

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MARVELLA METROPOLITAN DISTRICT HELD DECEMBER 9, 2022

A special meeting of the Board of Directors of the Marvella Metropolitan District, Arapahoe County, Colorado was held at 12:00 PM on Friday, December 9, 2022, via Zoom.

Attendance In attendance were Directors:

Tahlia Sayers, President
Craig Corliss, Secretary
Ian Roth, Treasurer
Michael Kark, Assistant Secretary
Jacob Beniflah, Assistant Secretary

Also in attendance were:

Mat Birkeness, Marcos Pacheco, and Rhonda Bilek Community Resource Services of Colorado (CRS)
Tamara Seaver, District Attorney, Icenogle Seaver Pogue
Wade Wheatlake, Merrick & Company

Call to
Order

A quorum of the Board was present, and the meeting was called to order at 12:02 p.m.

Director
Qualifications
Conflict of
Interest

The Board of Directors reviewed the agenda for the meeting, following which each director confirmed the contents of written disclosures previously made, if any, stating the fact and summary nature of any matters, as required by Colorado law, to permit official action to be taken at the meeting. Additionally, the Board of Directors determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

Agenda

Upon a motion duly made by Director Kark, seconded by Director Sayers, and, upon vote, unanimously carried, the Board approved the agenda as presented.

Public
Comment

None presented.

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Management Items

Consider Approval of May 23, 2022 Meeting Minutes: Upon motion duly made by Director Kark, seconded by Director Sayers, and upon vote, the Board unanimously approved the minutes as presented.

Discussion Regarding Merrick and Company Engineering Report: Wade Wheatlake was in attendance to discuss the draft report. Ms. Seaver requested that additional information be included in the report.

Consider Approval of the 2023 Annual Administrative Resolution: After discussion Director Beniflah's position will be changed to Assistant Secretary. The 2023 meeting dates will be noted as the second Friday at 12:00 p.m. for February 10, May 12, August 11 and November 10. The Board also requested a work session for the 2024 budget be scheduled in October, time and date to be announced later. Upon motion duly made by Director Sayers, seconded by Director Corliss, and upon vote, the Board unanimously approved the Resolution as amended.

Consider Approval of the Resolution Calling an Election for May 2, 2023: Mr. Birkeness and Ms. Seaver explained the 2023 election resolution. Upon motion duly made by Director Kark, seconded by Director Corliss, and upon vote, unanimously carried, the Board approved the resolution as presented.

Financial Items

Ratify and Approve the Payment of Claims: Mr. Birkeness reviewed the claims. Upon motion duly made by Director Kark, seconded by Director Roth, and upon vote, the Board unanimously approved the claims as presented.

Accept Cash Position Summary dated November 15, 2022: Mr. Birkeness reviewed the cash position. Upon motion duly made by Director Roth, seconded by Director Sayers, vote was taken, and the Board unanimously accepted the cash position as presented.

Approve the Unaudited Financial Statement for the Period Ended October 31, 2022: Mr. Birkeness reviewed the financials. Upon motion duly made by Director Kark, seconded by Director Sayers, vote was taken, and motion carried unanimously to approve the unaudited financial statements as presented.

Public Hearing

Mr. Birkeness noted that publication had been made in accordance with statute, and the Board can proceed to conduct a public hearing to adopt the District's 2023 Budget. Director Sayers opened the Public Hearing. Director Sayers opened the public hearing. There being no public attending to comment on the budget, the public hearing was closed at 12:36 p.m. Mr. Birkeness and Mr. Pacheco reviewed the proposed 2023 budget with the Board. The Board requested changes to line items and requested that account notes be added. Upon motion duly made by Director Kark and

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seconded by Director Sayers, the Board approved the 2023 budget as amended. Director Corliss abstained from the vote.

Legal
Matters

Executive Session pursuant to Sections 24-6-402(4)(b) and 24-6-402(4)(e), C.R.S., Ms. Seaver, the District's general counsel, noted the Board did not need to go into executive session.

Action
Items

Members of the Board would like to continue conversation on the engineering report and negotiations with Century communities.

Adjournment It was noted that the next regular meeting of the Board will be held on February 10, 2023, at 12:00 p.m. Upon a motion duly made by Director Kark, seconded by Director Roth, and upon vote, unanimously carried, the Board adjourned the meeting at 12:57 p.m.

Respectfully submitted,



Secretary for the Meeting