

**MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE
TOLLGATE CROSSING METROPOLITAN DISTRICT NO. 2
HELD NOVEMBER 28, 2023**

A special meeting of the Board of Directors of the Tollgate Crossing Metropolitan District No. 3 was held on Tuesday, November 28, 2023, at 6:30 p.m. at the Southeast Recreation Center, 25400 E Alexander Drive, Aurora, Colorado 80016. The meeting was open to the public.

Attendance

In attendance were the following Directors:

Richard Martinez

Shelly Gregory

Denis Lawson

Brian Matisse

Also, in attendance were:

Shannon Torgerson, Goodwin & Company

Carlos Esquivel, ColoradoScapes

Zachary White, White Bear Ankele and Tanaka

Several constituents were also in attendance.

Call to Order

The meeting was called to order at 6:30 p.m.

Approval of Agenda

After review, upon a motion made by Director Matisse, seconded by Director Lawson and, upon vote, unanimously carried, the Board approved the agenda as presented.

Declaration of Quorum

Director Qualifications and

Conflict of Interest

A quorum was declared. All directors are qualified to serve and there are no conflicts of interest. Following discussion, upon a motion made by Director Matisse, seconded by Director Gregory and, upon vote, unanimously carried, the Board excused the absence of Director Webb.

Public Comment

Clarification was requested regarding the donation of streets within the District to the City of Aurora and if the same could be done with parks/common area landscape. The same constituent also requested the Board reach out to the City regarding the condition of Chenango Drive noting that she has made several requests with nothing done to date.

Missi Hackman advised the Board there would not be a holiday event at the clubhouse due to the renovation, however, residents were welcome to visit with Santa at her shop on December 16. The Tree lighting ceremony held after Thanksgiving was a great success. A Noon-Years Eve event may be held depending on weather and access to the park.

Troy Wilkerson indicated a few trees with Christmas lights on them are not lit.

Cory Schmalz requested a status update on the following items:

- Clubhouse project including furniture and AV equipment
- Park equipment replacement and poured in place rubber surface.
- Pool Shade installation
- Landscape changes
- Budget

Vendor Matters

ColoradoScapes, Inc.

Mr. Esquivel reviewed the monthly landscape report. The Board reiterated the need to replace holiday lights that aren't working well or are dim to allow them to be enjoyed for years to come. It was recommended a proposal be provided early in 2024 to replace and add lights as needed. Mr. Esquivel has taken photos of the holiday lights that aren't working currently and is going to have them checked out in the next day.

Trash and dog stations are being picked up weekly and fall clean up is underway. All trees under 3" in caliper have been wrapped to protect their bark from sun scald.

Irrigation zones are being reviewed for soil type and the amount of sun received to allow for better use of the ET system. It was noted that there have been several backflow thefts reported in the area, so the crew is spray painting the backflows as it is an inexpensive way to reduce the theft. The Board requested a proposal to install unions to have the backflows removed and stored when the irrigation system is not in use and to put cages around them.

The Board briefly discussed the proposed contract for 2024 and indicated a decision would be made at the next meeting.

Metropolitan District Public Safety Group – Mr. Carroll was not in attendance but reported through Ms. Torgerson that there was a car prowling the neighborhood. The Flock cameras were reviewed, and the plate was not readable leading Mr. Carroll to assume the car was stolen.

Manager's Items

a) Clubhouse Renovations – Renovations are ongoing. Following discussion, upon a motion made by Director Martinez, seconded by Director Lawson and, upon vote, unanimously carried, the Board approved a budget of \$10,000 for furniture and \$7,000 for the television and other entertainment/audio visual components.

b) Clubhouse Expansion – The Board tabled further discussion on the expansion of the clubhouse until all other projects are completed and discussion with Charles Taylor.

c) Playground Equipment and Surface Update – Ms. Torgerson noted most of the playground equipment has been installed and the poured in place rubber surface will be completed depending on temperature and moisture content in the soil.

d) Mailbox Replacement – The Board received the timeframe for Phase 2 of the mailbox replacement project and indicated it should start in early January. A letter will be mailed out to affected owners in December with instructions.

e) Shade Structure – The shade structure installation is expected to start the week of December 3, weather depending.

f) Consider Approval for Renewal of General Liability Schedule and Limits, Consider Approval and Authorization to Bind Coverage, Renewal of Special District Association of Colorado Membership, Payment of Agency Fee and Inclusion of Workers' Compensation Coverage – Following discussion, upon a motion made by Director Matisse, seconded by Director Gregory and, upon vote, unanimously carried, the Board approved the renewal of insurance for 2024 at a cost not to exceed \$48,000. Following discussion, upon a motion made by Director Lawson, seconded by Director Martinez and, upon vote, carried 4-0-1 with Director Matisse abstaining, the Board appointed Director Matisse to review the renewal documentation.

