

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

HIGHPOINTE PARK METROPOLITAN DISTRICT

Held: Wednesday, November 4, 2020, at 2:00 P.M.

Due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders, issued by the Colorado Department of Health and Environment (CDPHE), and the threat posed by the COVID-19 coronavirus, the meeting was held via teleconference.

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; Georgia Harland, Simmons & Wheeler, District Accountant; and Keith Christy, Bob Gustine, and Charlene Perhacs, 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 Mr. Beckman, seconded by Mr. Craig, the Board unanimously approved the agenda as amended.

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. Beckman, the Board unanimously took the following actions:

- a. Approved the Board Meeting Minutes from July 22, 2020 Special Meeting
- b. Ratified the Payment of Claims as of November 4, 2020 (\$58,047.30)
- c. Approved the Claims as of November 4, 2020 (\$19,885.45)
- d. Accepted the Unaudited Financial Statements as of September 30, 2020
- e. Adopted Resolution No. 2020-11-01: 2021 Annual Administrative Resolution
- f. Approved the Amendment to Sixth Addendum to Management Agreement with Armstrong HighPointe, LLC for Landscape Maintenance and Snow Removal Services
- g. Approved the Seventh Addendum to Management Agreement with Armstrong HighPointe, LLC for Landscape Maintenance and Snow Removal Services
- h. Approved the Third Addendum to Independent Contractor Agreement with MMI Water Engineers, LLC for Storm Drainage Inspection Services
- i. Approved the Engagement Letter with Schilling & Co. for 2020 Audit Services
- j. Approved the Additional Claims as of November 4, 2020 (\$277.05)

FINANCIAL MATTERS

Public Hearing on Second Amendment to 2020 Budget and Adoption of Resolution No. 2020-11-02

Mr. Beckman opened the public hearing on the 2020 budget amendment. Ms. Tanaka noted that notice of the public hearing was published in accordance with Colorado law and no objections were received prior to the hearing. Ms. Harland reviewed the budget amendment with the Board. There being no public comment, Mr. Beckman closed the hearing.

Upon motion of Ms. Johnson, seconded by Mr. Craig, the Board unanimously approved the 2020 budget amendment and adopted Resolution No. 2020-11-02.

Public Hearing on 2021 Budget and Adoption of Resolution No. 2020-11-03: Adopting Budget, Imposing Mill Levy and Appropriating Funds

Mr. Beckman opened the public hearing on the 2021 budget. Ms. Tanaka noted that notice of the public hearing was published in accordance with Colorado law and no objections were received prior to the hearing. Ms. Harland reviewed the budget with the Board. There being no public comment, Mr. Beckman closed the hearing.

Upon motion of Mr. Beckman, seconded by Mr. Craig, the Board unanimously approved the 2021 budget and adopted Resolution No. 2020-11-03: Adopting Budget, Imposing Mill Levy and Appropriating Funds.

Discuss and Consider Bill.Com for Processing of Payment of Claims

Ms. Harland discussed with the Board the use of bill.com for processing the payment of District payables.

Upon motion of Mr. Beckman, seconded by Ms. Johnson, the Board unanimously approved the use of bill.com and directed Ms. Harland to proceed accordingly.

LEGAL MATTERS

Update Regarding District Website and Engagement of Heatherly Creative, LLC for Website Design Services

Ms. Tanaka noted that the Statewide Internet Portal Authority (“SIPA”) has been inundated with websites and has not yet created a website for the District. Ms. Tanaka presented the Board with a proposal from Heatherly Creative, LLC for website design services as an alternative. The initial cost to set up the website, including hosting services, is approximately \$2,200. Afterwards, the costs are minimal for any updates and maintenance.

Upon motion of Mr. Beckman, seconded by Mr. Craig, the Board unanimously approved the engagement of Heatherly Creative, LLC for website design services.

DEVELOPER MATTERS

Status of Owners’ Association for Development

Ms. Harris provided a brief update on this matter.

CONSTRUCTION MATTERS

Ms. Perhacs noted Bank of America is scheduled to open soon. Some paver replacements are in the works as well.

OTHER BUSINESS

Next Meeting

The next regular meeting is scheduled for July 21, 2021, 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.

Lisa A. Johnson

[Lisa A. Johnson \(Jul 22, 2021 15:45 MDT\)](#)

Secretary for the District