

# RECORD OF PROCEEDINGS

---

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

HELD  
March 27, 2024

The Special Meeting of Mulberry Metropolitan District Nos. 1-6 was held via Zoom and Teleconference on Wednesday, March 27, 2024, at 2:00 p.m.

### ATTENDANCE

#### Directors in Attendance:

Patrick McMeekin, President  
Landon Hoover, Secretary  
Jason Stansberry, Treasurer

#### Directors Absent, but Excused:

Kara Hoover, Assistant Secretary  
Mike Welty, Assistant Secretary

#### Also in Attendance:

Robert Rogers and Matt Gray; White Bear Ankele Tanaka & Waldron, P.C.  
Sarah Bromley, Kevin Mitts, Kieyesia Conway, Brendan Campbell, Tracie Kaminski, and Logan Powell; Pinnacle Consulting Group, Inc.  
Chase Hanusa; Independent District Engineering Services (IDES), LLC.  
Lane Melott, Jackie Casas, Andrea Weaver, and Rachael Hillis; Advance HOA

### 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 2:02 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: Mr. Rogers noted that a quorum was present, with three out of five Directors in attendance. All Board Members confirmed their qualifications to serve on the Boards. Mr. Rogers advised the Boards that pursuant to Colorado law, certain disclosures by Board

# RECORD OF PROCEEDINGS

---

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

**RESOLVED** to approve the agenda as presented.

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

---

## 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 – November 14, 2023, Special Meeting and Annual Community Meeting and December 13, 2023 Special Meeting.
- B. Payment of Claims.
- C. 2023 Audit Exemptions for District Nos. 3-6.
- D. Capital Advances Summary of Payments.
- E. Partial Reimbursements of Advances.

---

## DISTRICT MANAGER ITEMS

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

# RECORD OF PROCEEDINGS

---

CAPITAL  
INFRASTRUCTURE  
ITEMS

F1 Landscaping and Irrigation Project Bid with Mill Brothers Landscaping Group for District No. 2: Mr. Hanusa presented the F1 Landscaping and Irrigation Project Bid with Mill Brothers Landscaping Group for District No. 2 to the Board 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 approve the F1 Landscaping and Irrigation Project Bid with Mill Brothers Landscaping Group for District No. 2.

---

FINANCIAL ITEMS

Unaudited Financial Statements: Ms. Kaminski presented the Unaudited Financial Statements for the period ending December 31, 2023, to the Board 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 approve the Unaudited Financial Statements for the period ending December 31, 2023.

---

2023  
AMENDED  
BUDGET HEARING

Director McMeekin opened the 2023 Amended Budget Hearing for Mulberry Metropolitan District Nos. 1-6. Mr. Mitts reported that notice of the budget hearing was published on March 22, 2024, 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  
Capital Projects Fund: \$27,790,317

District No. 2  
Capital Projects Fund: \$29,399,777

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 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.

# RECORD OF PROCEEDINGS

---

FINANCIAL ITEMS  
CONTINUED

\_\_\_\_\_

2023 Audit: Mr. McMeekin discussed with the Board regarding moving forward with Haynie & Company for the 2023 Audit and reevaluating for the 2024 Audit and beyond. 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 working with Haynie & Company for the 2023 Audit and reevaluate audit firm engagement for 2024 and beyond.

\_\_\_\_\_

LEGAL ITEMS

Intergovernmental Agreement with City of Fort Collins and District No. 2 for the Construction and Maintenance of Certain Real Property (Coleman Street Plaza): Mr. Rogers presented the Intergovernmental Agreement with City of Fort Collins and District No. 2 for the Construction and Maintenance of Certain Real Property (Coleman Street Plaza) 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 approve the Intergovernmental Agreement with City of Fort Collins and District No. 2 for the Construction and Maintenance of Certain Real Property (Coleman Street Plaza).

\_\_\_\_\_

DIRECTOR  
MATTERS

There were no Director Matters to come before the Boards.

\_\_\_\_\_

OTHER  
MATTERS

There were no Other Matters to come before the Boards.

\_\_\_\_\_

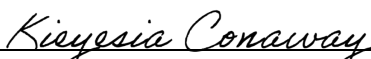
ADJOURNMENT

There being no further business to come before the Boards, the meeting was adjourned at 2:20 p.m.

\_\_\_\_\_

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,

  
\_\_\_\_\_  
Kieyesia Conaway, Recording Secretary for the Meeting