

MINUTES OF THE JOINT SPECIAL MEETING OF THE
BOARDS OF DIRECTORS

OF

THE PLAZA METROPOLITAN DISTRICT NOS. 1 & 2

Held: Wednesday, November 18 at 3:00 p.m. via teleconference

Due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders, issued by the Colorado Department of Health and Environment (CDPHE), and the threat posed by the COVID-19 coronavirus, the meeting was held via teleconference.

Attendance

The meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors were in attendance:

Mark Tompkins
Daniel Beer
Meredith Wright
Lary Herkal

Also present were: Megan J. Murphy, Esq. and Kristin B. Tompkins, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Nichole Ortiz, JLL; and Jason Carroll, CliftonLarsonAllen, LLP, District Accountant.

Call to Order

It was noted that a quorum of the Boards were present and the meeting was called to order by Director Tompkins.

Combined Meetings

The Boards of Directors of the Districts have determined to hold joint meetings of the Districts and to prepare joint minutes of actions taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes shall be deemed to be the action of all Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

**Conflict of Interest
Disclosures**

Ms. Murphy advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Murphy reported that disclosures for those directors with 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. Ms. Murphy noted that a quorum was present and inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional conflicts were disclosed.

Agenda

Mr. Tompkins presented the Boards with the agenda for consideration. Following discussion, upon motion duly made and seconded, the Boards unanimously approved the agenda.

Appointment of Director

The Boards discussed the appointment of directors. Following discussion, upon a motion duly made and seconded, the Boards unanimously appointed the following officers:

Nichole Ortiz as Vice President/Assistant Secretary

Public Comment

None.

Consent Agenda

The following items on the consent agenda were considered routine or administrative. Following a summary by Ms. Murphy, upon a motion duly made and seconded, the Boards unanimously approved, adopted, and/or ratified the items on the consent agenda.

- Minutes from March 30, 2020 Meeting (District No. 2)
- Minutes from August 25, 2020 Meeting (District No. 1)
- Joint Resolution Establishing an Electronic Signature Policy (District No. 2)
- Renewal of Property and Liability Coverage and Workers Compensation Coverage and SDA Membership
- Notice to Electors Pursuant to § 32-1-809, C.R.S
- 2021 Joint Annual Administrative Resolution
- 2019 Annual Report
- Simmons & Wheeler to perform 2020 Audit (District No. 1)

Legal Matters

Discussion Regarding Website Options

Ms. Murphy presented the Heather Sosa Creative proposal to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the proposal for a joint website for District Nos. 1 & 2.

Consider Approval of

Ms. Murphy presented the Board of District No. 1 with the

Extension of Management Agreement with SOF-X Belmar Holdings, L.P. (District No. 1)

Extension of Management Agreement with SOF-X Belmar holdings, L.P. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 approved the extension subject to final legal review.

Consider Approval of Access Easement Agreement (South Upham Street and Bonfils Lane) with Doran Belmar, LLC

Ms. Murphy presented the Board of District No. 1 with the Easement Agreement (South Upham Street and Bonfils Lane) with Doran Belmar, LLC. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 approved the agreement subject to final legal review and the consent of the City of Lakewood (the “City”).

Consider Approval of Temporary Parking Easement Agreement (South Upham Street) with Doran Belmar, LLC

Ms. Murphy presented the Board of District No. 1 with the Temporary Parking Easement Agreement (South Upham Street) with Doran Belmar, LLC. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 approved the agreement subject to final legal review and the consent of the City.

Consider Approval of Temporary Construction Easement Agreement (South Upham Street) with Doran Belmar, LLC

Ms. Murphy presented the Board of District No. 1 with the Temporary Construction Easement Agreement (South Upham Street) with Doran Belmar, LLC. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 approved the agreement subject to final legal review and the consent of the City.

Financial Matters

Acceptance of Unaudited Financials and Claims Payable (District No. 1)

Mr. Carroll presented the Board of District No. 1 with the financial statements dated September 30, 2020. Following discussion, upon motion duly made and seconded, the Board of District No. 1 unanimously accepted the financial statements.

Mr. Carroll presented the Board of District No. 1 with the check listing for August 19, 2020 - November 10, 2020 for check numbers 1055 through 1058 in the amount of \$43,019.99. Following discussion, upon motion duly made and seconded, the Board of District No. 1 unanimously ratified the claims.

Discuss Potential Bond Refinancing

Director Tompkins discussed a potential bond refinancing with the Boards. No action taken.

Conduct 2020 Budget Amendment Hearings and Consider Adoption of Resolutions to Amend 2020 Budget (*if necessary*)

Director Tompkins opened the public hearing for the 2020 budget amendments. Ms. Murphy noted that the notice for the public hearing was published in accordance with Colorado Law in the *Lakewood Your Hub*. No written objections were received prior to the meeting. There being no public comment, the hearing was

closed.

Mr. Carroll determined that 2020 budget amendments were not required for the Districts.

Conduct 2021 Budget Hearings and Consider Adoption of Resolutions to Adopt 2021 Budget and Set Mill Levies

Director Tompkins opened the public hearing for the 2021 budget. Ms. Murphy noted that the notice for the public hearing was published in accordance with Colorado Law in the *Douglas County-News Press*. No written objections were received prior to the meeting. There being no public comment, the hearing was closed.

Mr. Carroll reviewed the 2021 Budget Resolutions with the Boards.

Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously approved the resolution adopting the 2021 budget, appropriating funds therefore and certifying 0.000 mills in the General Fund, 0.000 mills in the Debt Service Fund, and 0.000 mills in the Capital Projects Fund.

Following discussion, upon a motion duly made and seconded, the Board of District No. 2 unanimously approved the resolution adopting the 2021 budget, appropriating funds therefore and certifying 25.000 mills in the Debt Service Fund.

The Boards directed legal counsel and the Districts' accountant to certify the mill levies by December 15, 2020 and file the 2021 Budgets by January 30, 2021.

Other Financial Matters

None.

Management/Facilities Update

Director Herkal commented the projects has entered a higher level of COVID restrictions effective tomorrow, November 19, 2020.

Other Business

None.

Adjourn

There being no further business to come before the Boards, and following discussion, upon a motion duly made and seconded, the Boards unanimously determined to adjourn the meeting.

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

Lary Herkal
Lary Herkal (Apr 22, 2021 09:54 MDT)

Secretary for the Meeting, District Nos. 1 & 2

The foregoing minutes were approved on the 21st day of April, 2021.






Plaza Nos. 1-2 and 3 Meeting Minutes Approved 2021-04-21

Final Audit Report

2021-04-22

Created:	2021-04-22
By:	Maudie Johns (mjohns@wbapc.com)
Status:	Signed
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"Plaza Nos. 1-2 and 3 Meeting Minutes Approved 2021-04-21" History

-  Document created by Maudie Johns (mjohns@wbapc.com)
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-  Document emailed to Lary Herkal (lary.herkal@am.jll.com) for signature
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-  Document e-signed by Lary Herkal (lary.herkal@am.jll.com)
Signature Date: 2021-04-22 - 3:54:50 PM GMT - Time Source: server- IP address: 173.224.155.209
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