

RECORD OF PROCEEDINGS

**MINUTES OF A JOINT SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
RIVERDALE PEAKS II METROPOLITAN DISTRICT
AND
RIVERDALE PEAKS II METROPOLITAN DISTRICT
WATER ACTIVITY ENTERPRISE
HELD
DECEMBER 8, 2021**

A joint special meeting of the Board of Directors of the Riverdale Peaks II Metropolitan District and the Board of Directors of the Water Activity Enterprise (referred to hereafter, collectively, as the “Board”) was convened on Wednesday, the 8th day of December, 2021, at 6:30 P.M. This Joint Special Meeting was held by conference call without any individuals (neither district representatives nor the general public) attending in person. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Annette Peters
Isaac Womack
Jason Jose

Also In Attendance Were:

David Solin; Special District Management Services, Inc. (“SDMS”)
MaryAnn M. McGeady, Esq.; McGeady Becher P.C.
Mike Murphy; Ramey Environmental Compliance, Inc. (for a portion of the meeting)

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

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. Solin 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 the statute. Attorney McGeady noted that all Directors are residents within the District and a Disclosure Statement was filed with the Secretary of State’s office 72-hours prior to the meeting for Director Jose.

ADMINISTRATIVE MATTERS

Agenda: Mr. Solin distributed for the Board's review and approval a proposed Agenda for the Joint Special Meeting.

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Following discussion, upon motion duly made by Director Peters, seconded by Director Womack and, upon vote, unanimously carried, the Agenda was approved, and the Board excused the absence of Director Amy Vasquez.

Meeting Location and Posting of Notice: The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the Joint Special Meeting.

Following discussion, upon motion duly made by Director Peters, seconded by Director Womack and, upon vote, unanimously carried, the Board determined that the District meetings would be held by conference call. The Board further noted that notice of the time, date and conference bridge information was duly posted and that it has not received any objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries.

July 28, 2021 Minutes: The Board reviewed the Minutes of the July 28, 2021 Joint Special Meeting.

Following discussion, upon motion duly made by Director Womack, seconded by Director Peters and, upon vote, unanimously carried, the Board approved the Minutes of the July 28, 2021 Joint Special Meeting.

Resolution No. 2021-12-01 Establishing Regular Meeting Dates, Times and Location, and Designating Locations and Designating Location for Posting of 24-Hour Notices: The Board discussed Resolution No. 2021-12-01 of the Board of Directors of the Riverdale Peaks II Metropolitan District Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting 24-Hour Notices.

Mr. Solin reviewed the business to be conducted in 2022 and determined to meet on June 7, 2022 and December 6, 2022 at 6:30 p.m., via teleconference.

Following discussion, upon motion duly made by Director Peters, seconded by Director Womack and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-12-01 of the Board of Directors of the Riverdale Peaks II Metropolitan District Establishing Regular Meeting Dates, Time and Location, and Designating Location for posting 24-Hour Notices. A copy of the Resolution is attached hereto and incorporated herein by this reference.

Section 32-1-809, C.R.S. Reporting Requirements (Transparency Notice): The Board discussed §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2022.

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Following discussion, the Board directed Mr. Solin to post the required transparency notice information on the Special District Association website.

District Website: Mr. Solin updated the Board on the status of the District website. No action was taken by the Board.

COMMUNITY COMMENTS

Community Comments: There were no comments.

FINANCIAL MATTERS

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

Fund	Period Ending July 31, 2021	Period Ending Aug. 31, 2021	Period Ending Sept. 23, 2021	Period Ending Oct. 29, 2021
General	\$ 2,369.12	\$ 1,452.91	\$ 2,484.03	\$ 2,041.34
Enterprise	\$ 8,141.46	\$ 12,866.36	\$ 7,559.41	\$ 9,393.95
Debt	\$ -0-	\$ -0-	\$ -0-	\$ 2,000.00
Total	\$ 10,510.58	\$ 14,319.27	\$ 10,043.44	\$ 13,435.29

Fund	Period Ending Nov. 15, 2021
General	\$ 1,595.01
Enterprise	\$ 5,992.81
Debt	\$ -0-
Total	\$ 7,587.82

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

Unaudited Financial Statements and Schedule of Cash Position: Mr. Solin reviewed the unaudited financial statements of the District setting forth the cash position, investments, budget analysis, and accounts payable vouchers for the period ending September 30, 2021.

Following review and discussion, upon motion duly made by Director Womack, seconded by Director Peters and, upon vote, unanimously carried, the Board accepted the unaudited financial statements of the District setting forth the cash position, investments, budget analysis, and accounts payable vouchers for the period ending September 30, 2021.

2021 Audit Preparation: The Board considered the engagement of Schilling & Company, Inc. to perform the 2021 Audit.

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Following review and discussion, upon motion duly made by Director Womack, seconded by Director Jose and, upon vote, unanimously carried, the Board approved the engagement of Schilling & Company, Inc. to perform the 2021 Audit, for an amount not to exceed \$4,100.

Public Hearing on 2021 Budget Amendment: The President opened the public hearing to consider an amendment to the 2021 Budget and to discuss related issues.

It was noted that publication of Notice stating that the Board would consider an Amendment to the 2021 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 this public hearing. No public comments were received, and the public hearing was closed.

Following review and discussion, upon motion duly made by Director Peters, seconded by Director Jose and, upon vote, unanimously carried, the Board adopted Resolution 2021-12-02 Amending the 2021 Budget.

