

# RECORD OF PROCEEDINGS

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

HELD  
November 14, 2023

The Special Meeting of Mulberry Metropolitan District Nos. 1-6 was held via Zoom and Teleconference on Tuesday, November 14, 2023, at 2:00 p.m.

### ATTENDANCE

#### Directors in Attendance:

Patrick McMeekin, President  
Landon Hoover, Secretary  
Jason Stansberry, Treasurer  
Mike Welty, Assistant Secretary

#### Directors Absent, but Excused:

Kara Hoover, Assistant Secretary

#### Also in Attendance:

Robert Rogers and Eve Velasco; White Bear Ankele Tanaka & Waldron, P.C.  
Kevin Mitts, Kieyesia Conway, Brendan Campbell, Tracie Kaminski, Molly Brodlun, Doug Campbell, and Stanley Holder; Pinnacle Consulting Group, Inc.  
Chase Hanusa; Independent District Engineering Services (IDES), LLC.  
Taralee Jackson; Hartford Homes.

### 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 2:55 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: Ms. Velasco noted that a quorum was present, with four out of five Directors in attendance. All Board Members confirmed their qualifications to serve on the Boards. Ms. Velasco advised the Boards that pursuant to Colorado law, certain disclosures by Board

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Members might be required prior to taking official action at a meeting. Ms. Velasco reported that disclosures for those Board Members who provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest, if any, 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. Ms. Velasco 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 Stansberry, seconded by Director Hoover, and upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda as amended removing Financial Item IV. A.

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

Director Comment: There were no Director Comments received.

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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 Stansberry, seconded by Director Hoover, the following items on the consent agenda were unanimously approved, ratified and adopted:

- A. Approval of Minutes – August 22, 2023, Special Meeting.
  - B. Payment of Claims.
  - C. 2022 Annual Report.
  - D. 2022 Mulberry Metropolitan District No. 2 Audit.
  - E. 2022 Mulberry Metropolitan District Nos. 1 & 3-6 Audit Exemptions.
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### DISTRICT MANAGER ITEMS

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

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Discuss Proposal for Renewal of General Liability Schedule and Limits and Property Schedule and Authorization to Bind Coverage: Mr. Mitts discussed and reviewed with the Boards the Proposal for Renewal of General Liability Schedule and Limits and Property Schedule and answered questions.

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2023  
AMENDED  
BUDGET HEARING

Director McMeekin opened the 2023 Amended Budget Hearing for Prairie Song Metropolitan District Nos. 3-6, 8 & 9. Mr. Mitts reported that notice of the budget hearing was published on November 1, 2023, 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  
General Fund: \$165,366  
Capital Fund: \$17,972,466

District No. 2  
Capital Fund: \$29,399,710

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.

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2024  
BUDGET HEARING

Director McMeekin opened the 2024 Budget Hearing for Granary Metropolitan District Nos. 1-9. Mr. Mitts reported that notice of the budget hearing was published on November 1, 2023, in the Coloradoan, in accordance with state budget law. Ms. Kaminski reviewed the mill levies, estimated revenues, and expenditures in detail and answered questions. The budgets for the District are as follows:

District No. 1  
Mill Levy: 54.770 mills  
General Fund: \$201,426  
Capital Projects Fund: \$16,016,000

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District No. 2  
Mill Levy: 53.976 mills  
General Fund: \$601  
Debt Service Fund: \$2,034,517  
District No. 3  
Mill Levy: 54.199 mills  
General Fund: \$1,186

District No. 4  
Mill Levy: 54.920 mills  
General Fund: \$545

District No. 5  
Mill Levy: 51.998 mills  
General Fund: \$173

District No. 6  
Mill Levy: 54.923 mills  
General Fund: \$433

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 Stansberry, seconded by Director Hoover, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolutions to Adopt the 2024 Budgets for Mulberry Metropolitan District Nos. 1-6, set the mill levies, and appropriate budgeted funds upon final certification of values being received by the County of Larimer on or before December 15, 2023, and approve all other documents related to the 2024 budgets. 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

Proposal for 2024 Audit Services with Haynie & Company for District Nos. 1 & 2: Ms. Kaminski presented the proposal for 2024 Audit Services with Haynie & Company for District No. 1 & 2 to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Stansberry, seconded by Director Welty, and upon vote, unanimously carried, it was

**RESOLVED** to approve the engagement of Haynie & Company to perform the 2024 Audit for District No 1 and 2.

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### LEGAL ITEMS

Resolution Concerning Authorization for Approval of Contracts and Payment of Claims: Ms. Velasco presented the Resolution Concerning Authorization for Approval of Contracts and Payment of Claims to the Boards and answered questions. Following discussion and review, upon a motion duly made by Director Hoover, seconded by Director Stansberry, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolution Concerning Authorization for Approval of Contracts and Payment of Claims, as presented.

Resolution Regarding Acceptance of District Eligible Costs (Cost Certification Report #8): Mr. Hanusa presented the Resolution Regarding Acceptance of District Eligible Costs (Cost Certification Report #8) to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Stansberry, seconded by Director Welty, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolution Regarding Acceptance of District Eligible Costs (Cost Certification Report #8), as presented

2024 Annual Administrative Matters Resolution: Ms. Velasco presented the 2024 Annual Administrative Matters Resolution to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Stansberry, seconded by Director Hoover, and upon vote, unanimously carried, it was

**RESOLVED** to adopt the 2024 Annual Administrative Matters Resolution, subject to changes regarding the meeting schedule.

Resolution Regarding Policies, Procedures, and Penalties for the Enforcement of the Governing Documents: Ms. Velasco presented the Resolution Regarding Policies, Procedures, and Penalties for the Enforcement of the Governing Documents to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Stansberry, seconded by Director Hoover, and upon vote, unanimously carried, it was

**RESOLVED** to adopt the Resolution Regarding Policies, Procedures, and Penalties for the Enforcement of the Governing Documents, as presented.

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Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges: Ms. Velasco presented the Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Hoover, seconded by Director Stansberry, and upon vote, unanimously carried, it was

**RESOLVED** to adopt the Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges, as presented.

Engagement of Altitude Community Law for Collections and Covenant Enforcement Special Counsel Services: Ms. Velasco discussed with the Boards the Engagement of Altitude Community Law for Collections and Covenant Enforcement Special Counsel Services and answered questions. Following review and discussion, upon a motion duly made by Director Stansberry, seconded by Director Hoover, and upon vote, unanimously carried, it was

**RESOLVED** to engage with Altitude Community Law for Collections and Covenant Enforcement Special Counsel Services, as presented.

Implementation of Accessibility Standards for Individuals with a Disability for Information Technology Systems Employed by the District: Ms. Velasco presented the Implementation of Accessibility Standards for Individuals with a Disability for Information Technology Systems Employed by the District to the Boards and answered questions.

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DIRECTOR  
MATTERS

There were no Director Matters to come before the Boards.  
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OTHER  
MATTERS

There were no Other Matters to come before the Boards.  
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ADJOURNMENT

There being no further business to come before the Boards, the meeting was adjourned at 3:11 p.m.  
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The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

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Respectfully submitted,

*Kevin Mitts*

Kevin Mitts, Recording Secretary for the Meeting