

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF MULBERRY METROPOLITAN DISTRICT NOS. 1-6

HELD  
July 17, 2024

The Special Meeting of Mulberry Metropolitan District Nos. 1-6 was held via Zoom and Teleconference on Wednesday, July 17, 2024, at 4:15 p.m.

### ATTENDANCE

#### Directors in Attendance:

Patrick McMeekin, President  
Landon Hoover, Secretary  
Mike Welty, Assistant Secretary

#### Directors Absent, but Excused:

Kara Hoover, Assistant Secretary  
Jason Stansberry, Treasurer

#### Also in Attendance:

Robert Rogers and Matt Gray; White Bear Ankele Tanaka & Waldron, P.C.  
Sarah Bromley, Kevin Mitts, Kieyesia Conway, and Tracie Kaminski; Pinnacle Consulting Group, Inc.  
Alex Carlson; Hartford Homes, LLC

### ADMINISTRATIVE ITEMS

Call to Order: The Special Meeting of the Boards of Directors (collectively, the “Boards”) of the Mulberry Metropolitan District Nos. 1-6 (collectively, the “District”) was called to order by Director McMeekin at 4:15 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 herein, all official actions reflected in these minutes shall be deemed to be the actions of all the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

Declaration of Quorum/Director Qualifications/Disclosure of Potential Conflicts of Interest: Director McMeekin noted that a quorum was present, with three out of five Directors in attendance. All Board Members confirmed their qualifications to serve on the Boards. Mr. Rogers advised the Boards that pursuant to Colorado law, certain disclosures by Board Members might be required prior to taking official action at a meeting. Mr. Rogers reported that disclosures for those Board Members who provided White Bear Ankele Tanaka & Waldron with

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notice of potential or existing conflicts of interest, were filed with the Colorado Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Mr. Rogers inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to 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 Welty, seconded by Director Hoover, and upon vote, unanimously carried, it was

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

Public Comment: There were no Public Comments brought before the Boards.

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### CONSENT AGENDA

Mr. McMeekin reviewed the items on the consent agenda with the Boards. Mr. McMeekin 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 Welty, seconded by Director Hoover, the following items on the consent agenda were unanimously approved, ratified and adopted:

- A. Approval of Minutes – March 27, 2024 Special Meeting.
- B. Payment of Claims.

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### DISTRICT MANAGER ITEMS

District Managers' Report: Mr. Mitts presented the District Managers' Report to the Boards and answered questions.

Appointment of ARC Committee per Declarant: Mr. Mitts presented the Appointment of ARC Committee per Declarant to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Welty, seconded by Director Hoover, and upon vote, unanimously carried, it was

**RESOLVED** to appoint Alex Carlson as the ARC Committee per Declarant.

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Streamline Platform – Subscription Agreement: Mr. Mitts presented the Streamline Platform – Subscription Agreement to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Welty, seconded by Director Hoover, and upon vote, unanimously carried, it was

**RESOLVED** to ratify the Streamline Platform – Subscription Agreement, as presented.

District’s ARC Guidelines: Mr. Carlson presented the District’s ARC Guidelines to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Hoover, seconded by Director Welty, and upon vote, unanimously carried, it was

**RESOLVED** to approve the District’s ARC Guidelines, as presented.

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### FINANCIAL ITEMS

Unaudited Financial Statements: Ms. Kaminski presented the Unaudited Financial Statements for the period ending May 31, 2024, to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Hoover, seconded by Director Welty, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Unaudited Financial Statements for the period ending May 31, 2024.

2023 Audited Financial Statements for District No. 1 and District No. 2: Ms. Kaminski presented the 2023 Financial Statements for District No. 1 and District No. 2 to the Boards and answered questions. Ms. Kaminski and Mr. Carlson reported that the audit received a clean unmodified opinion. Following review and discussion, upon a motion duly made by Director Welty, seconded by Director Hoover, and upon vote, unanimously carried, it was

**RESOLVED** to approve the 2023 Audited Financial Statement for District No. 1 and District No. 2, as presented.

Appointment of Alex Carlson as Bill.com Approver for the District: Director McMeekin presented the Appointment of Alex Carlson as Bill.com Approver for the District to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Hoover, seconded by Director Welty, and upon vote, unanimously carried, it was

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**RESOLVED** to approve Alex Carlson as Bill.com Approver for the District, as presented.

2023  
AMENDED  
BUDGET HEARING

Director McMeekin opened the 2023 Amended Budget Hearing for Mulberry Metropolitan District Nos. 1-6. Mr. Mitts reported that notice of the budget hearing was published on July 10, 2024, in the Coloradoan, in accordance with state budget law. There being no public input, the public portion of the budget hearing was closed. Ms. Kaminski reviewed the amended budgets in detail and answered questions. The budgets for the District are as follows:

District No. 1  
Capital Projects Fund: \$27,791,118

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

**RESOLVED** to approve the Resolutions to Adopt the 2023 Amended Budgets and appropriate funds for Mulberry Metropolitan District Nos. 1-6 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 budgets.

LEGAL ITEMS

Resolution Concerning the Imposition of Non-Potable Water Fee: Mr. Rogers and Mr. Carlson presented the Resolution Concerning the Imposition of Non-Potable Water Fee to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Hoover, seconded by Director Welty, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolution Concerning the Imposition of Non-Potable Water Fee, pending legal updates.

Resolution Concerning the Imposition of Operations Fee: Mr. Rogers presented the Resolution Concerning the Imposition of Operations Fee to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Hoover, seconded by Director Welty, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolution Concerning the Imposition of Operations Fee, pending legal updates.

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Easement Agreement for Vehicular Access: Mr. Rogers presented the Easement Agreement for Vehicular Access to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Hoover, seconded by Director Welty, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Easement Agreement for Vehicular Access, as presented.

Implementation of Accessibility Standards for Individuals with a Disability for Information Technology Systems Employed by the District: Mr. Rogers discussed with the Boards the Implementation of Accessibility Standards for Individuals with a Disability for Information Technology Systems Employed by the District and answered questions.

Resolution of Adopting a Digital Accessibility Policy and Designating a Compliance Officer: Mr. Rogers presented the Resolution of Adopting a Digital Accessibility Policy and Designating a Compliance Officer to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Hoover, seconded by Director Welty, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolution of Adopting a Digital Accessibility Policy and Designating a Compliance Officer, as presented noting that Pinnacle Consulting Group, Inc. is the Compliance Officer.

DIRECTOR  
MATTERS

There were no Director Matters to come before the Boards.

OTHER  
MATTERS

There were no Other Matters to come before the Boards.

ADJOURNMENT

There being no further business to come before the Boards, the meeting was adjourned at 4:53 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