

## RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
GATEWAY AT PROSPECT METROPOLITAN DISTRICT NOS. 1-3 & 7  
(THE "DISTRICT")  
HELD  
NOVEMBER 13, 2020

A special meeting of the Board of Directors of the Gateway at Prospect Metropolitan District Nos. 1-3 & 7 (referred to hereafter as the "Board") was convened on Friday, November 13, 2020, at 10:30 a.m. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was held via Zoom. The meeting was open to the public.

### ATTENDANCE

Directors in Attendance Were:

James Birdsall, President  
Robert T. McKenna, Vice-President / Secretary/Treasurer  
Robert K. McKenna, Assistant Secretary  
Lincoln Samelson, Assistant Secretary  
Lindsey Samelson, Assistant Secretary

Also, In Attendance Were:

Robert Rogers, Esq.; White Bear Ankele Tanaka & Waldron P.C.  
Eve Velasco, Esq.; White Bear Ankele Tanaka & Waldron P.C.  
Lisa Johnson, CliftonLarsonAllen LLP-Management  
Christine Harwell and Gigi Pangindian; CliftonLarsonAllen LLP-Accounting

### ADMINISTRATIVE MATTERS

**Call to Order:** The Board meeting was called to order at 10:32 a.m.

**Declaration of Quorum:** The presence of a quorum was confirmed.

**Disclosure of Potential Conflicts of Interest:** Attorney Velasco advised the Board that, pursuant to Colorado law, certain disclosures may be required prior to taking official action at the meeting. Attorney Velasco confirmed that disclosures of conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting for those Directors with potential conflicts of interest. The Board reviewed the Agenda for the meeting, following which, Directors Birdsall, Robert T. McKenna, Robert K. McKenna, Lincoln Samelson and Lindsey Samelson each confirmed that they had no additional conflicts of interest in connection with any of the matters listed on the Agenda.

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**Agenda:** The Board reviewed the Agenda for the meeting. Following discussion, upon a motion duly made by Director Robert T. McKenna, seconded by Director Lindsey Samelson and, upon vote, unanimously carried, the Board approved the Agenda, as presented.

**PUBLIC COMMENT** None.

**CONSENT AGENDA** The Board considered the following actions:

- a) Minutes of the November 15, 2019 Special Meeting
- b) 2021 Annual Administration Resolution
- c) Resolution Declaring Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings
- d) Resolution Establishing an Electronic Signature
- e) Property and Liability Schedule and Limits and Renewal of Property and Insurance Liability Coverage

Following review and discussion, upon a motion duly made by Director Robert T. McKenna, seconded by Director Lindsey Samelson and, upon vote, unanimously carried, the Board approved items a through e, as listed above.

**LEGAL  
MATTERS**

**Possible 2021 Bond Issuance:** Attorney Rogers discussed a potential bond issuance in the 4<sup>th</sup> quarter of 2021. No action was taken at this time.

**SIPA Website Delays and Proposals for Other Website Creators:** Attorney Velasco presented options for creating a District website for posting meeting notices. Based on limited activity of the Districts in 2021, she recommended continuing to physically post notices in 2021 and revisit a website in 2022. The Board deferred action on a website at this time.

**Infrastructure Acquisition and Reimbursement Agreement with Fort Collins/I-25 Interchange Corner, LLC and Gateway at Prospect Apartments, LLC:** Attorney Rogers noted that the Agreement is still in the process of being finalized. Director Birdsall will work with legal counsel and the developer to finalize the Agreement and present it to the Board at a future meeting for consideration.

**FINANCIAL  
MATTERS**

**Public Hearing on 2021 Budgets:** Director Birdsall opened the public hearing to consider the proposed 2021 Budgets.

It was noted that Notice stating that the Board would consider adoption of the 2021 budgets and the date, time and place of the public hearing was published

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pursuant to statute. No written objections were received prior to the public hearing.

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

Ms. Harwell presented the 2021 Budgets to the Board.

Upon motion duly made by Director Robert T. McKenna, seconded by Director Lindsey Samelson and, upon vote, unanimously carried, the Board approved the 2021 Budgets, and considered adoption of Resolutions Adopting the 2021 Budgets, Appropriating Sums of Money, and Setting Mill Levies (0.000 mills for each District). The District Accountant was directed to transmit the Certification of Tax Levies to the Board of County Commissioners of Larimer County not later than December 15, 2020. District Management was directed to transmit the Certifications of Budgets to the Division of Local Government no later than January 30, 2021.

### **Ratification of Payables, Schedule of Cash Position, and Developer**

**Advances:** Ms. Harwell presented the payables, Schedule of Cash Position, and developer advance schedule to the Board. Following review and discussion, upon motion duly made by Director Robert T. McKenna, seconded by Director Lindsey Samelson and, upon vote, unanimously carried, the Board ratified acceptance of the payables, Schedule of Cash Position, and the developer advance schedule.

**Ratification of 2019 Audit Exemption Applications:** Ms. Harwell presented the 2019 audit exemption applications to the Board. Following review and discussion, upon motion duly made by Director Robert T. McKenna, seconded by Director Lindsey Samelson and, upon vote, unanimously carried, the Board ratified approval of the 2019 Audit Exemption Applications.

### **OTHER BUSINESS**

**Christine Harwell Retirement:** The Board thanked Ms. Harwell for her service to the Board and wished her well in her retirement.

**Next Regular Meeting:** The next regular meeting is scheduled for February 12, 2021 at 10:00 a.m.

### **ADJOURNMENT**

There being no further business to come before the Board at this time, the meeting was adjourned at 11:02 a.m.

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Respectfully submitted,

By \_\_\_\_\_  
Secretary for the Meeting