

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

HIGHPOINTE PARK METROPOLITAN DISTRICT

Held: Wednesday, July 24, 2019, at 2:00 P.M. at 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228

**ATTENDANCE**

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

AJ Beckman  
Lisa A. Johnson  
John Craig

Also present were: Jennifer Gruber Tanaka, Esq., and Trisha Harris, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel (Ms. Harris *via* telephone); Diane Wheeler, Simmons & Wheeler, District Accountant; Dawn Schilling, Schilling & Co., District Auditor; and Bob Gustine, Keith Christy, and Matt Lasek, Armstrong HighPointe, LLC.

**ADMINISTRATIVE MATTERS**

Call to Order

The meeting was called to order.

Declaration of Quorum and Confirmation of Director Qualifications

Ms. Tanaka noted that a quorum for the Board was present and that the directors had confirmed their qualification to serve.

Reaffirmation of Disclosures of Potential or Existing Conflicts of Interest

Ms. Tanaka advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Tanaka reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Tanaka noted that a quorum was present and inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Board determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda

Ms. Tanaka presented the Board with the agenda. Upon motion of Ms. Johnson, seconded by Mr. Craig, the Board unanimously approved the agenda as presented.

## **PUBLIC COMMENT**

There were no public comments.

## **CONSENT AGENDA**

Ms. Tanaka presented the Board with the consent agenda items. Upon motion of Ms. Johnson, seconded by Mr. Craig, the Board unanimously took the following actions:

- a. Approved the Board Meeting Minutes from November 7, 2018 Regular Meeting
- b. Ratified the Payment of Claims as of July 24, 2019 (\$25,146.30)
- c. Approved the Claims as of July 24, 2019 (\$44,542.49)
- d. Accepted the Financial Statements as of April 30, 2019
- e. Adopted Resolution No. 2019-07-01: Resolution of the Board of Directors Designating the District's 24-Hour Posting Location

## **FINANCIAL MATTERS**

2018 Audit and Approval of District Representation Letter

Ms. Schilling presented the 2018 audit to the Board and noted that she is prepared to issue a clean, unmodified opinion which is the highest opinion that can be obtained.

Upon motion of Ms. Johnson, seconded by Mr. Craig, the Board unanimously accepted the 2018 audit, subject to finalization, and approved the client representation letter.

## **LEGAL MATTERS**

HB19-1087 and Meeting Notice Posting Requirements

Ms. Tanaka advised the Board of the Colorado Legislature's passage of HB 19-1087 which enables special districts to post notices of public meetings electronically on a dedicated website in lieu of physically posting at three locations within the District's boundaries, as is currently the case. Ms. Tanaka noted that the legislation becomes effective on August 2, 2019, and inquired into whether the Board wants to post the notices on a website going forward and noted that, if so, a website must be a District dedicated website per the law. Ms. Tanaka noted that the State has a website portal known as SIPA that is free for public entities as well and they can set up a website for the District which can then be administered by legal counsel for postings going forward.

Upon motion of Ms. Johnson, seconded by Mr. Beckman, the Board unanimously directed legal counsel to apply for a website

through SIPA and use that going forward and adopted Resolution No. 2019-07-02: Regarding Electronic Posting for Meetings.

## **DEVELOPER MATTERS**

General Development Update Mr. Gustine provided a brief update regarding the development and changes in tenants.

Status of Replatting of Parcels within the Development Mr. Lasek reported that Armstrong is in the process of processing a subdivision on the corner of Grant and 97<sup>th</sup>. He noted that the application has been submitted but is not yet approved or finalized with the City.

Status of Owners' Association for Development Mr. Lasek reported that they are revising the declaration to eliminate the owners' association and the remaining obligations would remain with the property owners. The covenant enforcement services will be provided by the District going forward.

## **OTHER BUSINESS**

Next Meeting The next regular meeting is scheduled for November 6, 2019, at 2:00 PM.

## **ADJOURNMENT**

There being no further business to come before the Board, upon motion, second and unanimous vote, the meeting was adjourned.

  
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Secretary for the District