

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF FOUNDRY LOVELAND METROPOLITAN DISTRICT

HELD

February 14, 2023

The Board of Directors of the Foundry Loveland Metropolitan District held a special meeting, open to the public, via MS Teams and teleconference at 3:30 p.m., Tuesday February 14, 2023.

### ATTENDANCE

A special meeting of the Board of Directors of Foundry Loveland Metropolitan District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualifications to serve on the Board, were in attendance:

#### Directors in Attendance:

Brandy Natalzia, President  
Vanessa Laureles, Secretary

#### Directors not in Attendance (Excused):

Dan Metzger, Vice President

#### Also in Attendance:

Alan Pogue; Icenogle Seaver Pogue, P.C.  
Cary Wicker; Brue Baukol Capital Partners  
Shannon Randazzo, Molly Brodlun, Amanda Castle, Nicole Wing, and  
Shannon McEvoy; Pinnacle Consulting Group, Inc.  
Michael Hogan; City of Loveland  
Sabrina Osilka; Brinkman Real Estate

### CALL TO ORDER

The meeting was called to order at 3:32 p.m. by Ms. Randazzo.

### CONFLICT OF INTEREST DISCLOSURE

Mr. Pogue noted that notices of potential conflicts of interest for all Board Members were filed with the Colorado Secretary of State's office and with the District's Board. Mr. Pogue advised the Board that pursuant to Colorado law, certain disclosures by the Board Members might be required prior to taking official action at a meeting. The Board reviewed the agenda for the meeting, following which each Board Member present confirmed the contents of the written disclosures previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the

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Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

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### APPROVAL OF AGENDA

The Board reviewed the agenda. Upon motion duly made by Director Natalzia, and seconded by Director Laureles, it was unanimously

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

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### APPROVAL MINUTES

The minutes of the regular meeting held on November 17, 2022, were presented. Upon motion duly made by Director Natalzia, and seconded by Director Laureles, it was unanimously

**RESOLVED** to approve the minutes of the November 17, 2022, meeting, as presented.

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### APPOINTMENT OF DIRECTORS AND ELECTION OF OFFICERS

The Board discussed the appointment of Cary Wicker to fill a vacancy on the Board of Directors. Upon motion duly made by Director Natalzia, and seconded by Director Laureles, it was unanimously

**RESOLVED** to appoint Cary Wicker to the Board of Directors.

The Board discussed electing Director Wicker to the position of Treasurer. Upon motion duly made by Director Natalzia, and seconded by Director Laureles, it was unanimously

**RESOLVED** to elect Director Wicker to the position of Treasurer.

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### PUBLIC COMMENT

There were no comments made by members of the public.

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### FINANCIAL ITEMS

Ratification of Payables: Ms. Brodlun presented the check detail from October 26, 2022, through January 26, 2023, to the Board for ratification and approval. Following review and discussion, upon motion duly made by Director Natalzia, and seconded by Director Laureles, it was unanimously

**RESOLVED** to ratify payables in the amount of \$69,680.71.

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Financial Statements as of December 31, 2022: Ms. Brodlun presented the financial statements as of December 31, 2022, to the Board and answered questions. Following review and discussion, upon motion duly made by Director Natalzia, and seconded by Director Laureles, it was unanimously

**RESOLVED** to approve the financial statements as of December 31, 2022.

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### LEGAL ITEMS

Status of Hughes, Victoria v. Foundry Loveland Metro District: Mr. Pogue provided an update on the status of Hughes, Victoria v. Foundry Loveland Metro District to the Board and answered questions.

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### DISTRICT MANAGER ITEMS

District Management Report: Ms. Randazzo presented the District Management Report to the Board and answered questions.

Contract and Contract Modifications: Director Laureles discussed the Contracts and Contract Modifications and answered questions. Following review and discussion, upon motion duly made by Director Natalzia, and seconded by Director Laureles, it was unanimously

**RESOLVED** to approve the Contracts and Contract Modifications.

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### ITEMS FROM DIRECTORS

Discussion Regarding Trash Enclosure License Agreement: The Board discussed the Trash Enclosure License Agreement noting that the majority of the owners and tenants have signed the agreement. Director Natalzia stated she is collaborating with the District Deputy Attorney and the City of Loveland on retrieving signatures from the remaining tenants and owners. Director Natalzia requested that the invoices be sent out to the tenants and owners as soon as possible. Director Natalzia and Ms. Brodlun will coordinate further to retrieve updated billing information for the tenants and owners and start sending the invoices.

Discussion Regarding Sinkhole Behind Lincoln Apartments: The Board discussed the Sinkhole Behind Lincoln Apartments. Director Natalzia reported that the tenant and owner are struggling to receive signatures for the Trash Enclosure License Agreement. Director Natalzia reported that the City of Loveland has submitted a form for inspection of the damage to the sinkhole.

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OTHER ITEMS

There were no other items presented for Board consideration.  
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EXECUTIVE  
SESSION

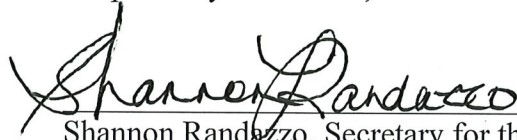
There was no Executive Session held.  
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ADJOURNMENT

There being no further business to come before the Board at this time the meeting was adjourned at 4:05 p.m.  
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The foregoing constitutes a true and correct copy  
of the minutes of the above-referenced meeting.

Respectfully Submitted,



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Shannon Randazzo, Secretary for the Meeting