

## RECORD OF PROCEEDINGS

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### MINUTES OF A CONTINUED MEETING OF THE BOARD OF DIRECTORS OF THE EASTPARK70 METROPOLITAN DISTRICT HELD DECEMBER 6, 2022

A Continued Meeting of the Board of Directors (“Board”) of the Eastpark70 Metropolitan District (“District”) was reconvened on Tuesday, the 6<sup>th</sup> day of December, 2022, at 10:00 A.M. This District Board meeting was held via Zoom. The meeting was open to the public.

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#### ATTENDANCE

##### Directors In Attendance Were:

Nathan J. Miles  
Lisa Crew  
Carter Love  
Tim Bertoch

##### Also In Attendance Were:

Larry Loften and Steve Beck; Special District Management Services, Inc.  
Elisabeth A. Cortese, Esq.; McGeady Becher P.C.

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#### ADMINISTRATIVE MATTERS

**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. Beck 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 State statute. It was further noted that all Directors’ Disclosure Statements have been filed.

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**Agenda:** Mr. Beck distributed for the Board’s review and approval a proposed Agenda for the District’s Continued Meeting.

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

**Meeting Location/Manner and Posting of Meeting Notice:** 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. It was noted

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that the District meeting was held and properly noticed to be held via Zoom video and/or telephone conference. The Board further noted that notice providing the meeting access information was duly posted and that they have not received any objections or any requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries.

### PUBLIC COMMENT

**Public Comment:** There were no public comments.

### FINANCIAL MATTERS

**2023 Budget Hearing:** The President reconvened 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 or at this public hearing. No public comments were received, and the President closed the public hearing.

Mr. Beck reviewed the estimated year-end 2022 revenues and expenditures and the proposed 2023 estimated revenues and expenditures. Discussion ensued regarding status of bond payments received by Cambridge Capital, LLC. Following discussion, upon motion duly made by Director Bertoch, seconded by Director Miles and, upon vote unanimously carried, the Board authorized Mr. Beck to make an additional bond payment in an amount that would make the total amount paid in 2022 equivalent to the amount budgeted for payment in the Debt Service Fund.

Following discussion, the Board considered the adoption of the Resolution to Adopt the 2023 Budget and Appropriate Sums of Money and the Resolution to Set Mill Levies (General Fund at 1.500 mills, the Debt Service Fund at 22.500 mills, and Contractual Obligations at 1.000 mills for a total of 25.000 mills). Upon motion duly made by Director Bertoch, seconded by Director Miles and, upon vote unanimously carried, the Resolutions were 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. The District Accountant was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Adams County and the Division of Local Government not later than December 15, 2022. The District Accountant 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 hereto and incorporated herein by this reference.

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**LEGAL MATTERS** **Agreement Regarding Required Mill Levy for 2023 by and between the District and Cambridge Capital LLC:** Attorney Montague reviewed the Agreement Regarding Required Mill Levy for 2023 by and between the District and Cambridge Capital LLC with the Board.

Following discussion, upon motion duly made by Director Bertoch, seconded by Director Miles and, upon vote unanimously carried, the Board approved the Agreement Regarding Required Mill Levy for 2023 with the Debt Service Mill Levy to be 22.500 mills.

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**OTHER BUSINESS** **2021 Audit:** Mr. Beck reported on the status of the 2021 Audit, noting that he will continue to follow-up with Morain Bakarich, CPAs regarding the filing of the 2021 Audit, and that he will obtain proposals to engage an auditor for performance of the 2022 Audit.

**Status of Construction:** Director Miles updated the Board on the status of Buildings 5, 6 and 7.

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

Respectfully submitted,

By:   
Secretary for the Meeting