

# RECORD OF PROCEEDINGS

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## MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE GATEWAY REGIONAL METROPOLITAN DISTRICT HELD DECEMBER 1, 2021

A Special Meeting of the Board of Directors (the "Board") of the Gateway Regional Metropolitan District (the "District"), City and County of Denver, Colorado, was duly posted and held on Wednesday, the 1st day of December, 2021 at 12:30 P.M. This District Board Meeting was held by conference call without any individuals (neither District Representative nor the general public) attending in person. The meeting was open to the public via conference call.

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### ATTENDANCE

#### Directors In Attendance Were:

Mark Throckmorton  
Charles Foster  
Gregory Berger

Following discussion, upon motion duly made by Director Foster, seconded by Director Berger and, upon vote, unanimously carried, the absence of Director Lujan was excused.

#### Also in Attendance:

Matt Cohrs; Special District Management Services, Inc.

Tom George, Esq.; Spencer Fane, LLP

Kimberly Johanns; Simmons & Wheeler

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### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest to the Board of Directors and to the Secretary of State. Mr. Cohrs noted that a quorum was present and requested that members of the Board disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting, in accordance with the statute. No new disclosures were made. Mr. Cohrs noted that all Directors' Disclosure Statements have been filed.

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### ADMINISTRATIVE MATTERS

Agenda: Mr. Cohrs distributed for the Board's review and approval a proposed Agenda for the District's Special Meeting.

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Following discussion, upon motion duly made by Director Foster, seconded by Director Berger and, upon vote, unanimously carried, the Agenda was approved, as amended.

**Approval of Meeting Location and Confirmation of Posting of Notices:**

Following discussion, upon motion duly made by Director Foster, seconded by Director Berger and, upon vote, unanimously carried, the Board approved the meeting being conducted by teleconference and confirmed that notice had been properly posted.

**Minutes:** The Board reviewed Minutes of the June 2, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Foster, seconded by Director Berger and, upon vote, unanimously carried, the Minutes of the June 2, 2021 Special Meeting were approved, as presented.

**Annual Administrative Resolution for 2022:** The Board discussed an Annual Administrative Resolution for 2022.

Following discussion, upon motion duly made by Director Throckmorton, seconded by Director Berger and, upon vote, unanimously carried, the Board adopted the Annual Administrative Resolution for 2022.

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**PUBLIC COMMENT**

**Public Comments:** There were no public comments.

**FINANCIAL MATTERS**

**Claims:** The Board reviewed the payment of claims for the periods ending as follows:

| Fund                | Period Ending<br>June 16, 2021  | Period Ending<br>July 31, 2021 | Period Ending<br>Aug. 21, 2021 |
|---------------------|---------------------------------|--------------------------------|--------------------------------|
| General             | \$ 8,630.48                     | \$ 7,922.56                    | \$ 9,774.70                    |
| Debt Service        | \$ -0-                          | \$ -0-                         | \$ 5,000.00                    |
| Capital Projects    | \$ -0-                          | \$ -0-                         | \$ -0-                         |
| <b>Total Claims</b> | <b>\$</b>                       | <b>\$ 7,922.56</b>             | <b>\$ 14,774.70</b>            |
| Fund                | Period Ending<br>Sept. 16, 2021 | Period Ending<br>Oct. 16, 2021 | Period Ending<br>Nov. 16, 2021 |
| General             | \$ 9,663.02                     | \$ 9,056.17                    | \$ 6,740.25                    |
| Debt Service        | \$ -0-                          | \$ -0-                         | \$ -0-                         |
| Capital Projects    | \$ -0-                          | \$ -0-                         | \$ -0-                         |
| <b>Total Claims</b> | <b>\$ 9,663.02</b>              | <b>\$ 9,056.17</b>             | <b>\$ 6,470.25</b>             |

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Following review, upon motion duly made by Director Berger, seconded by Director Foster and, upon vote, unanimously carried, the Board ratified approval of payment of claims as presented.

**Financial Statements:** The Board reviewed the quarterly unaudited financial statements of the District for the period ending September 30, 2021.

Following review, upon motion duly made by Director Foster, seconded by Director Berger and, upon vote, unanimously carried, the Board approved the quarterly unaudited financial statements of the District for the period ending September 30, 2021.

**2021 Audit:** The Board discussed an engagement letter from McMahan and Associates, LLC for preparation of 2021 Audit.

Following discussion, upon motion duly made by Director Berger, seconded by Director Throckmorton and, upon vote, unanimously carried, the Board approved the engagement letter from McMahan and Associates, LLC for preparation of 2021 Audit, within a range from \$7,800.00 to \$9,200.00.

**System Development Fees:** Mr. Cohrs updated the Board on fees received in 2021. No action was taken.

**2021 Budget Amendment Hearing:** The President opened the public hearing to consider a Resolution to Amend the 2021 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2021 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

The Board determined that a 2021 Budget Amendment was not necessary at this time.

**2022 Budget Hearing:** The President opened the public hearing to consider the proposed 2022 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2022 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing.

No public comments were received and the public hearing was closed.

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Ms. Johanns reviewed the estimated 2021 expenditures and the proposed 2022 expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2021-12-02 to Adopt the 2022 Budget and Appropriate Sums of Money and to Set Mill Levies (for the General Fund at .551 mills and the Debt Service Fund at 2.624 mills, and for Contractual Obligations at 12.825, for a total mill levy of 16.000 mills). Upon motion duly made by Director Foster, seconded by Director Throckmorton and, upon vote, unanimously carried, the Resolution was adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2021. Mr. Cohrs was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of the City and County of Denver not later than December 15, 2021. Mr. Cohrs was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2022. A copy of the adopted Resolution is attached to these Minutes and incorporated herein by this reference.

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### LEGAL MATTERS

**Resolution No. 2021-12-03; Concerning Regular Election to be held May 3, 2022:** The Board discussed Resolution No. 2021-12-03; Concerning Regular Election to be held on May 3, 2022.

Following discussion, upon motion duly made by Director Throckmorton, seconded by Director Foster and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-12-03; Concerning Regular Election to be held on May 3, 2022.

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### CAPITAL IMPROVEMENTS/ OPERATIONS MATTERS

**Design for Common Areas:** Mr. Cohrs noted that he will obtain proposals to look at design for commons areas.

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### OTHER BUSINESS

There was no other business to discuss at this time.

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### ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Throckmorton, seconded by Director Foster and, upon vote, unanimously carried, the meeting was adjourned.

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Respectfully submitted,

By   
Secretary for the Meeting

