

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE EASTPARK70 METROPOLITAN DISTRICT (THE “DISTRICT”) HELD NOVEMBER 1, 2024

A regular meeting of the Board of Directors of the EastPark70 Metropolitan District (referred to hereafter as the “Board”) was convened on Friday, November 1, 2024, at 10:00 a.m. via video / teleconference (Zoom). The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Tyler Butterworth, President
Kasia Minor, Treasurer

Also, In Attendance Were:

David Solin; Special District Management Services, Inc.

Elisabeth A. Cortese, Esq. and Tim O’Connor, Esq.; McGeady Becher Cortese Williams P.C.

Vaishnavi Totla; Consolidated Investment Group LLC

PUBLIC COMMENT

There were no public comments.

ADMINISTRATIVE MATTERS

Disclosures of Potential Conflicts of Interest: The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested 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 statute. It was noted by Attorney Cortese that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed at the meeting.

Confirmation of Meeting Location/Posting of 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 that the meeting was being held via videoconference/teleconference and that notice of the time, date and location was duly posted and that no objections to the location or any requests that the meeting place be changed by taxpaying electors within the District’s boundaries have been received.

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Agenda: The Board reviewed the Agenda for the meeting.

Following discussion, upon motion duly made by Director Butterworth, seconded by Director Minor, and upon vote unanimously carried, the Board approved the Agenda.

Minutes of the April 26, 2024 and August 8, 2024 Special Meetings: The Board reviewed the Minutes of the April 26, 2024 and August 8, 2024 Special Meetings.

Following review, upon motion duly made by Director Minor, seconded by Director Butterworth, and upon vote unanimously carried, the Board approved the Minutes of the April 26, 2024 Special Meeting, as amended and the August 8, 2024 Special Meeting, as presented.

Board Vacancies: Mr. Solin discussed the vacancies on the Board. Attorney Cortese noted that the Board had been notified that there are two potential interested Board member candidates.

Appointment of Officers: Following discussion, upon motion duly made by Director Butterworth, seconded by Director Minor, and upon vote unanimously carried, the following slate of officers were appointed for the District:

President: Tyler Butterworth
Treasurer: Kasia Minor
Secretary: David Solin

Aurora Regional Transportation Authority (ARTA) Board Member Representative: The Board discussed the need to appoint an ARTA Board member representative.

Following discussion, upon motion duly made by Director Minor, seconded by Director Butterworth, and upon vote unanimously carried, the Board designated Tyler Butterworth as the District representative to the ARTA Board.

Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices: The Board discussed the business to be conducted in 2025.

Following discussion, upon motion duly made by Director Butterworth, seconded by Director Minor, and upon vote unanimously carried, the Board adopted the Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices and determined to hold the 2025 meeting on November 7, 2025 at 10:00 a.m. via Zoom video / teleconference.

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District Insurance and Special District Association (“SDA”) Membership:

The Board discussed renewing the District’s insurance and SDA membership for 2025.

Following discussion, upon motion duly made by Director Butterworth, seconded by Director Minor, and upon vote unanimously carried, the Board approved the renewal of the Districts’ insurance and SDA membership for 2025.

Website Accessibility Matters: Mr. Solin discussed website accessibility matters with the Board, noting that the District is on track to meet compliance requirements. As such, the Board determined there was no need to establish a Website Accessibility Committee.

FINANCIAL MATTERS

Payment of Claims: The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period ending July 31, 2024	Special Payment August 31, 2024	Period ending Oct. 31, 2024
General	\$ 11,099.41	\$ 5,250.00	\$ 15,827.66
Debt	\$ 35,666.85	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-
Total	\$ 46,766.26	\$ 5,250.00	\$ 15,827.66

Following discussion, upon motion duly made by Director Minor, seconded by Director Butterworth and, upon vote unanimously carried, the Board ratified approval of the payment of the claims.

Unaudited Financial Statements and Schedule of Cash Position: Mr. Solin reviewed the unaudited financial statements for the period ending September 30, 2024 and the schedule of cash position updated as of September 30, 2024.

Following discussion, upon motion duly made by Director Butterworth, seconded by Director Minor, and upon vote unanimously carried, the Board accepted the unaudited financial statements for the period ending September 30, 2024 and the schedule of cash position updated as of September 30, 2024.

2024 Audit Preparation: The Board discussed establishing an Audit Committee to select and approve the engagement of an auditor to prepare the 2024 Audit.

Following discussion, upon motion duly made by Director Minor, seconded by Director Butterworth, and upon vote unanimously carried, the Board appointed Director Butterworth to the Audit Committee.

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Public Hearing on Amendment to 2024 Budget: Director Butterworth opened the public hearing to consider an amendment to the 2024 Budget.

It was noted that publication of Notice stating that the Board would consider amendment of the 2024 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 the public hearing.

No public comments were received, and the public hearing was closed.

Following discussion, upon motion duly made by Director Butterworth, seconded by Director Minor, and upon vote unanimously carried, the Board adopted a Resolution to Amend the 2024 Budget.

Agreement Regarding Required Mill Levy for 2025 by and between the District and Cambridge Capital LLC: Attorney Cortese reviewed the Agreement Regarding Required Mill Levy for 2025 by and between the District and Cambridge Capital LLC.

Following discussion, upon motion duly made by Director Butterworth, seconded by Director Minor, and upon vote unanimously carried, the Board approved the Agreement Regarding Required Mill Levy for 2025 by and between the District and Cambridge Capital LLC.

Public Hearing on 2025 Budget: Director Butterworth opened the public hearing to consider the proposed 2025 Budget and to discuss related issues.

It was noted that Notice stating that the Board would consider adoption of the 2025 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed.

The Board reviewed the estimated 2024 expenditures and the proposed 2025 expenditures.

Following discussion, upon motion duly made by Director Butterworth, seconded by Director Minor, and upon vote unanimously carried, the Board approved the 2025 Budget, and adopted a Resolution to Adopt the 2025 Budget and Appropriate Sums of Money and a 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), subject to receipt of final assessed valuation, and authorized execution of the Certification of Budget. The District Accountant was directed to transmit the Certification of Mill

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Levies to the Board of County Commissioners of Adams County not later than December 15, 2024 and to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2025.

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

Resolution Authorizing Adjustment of the District Mill Levy: The Board discussed the need to adjust the District mill levy.

Following discussion, it was determined that adoption of a Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan was not necessary.

Preparation of 2026 Budget: Following discussion, upon motion duly made by Director Butterworth, seconded by Director Minor, and upon vote unanimously carried, the Board appointed the District Accountant to prepare the 2026 Budget and set the date for a Public Hearing to adopt the 2026 Budget for November 7, 2025, at 10:00 a.m., to be held via videoconference.

LEGAL MATTERS

Resolution Calling May 6, 2025 Election: The Board discussed the May 6, 2025 Regular Director Election.

Following discussion, upon motion duly made by Director Minor, seconded by Director Butterworth, and upon vote unanimously carried, the Board adopted a Resolution Calling a May 6, 2025 Director Election, appointing David Solin as the Designated Election Official and authorizing him to perform all tasks required for the conduct of a May 6, 2025 mail ballot election.

Section 32-1-809, C.R.S. Requirements (Transparency Notice): Attorney Cortese discussed the special district transparency requirements of Section 32-1-809, C.R.S. with the Board. Following discussion, the Board directed the District Manager to comply with the statutory requirement.

OTHER BUSINESS

There was no other business.

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ADJOURNMENT

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

Respectfully submitted,

By 
Secretary for the Meeting