

MINUTES OF A JOINT SPECIAL MEETING OF THE
BOARDS OF DIRECTORS

OF

THE PLAZA METROPOLITAN DISTRICT NOS. 1-2

Held: Thursday, October 28, 2021 at 1:00 p.m. via
teleconference.

Attendance

The Joint Special meeting of the Boards of Directors of The Plaza Metropolitan District Nos. 1-2 was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Mark Tompkins
Daniel Beer
Ben Arbogast
Linda Kaboth

Also present were Kristin Bowers Tompkins, Esq., Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law; Nancy Bach, CliftonLarsonAllen, LLP, District Accountant; Jack Hechinger, Bridge33 Capital; and Doug Wells and Jeff Irvin, residents of The Plaza Metropolitan District No. 3

**Call to Order/Declaration
of Quorum/
Reaffirmation of
Disclosures**

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

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 actions reflected in these minutes shall be deemed to be the actions of the Districts. Where necessary, actions 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 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. Ms. Murphy 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. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Approval of Agenda

Director Tompkins presented the proposed agenda to the Boards for consideration. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda as amended.

Consider Appointment of Directors

The Boards engaged in general discussion regarding the Election of Officers. Following discussion, upon a motion duly made and seconded, the Boards elected Director Arbogast as Vice President/Assistant Secretary.

Public Comment

Mr. Jeff Irvin noted that he was interested in serving on the Boards.

Consent Agenda

Ms. Murphy presented the items on the consent agenda to the Boards. Ms. Murphy advised that any item can be removed from the consent agenda to the regular agenda upon a request from any Director. No items were requested to be moved from the consent agenda. Upon a motion duly made, seconded and unanimously carried, the Boards approved, ratified and adopted the following items:

- Minutes from August 25, 2021 Meeting;
- Joint 2022 Annual Administrative Resolution;
- Renewal of Property and Liability Coverage and Workers Compensation Coverage and SDA Membership;
- Engagement of Simmons and Wheeler to Prepare 2021 Audit (District No. 1);
- Engagement of Waas Campbell Rivera Johnson & Velasquez (District No. 1) – Ms. Tompkins noted this engagement is to review documents that were inadvertently disclosed in unrelated litigation not involving the Districts; and
- Extension of Management Agreement with B33 Services, LLC (District No. 1).

Legal Matters

Discuss and Consider Service Plan Requirements for Quinquennial Review

Ms. Murphy and Ms. Tompkins presented the Service Plan Requirements for Quinquennial Review. It was noted the Districts voted new debt authorization in May 2020. Following discussion, the Boards determined to defer this matter.

Consider Approval of Resolution Calling May 2022 Election and Designation of Method for Providing Notice of Call for Nominations

Ms. Murphy discussed the method for providing notice of the Call for Nominations for the May 2022 Election with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved publishing the Call for Nominations on the Districts' website as the second method of providing Call for Nominations.

Financial Matters

Acceptance of Unaudited Financials and Claims Payable

Ms. Bach presented the Board of District No. 1 with claims in the amount of \$23,979.50. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously ratified the claims.

Request from Belmar Community Connection for Belmar Detention Pond Improvement Project

Director Tompkins provided background information to the Boards regarding the Belmar Community Connection for the Belmar Detention Pond Improvement Project. Director Wells commented that the commercial property owner has been engaged throughout the process. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously approved adding a budget item in the 2022 budget of \$35,000.

Conduct 2021 Budget Amendment Hearing and Consider Adoption of Resolutions to Amend 2021 Budget

It was noted no 2021 budget amendment was needed.

Conduct 2022 Budget Hearing and Consider Adoption of Resolutions to Adopt 2022 Budget and Set Mill Levies

Director Tompkins opened the public hearing on the proposed 2022 Budgets. Ms. Murphy noted that the notice of 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.

Ms. Bach reviewed the 2022 Budget Resolutions with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously adopted the resolutions adopting the 2022 Budgets as discussed, appropriating funds therefore and certifying the following mill levies:

District No. 1: 0.000 mills for all Funds; and

District No. 2: 25.000 mills for the Debt Service Fund.

The Boards directed legal counsel and the District's accountant to certify the mill levies by December 15, 2021 and file the 2022

Budgets by January 30, 2022.

Other Financial Matters

None.

**Management/Facilities
Update**

None.

Other Business

None.

Adjourn

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

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

Daniel C Beer

[Daniel C Beer \(May 3, 2022 10:05 MDT\)](#)

Secretary for the Meeting, District Nos. 1-2

The foregoing minutes were approved on the 20th day of April, 2022.