

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE GATEWAY REGIONAL METROPOLITAN DISTRICT HELD DECEMBER 7, 2022

A Regular 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 7th day of December, 2022 at 12:30 P.M. This District Board Meeting was held via Zoom without any individuals (neither District Representative nor the general public) attending in person. The meeting was open to the public via Zoom.

ATTENDANCE

Directors In Attendance Were:

Mark Throckmorton
Charles Foster
Gregory Berger

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

Also in Attendance:

Peggy Ripko and Larry Loften; Special District Management Services, Inc.

Tom George, Esq.; Spencer Fane, LLP

Kimberly Johanns; Simmons & Wheeler

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. Ms. Ripko 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. Ms. Ripko noted that all Directors’ Disclosure Statements have been filed.

ADMINISTRATIVE MATTERS

Agenda: Ms. Ripko distributed for the Board’s review and approval a proposed Agenda for the District’s Regular Meeting.

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Following discussion, upon motion duly made by Director Berger, seconded by Director Throckmorton and, upon vote, unanimously carried, the Agenda was approved, as amended to move the Legal Matters before the Financial Matters.

Approval of Meeting Location and Confirmation of Posting of Notices:

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

May 3, 2022 Regular Election: Ms. Ripko discussed with the Board the results of the May 3, 2022 Regular Election for Directors (“Election”). It was noted that the Election was cancelled, as permitted by statute and that Directors Foster and Berger were each deemed elected to three-year terms ending in 2025.

Appointment of Officers: The Board entered into discussion regarding the appointment of officers.

Following discussion, upon motion duly made by Director Foster, seconded by Director Berger and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Mark Throckmorton
Treasurer	Charles Foster
Secretary	Gregory Berger
Assistant Secretary	Marcia Lujan

Minutes: The Board reviewed Minutes of the March 2, 2022 Special Meeting.

Following discussion, upon motion duly made by Director Berger, seconded by Director Foster and, upon vote, unanimously carried, the Minutes of the March 2, 2022 Special Meeting were approved, as presented.

Annual Administrative Resolution for 2023: The Board discussed an Annual Administrative Resolution for 2023.

Following discussion, upon motion duly made by Director Berger, seconded by Director Foster and, upon vote, unanimously carried, the Board adopted the Annual Administrative Resolution for 2023.

PUBLIC COMMENT

Public Comments: There were no public comments.

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FINANCIAL MATTERS

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

Fund	Period Ending March 31, 2022	Period Ending April,30, 2022	Period Ending May 31, 2022
General	\$ 6,873.58	\$ 25,028.45	\$ 8,712.85
Debt Service	\$ -0-	\$ -0-	\$ -0-
Capital Projects	\$ -0-	\$ -0-	\$ -0-
Total Claims	\$ 6,873.58	\$ 25,028.45	\$ 8,712.85

Fund	Period Ending June 30, 2022	Period Ending July 31, 2022	Period Ending Aug. 31, 2022
General	\$ 16,276.81	\$ 7,724.50	\$ 9,630.85
Debt Service	\$ -0-	\$ -0-	\$ 5,000.00
Capital Projects	\$ -0-	\$ -0-	\$ -0-
Total Claims	\$ 16,276.81	\$ 7,724.50	\$ 14,630.85

Fund	Period Ending Sept. 30, 2022	Period Ending Oct. 31, 2022	Period Ending Nov. 30, 2022
General	\$ 8,573.43	\$ 9,708.23	\$ 6,768.98
Debt Service	\$ -0-	\$ -0-	\$ -0-
Capital Projects	\$ -0-	\$ -0-	\$ -0-
Total Claims	\$ 8,573.43	\$ 9,708.23	\$ 6,768.98

Following review, upon motion duly made by Director Throckmorton, seconded by Director Berger 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, 2022.

Following review, upon motion duly made by Director Berger, seconded by Director Foster and, upon vote, unanimously carried, the Board approved the quarterly unaudited financial statements of the District for the period ending September 30, 2022.

2021 Audited Financial Statements: No discussion was needed.

2022 Audit: The Board discussed an engagement letter from McMahan and Associates, LLC for preparation of 2022 Audit.

Following discussion, upon motion duly made by Director Throckmorton, seconded by Director Berger and, upon vote, unanimously carried, the Board approved the engagement letter from McMahan and Associates, LLC for preparation of 2022 Audit, in the amount not to exceed \$9,350.

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System Development Fees: The District Manager will update the report and forward to the Board for review.

2022 Budget Amendment Hearing: The President opened the public hearing to consider a Resolution to Amend the 2022 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 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.

The Board determined that a 2022 Budget Amendment was not necessary at this time.

2023 Budget Hearing: The President opened the public hearing to consider the proposed 2023 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2023 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.

Ms. Johanns reviewed the estimated 2022 expenditures and the proposed 2023 expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2022-12-02 to Adopt the 2023 Budget and Appropriate Sums of Money and to Set Mill Levies (for the General Fund at 0.551 mills and the Debt Service Fund at 2.427 mills, and for Contractual Obligations at 13.022, for a total mill levy of 16.000 mills). Upon motion duly made by Director Berger, 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, 2022. Ms. Ripko 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, 2022. Ms. Ripko was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2023. A copy of the adopted Resolution is attached to these Minutes and incorporated herein by this reference.

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LEGAL MATTERS

2021 Short Report from the City of Denver: The Board discussed the 2021 Short Report from the City of Denver.

Following discussion, upon motion duly made by Director Berger, seconded by Director Throckmorton and, upon vote, unanimously carried, the Board appointed directors Throckmorton and Foster as a committee to negotiate with the City.

Resolution No. 2022-12-03; Concerning Regular Election to be held May 2, 2023: The Board discussed Resolution No. 2022-12-03; Concerning Regular Election to be held on May 2, 2023.

Following discussion, upon motion duly made by Director Throckmorton, seconded by Director Berger and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-12-03; Concerning Regular Election to be held on May 2, 2023.

CAPITAL IMPROVEMENTS/ OPERATIONS MATTERS

There was no business to discuss at this time.


OTHER BUSINESS

There was no other business to discuss at this time.

ADJOURNMENT

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

Respectfully submitted,

By 
Secretary for the Meeting