

## RECORD OF PROCEEDINGS

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### MINUTES OF THE COORDINATED SPECIAL MEETING OF

ENCORE ON 34 METROPOLITAN DISTRICT NO. 1  
ENCORE ON 34 METROPOLITAN DISTRICT NO. 2  
ENCORE ON 34 METROPOLITAN DISTRICT NO. 3

HELD  
October 19, 2022

The Coordinated Special Meeting of the Boards of Directors (collectively, “Board”) of Encore on 34 Metropolitan District No. 1, Encore on 34 Metropolitan District No. 2, and Encore on 34 Metropolitan District No. 3 (collectively, “Districts”) was held via videoconference on Wednesday, October 19, 2022, at 9:30 a.m.

#### ATTENDANCE

##### Directors in Attendance:

Mark Hunter, President  
Jesse Jenner, Vice President  
Jeff Reed, Secretary/Treasurer  
Amanda Baker, Assistant Secretary/Treasurer  
Scot Smith, Assistant Secretary

##### Also in Attendance:

Robert Rogers and Eve Velasco; White Bear Ankele Tanaka & Waldron, P.C.  
Brendan Campbell, Andrew Kunkel, Kevin Mitts, and Bryan Newby;  
Pinnacle Consulting Group, Inc.

#### ADMINISTRATIVE ITEMS

Call to Order: The Special Meeting of the Board of Directors (collectively, the “Boards”) of Encore on 34 Metropolitan District Nos. 1-3, was called to order by Mr. Kunkel at 9:31 a.m.

Declaration of Quorum/Director Qualifications/Disclosure of Potential Conflicts of Interest: Director Hunter noted that a quorum was present. All Board Members confirmed their qualification to serve on the Boards. Mr. Rogers advised the Boards that pursuant to Colorado law, certain disclosures might be required prior to taking official action at a meeting. Mr. Rogers reported that disclosures for the directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the 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 the members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to

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any matters scheduled for discussion at the meeting. No additional disclosures were noted. Additionally, the Board Members determined that the participation of the members' present was necessary to obtain a quorum or otherwise enable the Boards to act.

APPROVAL  
OF AGENDA

The Boards reviewed the agenda. Following review and discussion, upon motion duly made by Director Hunter, seconded by Director Reed and, upon vote, it was unanimously

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

PUBLIC COMMENT

There were no public comments received.

CONSENT AGENDA

Ms. Velasco reviewed the items on the consent agenda with the Boards. Ms. Velasco advised the Boards that any item may be removed from the consent agenda to the regular agenda upon the request of any director. One item was requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted:

- A. Approval of Minutes – September 13, 2022, Special Meeting Minutes.
- B. Adoption of Resolution Calling May 2023 Regular Election.

Following review and discussion, upon motion duly made by Director Jenner, seconded by Director Hunter and, upon vote, it was unanimously

**RESOLVED** to approve the consent agenda

ADOPTION OF 2023  
ANNUAL  
ADMINISTRATIVE  
MATTERS RESOLUTION

Ms. Velasco presented the 2023 Annual Administrative Matters Resolution to the Boards. Following discussion, upon motion duly made by Director Jenner, seconded by Director Hunter and, upon vote, it was unanimously

**RESOLVED** to approve the 2023 Annual Administrative Matters Resolution, as revised to reflect the regular meeting schedule.

LEGAL ITEMS

Amended and Restated Service Plan: Mr. Rogers reviewed with the Boards the status of the Amended and Restated Service Plan and

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answered questions.

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FINANCIAL MATTERS

2023 Budget Hearing: Director Hunter opened the 2023 Budget Hearing to the public. Mr. Kunkel reported that notice of the hearing had been published on October 9, 2022, in accordance with state budget law. No written objections were received prior to the public hearing. There being no public comment, the hearing was closed. Mr. Campbell reviewed the 2023 budgets with the Boards.

Following further review and discussion, upon motion duly made by Director Hunter, seconded by Director Jenner and, upon vote, it was unanimously

**RESOLVED** to approve the Resolutions adopting the 2023 Budgets, appropriating funds therefor and certifying mills for the General Funds of District Nos. 2 and 3, as shown in the 2023 Budget, subject to receipt of final assessed valuation.

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DISTRICT  
MANAGER  
ITEMS

Renewal of General Liability Schedule and Limits and Property Schedule: Mr. Mitts reviewed the proposed insurance coverage with the Boards and answered questions. Following further review and discussion, upon motion duly made by Director Hunter, seconded by Director Smith and, upon vote, it was unanimously

**RESOLVED** to approve and authorize binding coverage for the Renewal of General Liability Schedule and Limits and Property Schedule Coverage, as presented.

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OTHER ITEMS

There were no other items brought before the Boards.

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ADJOURNMENT

With no further items brought before the Boards, upon motion made by Director Hunter, the meeting was adjourned at 10:09 a.m.

The foregoing constitutes a true and correct copy of the minutes of the above referenced meeting and was approved by the Boards of Directors of Encore on 34 Metropolitan District Nos. 1-3.

Respectfully submitted

DocuSigned by:  
  
Bryan Newby, Secretary for the Meeting