

## RECORD OF PROCEEDINGS

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MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
LIVERPOOL METROPOLITAN DISTRICT (THE "DISTRICT")  
HELD  
NOVEMBER 29, 2023

A regular meeting of the Board of Directors of the Liverpool Metropolitan District (referred to hereafter as the "Board") was convened on Wednesday, November 29, 2023, at 5:00 p.m. The District Board meeting was held at the Greenfield HOA Clubhouse at 20601 E Fair Ave. The meeting was open to the public.

### ATTENDANCE

Directors In Attendance Were:

Paul Tauriello, President  
Dana Graham, Secretary  
Charlotte Lagrave, Treasurer  
Peter Foust, Assistant Secretary  
Heath Shelburn, Assistant Secretary

Also, In Attendance Were:

Stephanie Odewumi, Ashley Heidt, and Jason Carroll; CliftonLarsonAllen, LLP  
Mike Ziegler, Alissa Novak and Zack Marshall; Greenfield HOA ("HOA")  
Members  
Sara Rutman and Garrett Wright; BrightView Landscape  
Matt Bergman; Members of the public

### ADMINISTRATIVE MATTERS

**Call to Order and Agenda:** The meeting was called to order at 5:00 p.m. Upon a motion duly made by Director Graham, seconded by Director Foust and, upon vote, unanimously carried, the Board approved the agenda, as amended.

**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. It was noted that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed at the meeting.

**Quorum, Location of Meeting and Posting of Meeting Notices:** A quorum was confirmed. 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. The Board determined to conduct the meeting at the above-stated date, time and location, which is within 20 miles of the District. It was further noted

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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.

**Public Comment:** A resident commented on the repaired streetlights, noting their dimness. Ms. Odewumi stated that Radiant Lighting Services, Inc has been out to replace the LEDs and plan to also install bollards at the island on Weaver Ave. The resident also inquired about the hanging lights and Ms. Odewumi stated that she will check and have the HOA send an e-mail to the community when she has more information.

Director Foust asked if the District has anyone that does routine maintenance on the lights. Ms. Odewumi noted the District does not have a company assigned to do routine maintenance and that Radiant Lighting Services Inc is used on a time and material basis.

Mr. Marshall inquired as to why the waterfall is off for the winter and noted the emergency valve is broken at the pond. Ms. Odewumi stated that Arvada Pump and Stantec noted that it was not properly shut off in the past. Mr. Marshall responded asking why they just did not leave it running. Director Tauriello noted that Stantec stated that should there ever be power outage while it is running, the District runs the risk of it freezing and causing damage to the pipes and pump. Mr. Marshall noted that with the broken valve, there is a risk that the pond cannot be drained should the need arise. Discussion followed regarding the history of the broken valve.

Mr. Ziegler asked if the Board has ever considered finding another engineer to work on the pond. Discussion followed.

Mr. Ziegler asked about the health of the trees. Ms. Odewumi noted there was a landscape walk and BrightView is working on a tree health care plan.

Mr. Ziegler asked about the native mowing south of the big park near the Estates, noting there is a ton of debris out there. Mr. Wright noted he will clean up the native spaces as necessary. Mr. Wright apologized for the accidental mowing as well. Discussion followed.

**Minutes of the September 18, 2023 Regular Meeting:** Following review and discussion, upon a motion duly made by Director Tauriello, seconded by Director Lagrave and, upon vote, unanimously carried, the Board approved the September 18, 2023 Regular Meeting Minutes, as amended.

**Resolution No. 2023-11-01 Establishing 2024 Meeting Dates, Time and Location and Authorizing Online Notice of Public Meetings:** Ms. Odewumi reviewed the resolution with the Board. Following review, upon a motion duly

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made by Director Tauriello, seconded by Director Shelburn and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-11-01 Establishing 2024 Meeting Dates, Time and Location and Authorizing Online Notice of Public Meetings, as presented.

**Heatherly Creative, LLC Proposal for 2024 Website Administration Services:** Ms. Odewumi reviewed the proposal with the Board. Following review, upon a motion duly made by Director Tauriello, seconded by Director Foust and, upon vote, unanimously carried, the Board approved the Heatherly Creative, LLC proposal for 2024 website administration services.