Consent Agenda

a) Approval of Minutes from the October 24, 2023, Regular Board Meeting

b) Approval of Minutes of the November 8, 2023 Annual Meeting

c) Cash Position Schedule Report

d) Tax Collection Schedule

e) Water Usage Report

After discussion, upon a motion made by Director Matisse, seconded by Director Gregory and, upon vote, unanimously carried, the Board approved the Consent Agenda as presented.

Financial Matters

a) Conduct Public Hearing on Amendment of the 2023 Fiscal Year Budget

i) Consider Adoption of Resolution 2023-11-01, Amending the 2023 Budget

The public hearing to consider amending the 2023 Fiscal Year budget was opened at 7:28 pm. The public hearing was closed at 7:39 pm. Following discussion, upon a motion made by Director Matisse, seconded

by Director Lawson and, upon vote, unanimously carried, the Board approved the amendment of the 2023 Fiscal Year budget as presented.

Following discussion upon a motion made by Director Matise, seconded by Director Gregory and, upon vote, unanimously carried, the Board adopted Resolution 2023-11-01: Amending the 2023 Budget.

- b) Conduct Public Hearing on Proposed 2024 Fiscal Year Budget
 - i) Consider Adoption of Resolution 2023-11-02, Adopting 2024 Budget, Imposing Mill Levy and Appropriation of Funds

The public hearing to consider adopting the proposed 2024 Budget was opened at 7:40 pm. The public hearing was closed at 7:55 pm. Following discussion, upon a motion made by Director Matise, seconded by Director Lawson and, upon vote, unanimously carried, the Board approved the 2024 Budget as discussed. It was noted that the District won't have the final assessed valuation from Arapahoe County until late December 2023 or early January 2024.

Following discussion, upon a motion made by Director Lawson, seconded by Director Matise and, upon vote, unanimously carried, the Board adopted Resolution 2023-11-02: Resolution Adopting 2024 Budget, Imposing Mill Levy and Appropriation of Funds as presented.

- c) Review and Acceptance of Unaudited Financial Statements as of October 31, 2023 - Following discussion, upon a motion made by Director Matise, seconded by Director Gregory and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ended October 31, 2023.

- d) Review and Ratification of Prior of Claims (October 2023)
- e) Review and Approval of Current Claims (November 2023) – Following discussion, upon a motion made by Director Martinez, seconded by Director Gregory and, upon vote, unanimously carried, the Board ratified prior claims from October 2023 and current claims from November 2023 totaling \$155,451.45.

Legal Matters

- a) Consider Adoption of Resolution 2023-11-03: Annual Administrative Matters Resolution
 - 1) Discuss 2024 Annual Meeting Date

Following discussion, upon a motion made by Director Matise, seconded by Director Gregory and, upon vote, unanimously carried, the Board adopted Resolution 2023-11-03: Annual Administrative Matters Resolution with the 2024 Annual Meeting scheduled on November 6, 2024 at 6:30 p.m.

b) Discuss Implementation of Accessibility Standards for Individuals with a Disability for Information Technology Systems Employed by the District. – Mr. White indicated the State will release accessibility standards for individuals with a disability for information technology systems employed by the District in January with implementation in July 2024.

Director's Matters

a) Management Company Discussion – Following discussion, upon a motion made by Director Martinez, seconded by Director Lawson and, upon vote, unanimously carried, the Board approved the termination of the management agreement with Goodwin & Company effective January 31, 2024. Laura Reese of BrightStar/4 Seasons Management introduced herself and indicated the proposed management agreement includes 2 days per week of dedicated on-site management.

b) 2024 Project Committee of Community Volunteers – Director Martinez noted if anyone in attendance wants to be involved in assisting the Board and making recommendations for future projects to attend the January Board meeting.

Adjournment

With no further business to discuss, upon a motion made by Director Gregory, seconded by Director Lawson and, upon vote, unanimously carried, the Board adjourned the meeting at 8:27 pm. The next meeting will be held on Tuesday, January 23, 2024 at 6:30 pm in a format to be determined.

Respectfully submitted,

Secretary for the Meeting