pogue; District Legal Counsel

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2023  
AMENDED  
BUDGET HEARING

Director Quinonez opened the 2023 Amended Budget Hearing for 144<sup>th</sup> Avenue Metropolitan District No. 1. Mr. Mitts reported that notice of the budget hearing was published on September 28, 2023, in the Westminster Window, in accordance with state budget law. There being no public input, the public portion of the budget hearing was closed. Ms. McFarland reviewed the amended budgets in detail and answered questions. The budgets for the District are as follows:

District No. 1  
General Fund: \$59,800

Following review and discussion, upon a motion duly made by Director Troxel, seconded by Director Quinonez, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolution to Adopt the 2023 Amended Budget and appropriate funds for 144<sup>th</sup> Avenue Metropolitan District No. 1 and authorize such further actions of the officers and consultants necessary to sign related documents and submit and file such documents required to finalize the amended budget.

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2024  
BUDGET HEARING

Director Quinonez opened the 2024 Budget Hearing for 144<sup>th</sup> Avenue Metropolitan District Nos. 1 and 2. Mr. Mitts reported that notice of the budget hearing was published on September 28, 2023, in the Westminster Window, in accordance with state budget law. Ms. McFarland reviewed the estimated revenues and expenditures in detail and answered questions. The budgets for the Districts are as follows:

District No. 1:  
General Fund: \$65,455

District No. 2:  
District No. 1 operates and maintains the public park in District No. 2 and pays all costs associated thereto and for the general administrative costs

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of the Districts. District No. 2 does not generate any revenue or incur separate expenditures. Therefore, the 2024 budget for District No. 2 reflects no revenue or expenditures.

There being no public input, the public portion of the budget hearing was closed. After further review and discussion, upon a motion duly made by Director Troxel, seconded by Director Quinonez, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolutions to Adopt the 2024 Budgets for 144<sup>th</sup> Avenue Metropolitan District Nos. 1 and 2, appropriate budgeted funds upon final certification of values being received from Adams County on or before December 15, 2023, and approve all other documents related to the 2024 budgets. The District Manager is authorized to make minor modifications that may be necessary following receipt of final assessed values.

### LEGAL ITEMS

Legal Counsel and District Accountant to obtain City Manager approval to increase Park Facility Fee: Ms. Early discussed with the Boards the authorization of legal counsel and district accountant to obtain City Manager approval to increase Park Facility Fee and answered questions. Following review and discussion, upon a motion duly made by Director Quinonez, seconded by Director Troxel, and upon vote, unanimously carried, it was

**RESOLVED** to approve Legal Counsel and District Accountant to obtain City Manager Approval to increase Park Facility Fee.

2024 Annual Administrative Matters Resolution: Ms. Early discussed with the Boards the 2024 Annual Administrative Matters Resolution and answered questions. Following review and discussion, upon a motion duly made by Director Troxel, seconded by Director Quinonez, and upon vote, unanimously carried, it was

**RESOLVED** to approve the 2024 Annual Administrative Matters Resolution.

2024 Meeting Resolution: Ms. Early discussed with the Boards the 2024 Meeting Resolution and answered questions. Following review and discussion, upon a motion duly made by Director Troxel, seconded by Director Quinonez, and upon vote, unanimously carried, it was

**RESOLVED** to approve the 2024 Meeting Resolution.

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First Amendment to Public Records Policy: Ms. Early presented the First Amendment to Public Records Policy to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Troxel, seconded by Director Quinonez, and upon vote, unanimously carried, it was

**RESOLVED** to approve the First Amendment to Public Records Policy.

Dissolution of Districts: Ms. Early discussed with the Boards the Dissolution of Districts and answered questions.

DIRECTOR  
MATTERS

There were no Director Matters to come before the Boards.

OTHER  
MATTERS

There were no Other Matters to come before the Boards.

EXECUTIVE  
SESSION

There was no need for an Executive Session during this meeting.

ADJOURNMENT

There being no further business to come before the Boards, upon motion duly made by Director Troxel, seconded by Director Quinonez, and upon unanimous vote, the meeting was adjourned at 4:02 p.m.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,

*Kevin Mitts*

Kevin Mitts, Recording Secretary for the Meeting