

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
BROMLEY PARK METROPOLITAN DISTRICT NO. 2 (THE “DISTRICT”)
HELD
NOVEMBER 25, 2024

A regular meeting of the Board of Directors of the Bromley Park Metropolitan District No. 2 (referred to hereafter as the “Board”) was convened on Monday, November 25, 2024, at 11:00 a.m. via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors in attendance were:

Joel Farkas
Douglas G. Hamilton
Joshua Rollins
Matthew Mooney

Also, In Attendance Were:

Lisa Johnson, Ashley Heidt, Shauna D’Amato, Marlena Brzeska-Cloyd and Paul Wilson;
CliftonLarsonAllen LLP (“CLA”)
MaryAnn McGeady, Esq. and Timothy O’Connor, Esq.; McGeady Becher P.C.

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. Attorney McGeady noted that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors. Directors Mooney and Rollins confirmed that they sit on the Board of Brighton East Farms Homeowners Association (“BEF HOA”) and Director Hamilton confirmed that he sits on the Board of the Parkside at Brighton East Farms Homeowners Association (“Parkside HOA”).

Quorum, Confirmation of Meeting Location, Posting of Meeting Notice:

Ms. Johnson confirmed the presence of a quorum.

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. Following discussion, upon motion duly made by Director Farkas, seconded by Director Rollins and upon vote unanimously carried, the Board determined to conduct the meeting at the above-stated

date, time and location. The Board further noted 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.

Agenda:

The Board reviewed the Agenda for the meeting. Following discussion, upon motion duly made by Director Hamilton, seconded by Director Rollins and upon vote unanimously carried, the Board approved the Agenda.

Designation of 24-Hour Posting Location:

Following discussion, upon motion duly made by Director Farkas, seconded by Director Rollins and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted within the boundaries of the District at least 24-hours prior to each meeting on the District website: <https://bromleyparkmd2.com>. If the District website is unavailable, notices shall be posted at the following location: at the aluminum pump cover, northwest corner of 40th Avenue and Harvest Lane

Resolution No. 2024-11-01; 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 Rollins, seconded by Director Mooney and upon vote unanimously carried, the Board adopted Resolution No. 2024-11-01; Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices and determined to hold 2025 meetings on July 28 and November 17, 2025 at 11:00 a.m. via Microsoft Teams.

Public Comment:

There was no public comment.

CONSENT AGENDA

Upon motion duly made, seconded and upon vote unanimously carried, the Board approved the Consent Agenda items as follows:

- Approve Minutes from the July 22, 2024 regular meeting.
- Discuss requirements of Section 32-1-809, C.R.S., and direct staff regarding compliance for 2025 (District Transparency Notice).
- Discuss requirements of Section 32-1-306, C.R.S., and direct staff regarding compliance for 2024 (Annual Map Filing).
- Ratify approval of the 2023 Annual Report.
- Ratify approval of the 2023 Audit and Representations Letter.
- Appointment of District Accountant to prepare 2026 Budget.

- Engagement of Fiscal Focus Partners LLC to prepare the 2024 Audit.

Following review and discussion, upon a motion duly made by Director Hamilton, seconded by Director Rollins and upon vote, unanimously carried, the Board approved, and/or ratified approval, as appropriate, the Consent Agenda items.

CAPITAL PROJECT MATTERS

Construction Updates:

Update on City of Brighton's position on Road Improvement versus Park Improvement Project Priorities:

Director Farkas provided a report to the Board on the status of discussions with the City regarding elimination of the requirement to build a road that does not benefit the District and to instead allow the District to prioritize the parks and related improvements projects. The District will delay proceeding with the parks and related improvements projects until the issues with the City are resolved. Attorney McGeady noted that the District is unable to bid out the projects until completion of the comments process on the plans for the projects with the City of Brighton.

Report on Bond Closing and Available Project Funds:

Summary of costs incurred to date compared to available Bond proceeds:

Ms. Johnson reviewed the report, provided by Stacklot to the Board, as to the cost to complete the parks projects and related projects to be funded from Bond proceeds. Mr. Wilson presented the summary of costs incurred versus the available Bond proceeds and noted the balance of Bond proceeds remaining, plus interest continues to be sufficient to complete the projects.

HOA TRACT CONVEYANCE MATTERS

Completion of Tract Conveyance Project:

Attorney O'Connor discussed the status of the Tract Conveyance Project with the Board.

Service Agreement for Fence Repairs with 4 Seasons Property Services, LLC:

Following review, upon motion duly made by Director Hamilton, seconded by Director Rollins and upon vote unanimously carried, the Board ratified approval of the Service Agreement for Fence Repairs with 4 Seasons Property Services, LLC. Following discussion, Director Hamilton confirmed that he will discuss the status of the fence repairs with the Board of the Parkside HOA.

FINANCIAL MATTERS

Approval and Ratification of Claims:

Mr. Wilson reviewed the payment of claims in the amount of \$85,404.37 for ratification and approval, as appropriate. Following discussion, upon motion duly made by Director Hamilton, seconded by Director Mooney and upon vote the Board approved the payment of claims that had not been previously paid and ratified those that had been paid in the total amount of \$85,404.37 for all claims.