Final Determination of Inability to Make a Scheduled Bond Payment (Section 32-1-903(3), C.R.S.): Following discussion, upon motion duly made by Director Peters, seconded by Director Jose and, upon vote, unanimously carried, the Board acknowledged the District's inability to make the scheduled bond payment.

Public Hearing on 2022 Budget: The Board opened the public hearing to consider the proposed 2022 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2022 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 this public hearing. No public comments were received and the public hearing was closed.

Mr. Solin reviewed the estimated 2021 expenditures and the proposed 2022 expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2021-12-03 to Adopt the 2022 Budget and Appropriate Sums of Money, and Resolution No. 2021-12-04 to Set Mill Levies (for the General Fund at 43.120 mills and the Debt Service Fund at 63.986 mills, and an abatement levy at 0.149 mills for a total mill levy of 107.255 mills). Upon motion duly made by Director Peters, seconded by Director Jose and, upon vote, unanimously carried, the Resolutions were adopted, as discussed, and execution of the Certification of Budget and

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Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2021. Mr. Solin 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, 2021. Mr. Solin was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2022. Copies of the adopted Resolutions are attached to these minutes and incorporated herein by this reference.

DLG-70 Mill Levy Certification: The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

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

Resolution No. 2021-12-05 Authorizing Adjustment of the District Mill Levy in Accordance with the District Service Plan: The Board reviewed Resolution No. 2021-12-05, Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the District Service Plan.

Following discussion, upon motion duly made by Director Peters, seconded by Director Jose and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-12-05, Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the District Service Plan. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

2023 Budget Preparation: The Board discussed appointing the District Accountant to prepare the 2023 Budget and setting the date for a Public Hearing to adopt the 2023 Budget for December 6, 2022.

Following discussion, upon motion duly made by Director Peters, seconded by Director Jose and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2023 Budget and set the date for a Public Hearing to adopt the 2023 Budget for December 6, 2022.

OPERATIONS AND MAINTENANCE

Property Maintenance:

Detention Pond Cleanup: Mr. Solin updated the Board on the status of the Detention Pond cleanup.

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Landscaping: Mr. Solin updated the Board on 2021 maintenance and discussed 2022 maintenance priorities.

Proposal from Neighborhood Lawn Care, Inc. for Plant Installation at the Monument: Mr. Solin discussed with the Board the proposal from Neighborhood Lawn Care, Inc. for plant installation at the monument.

Following discussion, upon motion duly made by Director Peters, seconded by Director Jose and, upon vote, unanimously carried, the Board approved the proposal from Neighborhood Lawn Care, Inc. for plant installation at the monument, in the amount of \$2,781.

Proposal from Neighborhood Lawn Care, Inc. for 2022 Landscape Maintenance: Mr. Solin discussed with the Board the proposal from Neighborhood Lawn Care, Inc. for 2022 landscape maintenance.

Following discussion, upon motion duly made by Director Jose, seconded by Director Womack and, upon vote, unanimously carried, the Board approved the proposal from Neighborhood Lawn Care, Inc. for 2022 landscape maintenance, in the amount of \$5,967.24.

Proposal from Neighborhood Lawn Care, Inc. for 2022 Detention Pond Maintenance: Mr. Solin discussed with the Board the proposal from Neighborhood Lawn Care, Inc. for 2022 detention pond maintenance.

Following discussion, upon motion duly made by Director Peters, seconded by Director Womack and, upon vote, unanimously carried, the Board approved the proposal from Neighborhood Lawn Care, Inc. for 2022 detention pond maintenance, in the amount of \$7,500.

Water Operations:

Reports from Ramey Environmental Compliance, Inc.: Mr. Murphy reviewed and discussed with the Board the Ramey Environmental Compliance, Inc. reports regarding the operation of the water system, for the months beginning June 2021 through October 2021. Copies of the reports are attached hereto and incorporated herein by this reference.

Water Rights and Usage Report: Mr. Murphy and Mr. Solin discussed with the Board the water rights and usage report. No further action was taken.

Update from the Water Budget Review Committee:

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Board Direction to the Water Budget Review Committee and Consultants: Mr. Solin discussed with the Board the Board's direction to the Water Budget Review Committee and Consultants.

Adjustments and Amendments to the District's or Water Activity Enterprise's Rules and Regulations: The Board discussed adjustments and amendments to the District's or Water Activity Enterprise's Rules and Regulations Regarding irrigation water allocation, and a Resolution regarding the same.

Following discussion, upon motion duly made by Director Jose, seconded by Director Peters and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-12-06 to set the allocation for irrigation at 125,000 gallons per resident for 2021 and future years.

LEGAL MATTERS

Resolution Calling May 3, 2022 Regular Election: The Board discussed Resolution No. 2021-12-07 Calling a Regular Election for Directors on May 3, 2022, appointing the Designated Election Official ("DEO") and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election.

Following discussion, upon motion duly made by Director Womack, seconded by Director Peters and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-12-07 Calling a Regular Election for Directors on May 3, 2022, appointing the David Solin as the DEO and authorizing him to perform all tasks required for the conduct of a mail ballot election. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

OTHER MATTERS

There were no other matters for discussion.

ADJOURNMENT

There being nothing further for the Board to discuss at this time, upon motion duly made by Director Womack, seconded by Director Peters, and upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By 

Secretary for the Meeting