### CONSENT AGENDA

The Board considered the following items under the Consent Agenda:

- KC Company Land Designs Proposal for Holiday Lighting in the amount of \$29,352.00.
- KC Company Land Designs Proposal for Holiday Lighting at Clubhouse in the amount of \$3,835.00.
- BrightView Proposal to Replace Stolen Backflows in the amount of \$2,722.93.
- BrightView Proposal to Paint Backflows Black to Deter Theft in the amount of \$654.40.

Ms. Odewumi reviewed the Consent Agenda with the Board. Following review, upon a motion duly made by Director Foust, seconded by Director Tauriello and, upon vote, unanimously carried, the Board approved the Consent Agenda, as presented.

### DIRECTORS MATTER

**Piney Creek Trail (Intersection Area of S. Liverpool St. and E. Arapahoe Rd):** Director Shelburn stated there is an issue with drainage in the culvert and he has been trying to work with the City on solutions. He noted the City decided to remove the pavement trail and leave the culvert as just dirt, causing issues with bikers and pedestrians having to cross Arapahoe Road to reach the other side of the Piney Creek Trail. Mr. Marshall noted that if Director Shelburn has a good point of contact, the HOA can share it with the community to get more homeowners involved. Discussion followed regarding the safety implications of removing access to the culvert.

### FINANCIAL MATTERS

**Payment of Claims:** Ms. Odewumi reviewed the claims with the Board. Following review, upon a motion duly made by Director Foust, seconded by Director Graham and, upon vote, unanimously carried, the Board approved/ratified approval of the payment of claims, as presented.

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**September 30, 2023 Unaudited Financial Statements:** Mr. Carroll reviewed the financial statements with the Board. Following review, upon a motion duly made by Director Foust, seconded by Director Shelburn and, upon vote, unanimously carried, the Board accepted the September 30, 2023 Unaudited Financial Statements, as presented.

**Public Hearing on Amendment to 2023 Budget:** The Board determined an amendment was not necessary.

**Public Hearing on 2024 Budget:** Upon a motion duly made by Director Foust, seconded by Director Shelburn and, upon vote, unanimously carried, the Board opened the public hearing to consider the proposed 2024 Budget at 5:49 p.m.

It was noted that Notice stating that the Board would consider adoption of the 2024 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

Mr. Marshall asked about the mills that the District is going to levy given the rise in property taxes. Mr. Carroll responded, providing a history on how the mill levies have been set in the past. He also noted the special session that was held following Proposition HH failing. Discussion followed regarding the proposed 2024 budget.

Following discussion, upon a motion duly made by Director Tauriello, seconded by Director Lagrave and, upon vote, unanimously carried, the Board closed the public hearing at 6:31 p.m.

Upon motion duly made by Director Lagrave, seconded by Director Graham and, upon vote, unanimously carried, the Board approved the 2024 Budget, as discussed to certify a mill levy to generate a revenue of \$610,000 in the general fund. Upon a motion duly made by Director Graham, seconded by Director Tauriello and, upon vote, unanimously carried, the Board also approved a mill levy to generate a revenue of \$350,000 in the debt service fund, and adopted Resolution No. 2023-11-02 to Adopt the 2024 Budget and Appropriate Sums of Money.

**District Accountant to Prepare the DLG-70 Certification of Tax Levies Form for Certification to the Board of County Commissioners and other interested parties:** Following discussion, upon motion duly made by Director Tauriello, seconded by Director Foust and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare the DLG-70 Certification of Tax Levies form for certification to the Board of County Commissioners and other interested parties.

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**Engagement Letter with Logan and Associates LLC to Prepare Audit for 2023:** Ms. Odewumi reviewed the engagement letter with the Board. Following discussion, upon motion duly made by Director Graham, seconded by Director Foust and, upon vote, unanimously carried, the Board approved the engagement letter with Logan and Associates LLC to perform the District's 2023 Audit.

### LEGAL MATTERS

None.