Unaudited Financial Statements, Schedule of Cash Position and Property Tax Summary:

Mr. Wilson presented the Unaudited Financial Statements, Schedule of Cash Position and Property Tax Summary. Following review and discussion, upon a motion duly made by Director Farkas, seconded by Director Hamilton and, upon vote, unanimously carried, the Board accepted the Unaudited Financial Statements and Schedule of Cash Position dated September 30, 2024 and updated as of November 8, 2024, and the Property Tax Summary.

Public Hearing on Amendment to 2024 Budget:

Director Farkas opened the public hearing to consider an amendment to the 2024 Budget.

It was noted that publication of Notice of a public hearing at which the Board would consider amendment of the 2024 Budget, including 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.

It was noted that an amendment to the 2024 Budget was not required.

Public Hearing on 2025 Budget:

Director Farkas opened the public hearing to consider the proposed 2025 Budget and to discuss related issues.

It was noted that publication of Notice of a public hearing at which the Board would consider adoption of the 2025 Budget, including the date, time and place of the public hearing, was made pursuant to statute. No written objections were received prior to the public hearing.

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

Mr. Wilson presented the draft 2025 Budget and answered questions of the Board regarding the draft. The Board reviewed the estimated 2024 expenditures and the proposed 2025 revenue and expenditures.

Upon motion duly made by Director Hamilton, seconded by Director Farkas and upon vote unanimously carried, the Board approved the 2025 Budget, subject to the changes

discussed, and considered adoption of Resolution No. 2024-11-02 to Adopt the 2025 Budget and Appropriate Sums of Money and Resolution No. 2024-11-03 to Set Mill Levies (7.000 mills in the General Fund and 47.500 mills in the Debt Service Fund, for a total mill levy of 54.500 mills.) Following discussion, upon vote unanimously carried, the Board adopted the Resolutions and authorized execution of the Certification of Budget. The District Accountant was directed to transmit the Certification of Tax Levies to the Board of County Commissioners of Adams and Weld Counties not later than December 15, 2024. District Counsel was directed to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2025.

DLG-70 Certification of Tax Levies form and Mill Levy Public Information form (“Certification”):

Following discussion, upon motion duly made by Director Farkas, seconded by Director Rollins 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 Public Information for Certification to the Board of County Commissioners and other interested parties.

Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan:

The Board determined that a Resolution Authorizing Adjustment of the Mill Levy was not necessary.

OPERATIONS AND MAINTENANCE MATTERS

Change Order No. 5 to the Service Agreement for Snow Removal Services with Brightview Landscape Services, Inc.:

Following discussion, upon motion duly made by Director Farkas, seconded by Director Hamilton and upon vote unanimously carried, the Board ratified approval of Change Order No. 5 to the Service Agreement for Snow Removal Services with Brightview Landscape Services, Inc. for the 2024-2025 season.

Service Agreement for Landscape Services with Brightview Landscape Services, Inc.:

The Board deferred discussion and no action was taken.

LEGAL MATTERS

Resolution Calling May 6, 2025 Election:

Attorney McGeady discussed the election process and timing and the recent legislation regarding revenue caps with the Board. Following discussion, upon motion duly made by Director Farkas, seconded by Director Hamilton and upon vote unanimously carried, the Board adopted Resolution No. 2024-11-04 Calling a May 6, 2025 Directors’ Election

which appointed Lisa Jacoby as the Designated Election Official and authorized her to perform all tasks required for the May 6, 2025 Regular Election of the Board of Directors for the conduct of a mail ballot election. The Board further determined to not include a ballot question regarding the waiver of the operating revenue cap.

Current Cost-Sharing Agreements:

The Board discussed the current cost sharing agreements between the District and the BEF HOA and the Parkside HOA. The Board expressed concern that the current cost sharing agreements are outdated due to the District's recent conveyance of tracts to the BEF HOA and its anticipated conveyance of tracts to the Parkside HOA.

Following discussion, the Board directed District Counsel and the District Accountant to work with Directors Hamilton and Rollins to prepare an updated breakdown of projected landscape maintenance costs to be shared between the District and the BEF HOA, and between the District and the Parkside HOA. Said breakdown is to be presented before the Board so that the Board can decide whether the current cost sharing agreements need to be amended or replaced.

MANAGER MATTERS

District Insurance and Special District Association (SDA) Membership for 2025:

Following review and discussion, upon a motion duly made by Director Farkas, seconded by Director Hamilton and upon vote, unanimously carried, the Board approved renewing the District's general liability insurance coverage, public officials' coverage, workers' compensation coverage and instructed consultants to proceed accordingly. The Board further directed renewal of the District's Special District Association membership.

Website Accessibility:

Migration to website accessibility vendor or engagement of Document Remediation vendor:

Following review and discussion, upon a motion duly made by Director Farkas, seconded by Director Hamilton and upon vote, unanimously carried, the Board approved the Subscription Agreement with Streamline Software, Inc. for website accessibility services.

2025 Statements of Work (SOW) with CLA:

Following review and discussion, upon a motion duly made by Director Farkas, seconded by Director Mooney and upon vote, unanimously carried, the Board approved the Special Districts Preparation Statement of Work (SOW) between the District and CLA for 2025 Accounting and Management Services.

OTHER BUSINESS

Traffic Management at the Intersection of 168th Street and 45th Avenue:

The Board discussed concerns regarding traffic management at the intersection of 168th Street and 45th Avenue. The Board determined no action would be taken on this matter at this time.

Director Fees:

The Board briefly discussed Director Fees but took no action.

ADJOURNMENT

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