

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF LOVELAND MIDTOWN METROPOLITAN DISTRICT

HELD

November 16, 2023

The Special Meeting of the Board of Directors of the Loveland Midtown Metropolitan District was held via Zoom and Teleconference on Thursday, November 16, 2023, at 4:00 p.m.

### ATTENDANCE

#### Directors in Attendance:

Blaine Rappe, President  
Eric Holsapple, Vice President  
Vince Ealey, Director, joined at 4:40pm  
Jeff Mere, Director  
Chris Johnston, Secretary/Treasurer

#### Also in Attendance:

Deborah Early; Icenogle Seaver Pogue, P.C.  
Shannon McEvoy, Shannon Randazzo, Kieyesia Conaway, Christy McCutchen, Amanda Castle, Wendy McFarland, Dillon Gamber; Pinnacle Consulting Group, Inc.  
Ivan Prushnok; Member of the Public.

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### ADMINISTRATIVE ITEMS

Declaration of Quorum/Call to Order: Ms. Randazzo noted that a quorum was present, with five out of five Directors in attendance. The Special Meeting of the Board of Directors of the Loveland Midtown Metropolitan District was called to order by Ms. Randazzo at 4:03 p.m.

Director Qualifications/Disclosure of Potential Conflicts of Interest: All Board Members confirmed their qualifications to serve on the Board. The directors in attendance confirmed their qualifications to serve. Ms. Early noted that conflicts of interest for Directors Rappe, Holsapple and Johnston were filed with the Office of the Colorado Secretary of State. Ms. Early advised the Board that pursuant to Colorado law, certain disclosures by the Board Members might be required prior to taking official action at a meeting. The Board reviewed the agenda for the meeting, following which each Board Member present confirmed the contents of the written disclosures previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

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

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

Public Comment: There were no Public Comments received.

Director Comment: There were no Director Comments received.

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## CONSENT AGENDA

Ms. Randazzo reviewed the items on the consent agenda with the Board. Ms. Randazzo advised the Board 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. However, the Board requested that the November meeting set forth in the 2024 Meeting Resolution be held at 3:30 pm. Upon a motion duly made by Director Holsapple, Seconded by Director Johnston, the following items on the consent agenda were unanimously approved, ratified and adopted, as discussed:

- A. Minutes – May 10, 2023, Special Meeting.
  - B. Payment of Claims.
  - C. Contract Modifications.
  - D. 2024 Annual Administrative Matters Resolution.
  - E. 2024 Meeting Resolution.
  - F. Fourth Amendment to Public Records Policy Resolution.
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## DISTRICT MANAGER ITEMS

District Manager's Report: Ms. Randazzo and Mr. Gamber presented the District Manager's Report to the Board and answered questions.

2024 Master Service Agreements with Operations and Maintenance Service Contractors: Ms. Randazzo presented the 2024 Master Service Agreements with Operations and Maintenance Service Contractors to the Board and answered questions.

- i. Affordable Pest Control
- ii. Denver Commercial Property Services
- iii. E3 Signs
- iv. Fiske Electric
- v. Foothills Landscape Maintenance
- vi. Mill Brothers Landscape Group
- vii. SavATree

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viii. SWPPP Colorado

Following review and discussion, upon a motion duly made by Director Holsapple, seconded by Director Rappe, 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: Ms. Randazzo requested the Board 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 Holsapple, seconded by Director Rappe, 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.

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FINANCIAL ITEMS

Financial Statements: Ms. McFarland reviewed the unaudited Financial Statements for the period ending June 30, 2023, with the Board and answered questions. Following review and discussion, upon a motion duly made by Director Holsapple, seconded by Director Rappe, and upon vote, unanimously carried, it was

**RESOLVED** to accept the unaudited Financial Statements for the period ending June 30, 2023, as presented.

2022 Audit Exemption: Ms. McFarland presented the 2022 Application for Exemption from Financial Audit to the Board and answered questions. Following review and discussion, upon a motion duly made by Director Rappe, seconded by Director Johnston, and upon vote, unanimously carried, it was

**RESOLVED** to ratify the 2022 Application for Exemption from Financial Audit, as presented.

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2023  
AMENDED  
BUDGET HEARING

Ms. Randazzo opened the 2023 Amended Budget Hearing for Loveland Midtown Metropolitan District. Ms. Randazzo reported that notice of the budget hearing was published on November 2, 2023, in the *Loveland*

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*Reporter-Herald*, 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 budget in detail and answered questions. The amended budget for the District is as follows:

General Fund: \$161,546

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

**RESOLVED** to approve the Resolution to Adopt the 2023 Amended Budget and appropriate funds for Loveland Midtown Metropolitan District 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

Ms. Randazzo opened the 2024 Budget Hearing for Loveland Midtown Metropolitan District. Ms. Randazzo reported that notice of the budget hearing was published on November 2, 2023, in the *Loveland Reporter-Herald*, in accordance with state budget law. Ms. McFarland reviewed the mill levy, estimated revenues, and expenditures in detail and answered questions. The budget for the District is as follows:

Mill Levy: 53.676 mills  
General Fund: \$171,036  
Debt Service Fund: \$163,942

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 Holsapple, seconded by Director Ealey, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolution to Adopt the 2024 Budget for Loveland Midtown Metropolitan District, set the mill levy, and appropriate budgeted funds upon final certification of values being received by the County of Larimer, and approve all other documents related to the 2024 budget. The District Manager is authorized to make minor modifications that may be necessary following receipt of final assessed values.

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FINANCIAL  
ITEMS CONTINUED

Discussion Regarding O&M fees: Ms. McFarland discussed the implementation of an O&M fee with the Board and answered questions. Following review and discussion the Board appointed Director Rappe and Director Mere as subcommittee to review further options to allow the District to avoid the implementation of an O&M fee.

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LEGAL ITEMS

There were no Legal Items to come before the Board.

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DIRECTOR  
MATTERS

There were no Director Matters to come before the Board.

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OTHER  
MATTERS

There were no Other Matters to come before the Board.

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ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Holsapple, seconded by Director Mere, and upon unanimous vote, the meeting was adjourned at 5:30 p.m.

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

Respectfully submitted,

  
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Kieyesia Conaway, Recording Secretary for the Meeting