

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

PARKER AUTOMOTIVE METROPOLITAN DISTRICT

Held: October 31, 2019, at 8:00 A.M. at 4100 East Mississippi Avenue, Suite 500, Glendale, Colorado 80246

ATTENDANCE

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

Kevin Smith
Patrick Schmitz

Also present were: Jennifer Gruber Tanaka, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; and John Simmons, Simmons & Wheeler, District Accountant.

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.

Excusal of Absence

The Board noted the absence of Mr. Klein. Upon motion of Mr. Smith, seconded by Mr. Schmitz, the Board unanimously excused

his absence.

Approval of Agenda

Ms. Tanaka presented the Board with the proposed agenda for the meeting. Upon motion of Mr. Smith, seconded by Mr. Schmitz, the Board unanimously approved the agenda as presented.

PUBLIC COMMENT

None.

**CONSENT
MATTERS**

AGENDA

The Board was presented with the consent agenda items. Upon motion of Mr. Smith, seconded by Mr. Schmitz, the Board unanimously took the following actions:

- a. Approved the Minutes from September 17, 2019, Special Meeting
- b. Ratified the Payment of Claims as of October 31, 2019 (\$5,041.93)
- c. Accepted the Unaudited Financial Statements as of September 30, 2019
- d. Approved the Additional Claims as of October 31, 2019
- e. Adopted Resolution No. 2019-10-01: Annual Administration Resolution
- f. Adopted Resolution No. 2019-10-02: Calling Election

FINANCIAL MATTERS

Public Hearing on 2019 Amended Budget and Consider Adoption of Resolution No. 2019-10-03: Amending 2019 Budget

Mr. Simmons presented the Board with the amended 2019 budget for consideration. Ms. Tanaka reported that the notice of public hearing on the amended 2019 budget was provided in accordance with Colorado law and no written objections were received prior to the hearing. Mr. Smith opened the public hearing on the amended 2019 budget. There being no public comment, Mr. Smith closed the public hearing.

Upon motion of Mr. Smith, seconded by Mr. Schmitz, the Board unanimously adopted Resolution No. 2019-10-03: Amending 2019 Budget.

Public Hearing on 2020 Budget and Consider Adoption of Resolution No. 2019-10-04: Adopting Budget, Imposing Mill Levy and Appropriating Funds

Mr. Simmons presented the Board with the proposed 2020 budget for consideration. Ms. Tanaka reported that the notice of public hearing on the proposed 2020 budget was provided in accordance with Colorado law and no written objections were received prior to the hearing. Mr. Smith opened the public hearing on the proposed 2020 budget. There being no public comment, Mr. Smith closed the public hearing.

Upon motion of Mr. Smith, seconded by Mr. Schmitz, the Board unanimously adopted Resolution No. 2019-10-04: Adopting Budget, Imposing Mill Levy and Appropriating Funds.

LEGAL MATTERS

45-Day Notice to Town of Parker for Change in Zoning

Ms. Tanaka reported that the District received a request for zoning changes for property located within the boundaries of the District and, after discussion with the Board members, the District determined to not object thereto. Specifically, the developer is requesting that property currently zoned as commercial/retail be changed to add multi-family and daycare to the approved uses. The Service Plan for the District contemplates commercial development as the intended development within the District and the addition of multi-family development provides a residential component to the intended development that was not previously anticipated. Such change in zoning will not necessitate any changes in public infrastructure for the project, will not increase the debt limit approved in the Service Plan, and will not trigger an event of default under the current outstanding bonds issued by the District. As a result, the District does not believe that such change constitutes a material modification of its Service Plan. Ms. Tanaka noted that, pursuant to and in accordance with § 32-1-207(3), C.R.S., any action to enjoin such activity must be brought within forty-five (45) days from publication of this notice, which date is December 23, 2019. In discussions with the Town's Attorney, the Town is willing to issue a notice of no objection after discussion and consideration at its November 18, 2019 meeting.

Upon motion of Mr. Smith, seconded by Mr. Schmitz, the Board unanimously ratified the 45-day notice.

District Website

Ms. Tanaka updated the Board with regarding to new legislation that became effective as of August 2, 2019, which allows districts to post notices of meetings electronically on a district-dedicated website. Ms. Tanaka noted an option for the hosting for the website, which is free to public entities, is the Statewide Internet Portal Authority ("SIPA"). Upon motion of Mr. Smith, seconded by Mr. Schmitz, the Board unanimously approved the Government Eligibility Agreement with SIPA and adopted Resolution No 2019-10-05: Regarding Electronic Posting of Meeting Notices and directed legal counsel to apply for a website through SIPA.

OTHER BUSINESS

Next Meeting

The Board determined to hold the next meeting on July 28, 2020, at 8:00 A.M.

ADJOURNMENT

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

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

Patrick Schmitz
Patrick Schmitz (Jul 22, 2020 08:04 MDT)
Secretary for the District