### LANDSCAPE UPDATE

**Landscaping Maintenance Report:** Ms. Rutman provided an update to the Board on items happening around the community. Discussion ensued regarding the native grass being mowed.

**BrightView Proposal for 2024 Landscape Maintenance:** Ms. Odewumi reviewed the proposal with the Board. Following review, upon a motion duly made by Director Tauriello, seconded by Director Foust and, upon vote, unanimously carried, the Board approved the BrightView proposal for 2024 landscape maintenance.

**BrightView Proposal for 2024 Plant Health Care:** Ms. Odewumi reviewed the proposal with the Board. Director Foust asked if this would be an annual proposal and Ms. Rutman responded that it would be. Following review and discussion, upon a motion duly made by Director Foust, seconded by Director Tauriello and, upon vote, unanimously carried, the Board approved the BrightView proposal for 2024 plant health care.

**BrightView Proposal for Paver Reset at 20653 E. Fair Lane in the amount of \$24,403.31:** This item was deferred.

**BrightView Proposal for Mulch Top Dress in the amount of \$2,935.64:** Following review, upon a motion duly made by Director Foust, seconded by Director Graham and, upon vote, unanimously carried, the Board approved the BrightView proposal for mulch top dress in the amount of \$2,935.64.

**BrightView Proposal for Russian Olive and Dead Tree Removal in the amount of \$2,459.45:** Following review, upon a motion duly made by Director Foust, seconded by Director Graham and, upon vote, unanimously carried, the Board approved the BrightView proposal for Russian Olive and dead tree removal in the amount of \$2,459.45.

**2024 Annual Flowers:** Ms. Odewumi reviewed with the Board. Following review, upon a motion duly made by Director Foust, seconded by Director Lagrave and, upon vote, unanimously carried, the Board approved the BrightView proposal for 2024 annual flowers.

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**Weaver Ave Monument Redesign:** Ms. Odewumi and Ms. Rutman reviewed the redesign plan with the Board. The Board determined they were interested and directed Ms. Rutman to provide more designs at the March meeting.

**Dead Tree Removal in the amount of \$1,391.85:** Following review, upon a motion duly made by Director Tauriello, seconded by Director Graham and, upon vote, unanimously carried, the Board approved the BrightView proposal for dead tree removal in the amount of \$1,391.85.

**Tree Pruning at the Estates Entrance in the amount of \$2,500.00:** Following review, upon a motion duly made by Director Foust, seconded by Director Tauriello and, upon vote, unanimously carried, the Board approved BrightView proposal for tree pruning at the Estates entrance in the amount of \$2,500.00. The Board also directed BrightView to obtain a proposal for additional Christmas lights from KC Company Land Designs.

**Arvada Pump Company Proposal for Water Feature Pump Startup or Shutdown in the amount of \$1,625.00:** Ms. Odewumi reviewed the proposal with the Board. Following review, upon a motion duly made by Director Foust, seconded by Director Tauriello and, upon vote, unanimously carried, the Board approved the Arvada Pump Company proposal for water feature pump startup or shutdown in the amount of \$1,625.00.

### MANAGER MATTERS

**Greenfield HOA Update:** Mr. Marshall noted there are no big projects for the next year, but there has been discussion regarding the next park to upgrade. He noted the big pump in the pool house has been updated and the HOA is renegotiating the trash contract for next year.

**Arvada Pump Shut Down Report:** Ms. Odewumi reviewed the report with the Board. No action was taken.

**CliftonLarsonAllen LLP Master Services Agreement and Statements of Work for 2024:** Ms. Odewumi reviewed the agreement and statements of work with the Board. Following review, upon a motion duly made by Director Tauriello, seconded by Director Lagrave and, upon vote, unanimously carried, the Board approved the CliftonLarsonAllen LLP Master Services Agreement and Statements of Work for 2024.

**2024 Insurance Renewal:** Ms. Odewumi reviewed the insurance renewal with the Board. Following review, upon a motion duly made by Director Lagrave, seconded by Director Foust and, upon vote, unanimously carried, the Board approved the 2024 insurance renewal, as amended to include monuments added to the property schedule.

