

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

THE PLAZA METROPOLITAN DISTRICT NO. 3

Held: Wednesday, November 14, 2018, at 4:00 p.m., at 464 South Teller Street, Lakewood, Colorado.

Attendance

The meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors were in attendance:

Mark Tompkins
Doug Wells
Lary Herkal
Louis Kolker
Michael Gifford

All director absences are deemed excused unless a contrary notation is recorded in these minutes.

Also present were: Kristin B. Tompkins, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; and Jason Carroll, CliftonLarsonAllen, LLP, District Accountant.

Call to Order

It was noted that a quorum of the Board was present and the meeting was called to order by Director Tompkins.

Conflict of Interest Disclosures

Ms. Tompkins advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Tompkins 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. Tompkins 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.

Agenda Ms. Tompkins presented the Board with the agenda for the meeting for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda.

Public Comment None.

Consent Agenda Following a summary by Ms. Tompkins, upon a motion duly made and seconded, the Board unanimously approved the items on the consent agenda.

1. Minutes from the November 15, 2017 regular meeting
2. 2017 Annual Report
3. 2019 Joint Annual Administrative Resolution
4. 2019 Property and Liability Schedule Limits, Renewal of SDA Membership and Agency Fee Agreement

Legal Matters

Consider Approval of Engagement Letter with White Bear Ankele Tanaka & Waldron, Attorneys at Law, for Legal Services

Ms. Tompkins reviewed the Engagement Letter with White Bear Ankele Tanaka & Waldron with the Board. Ms. Tompkins noted specifically that the arbitration provision had been revised to make it clear that arbitration applies to this engagement letter as well as any prior engagement with the District. Ms. Tompkins also noted and discussed the addition of the representative client list section. Ms. Tompkins stated that as she is not independent as to the engagement, the Board is advised to have separate legal counsel review the engagement letter. The Board declined to engage separate legal counsel to review the letter. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the engagement letter with White Bear Ankele Tanaka & Waldron.

Financial Matters

Conduct 2018 Budget Amendment Hearing and Consider Adoption of Resolution to Amend 2018 Budget

Director Tompkins opened the public hearing for the 2018 budget amendment. Ms. Tompkins noted that notice for the public hearing was made in accordance with the applicable Colorado statutes. No written objections were received prior to the public hearing. After no public comment was made, the public hearing was closed.

Mr. Carroll presented the Board with the 2018 budget amendment for consideration. Following discussion, upon a motion duly

made and seconded, the Board unanimously amended the 2018 Debt Service Fund to \$170,000.

Conduct 2019 Budget Hearing and Consider Adoption of Resolution to Adopt 2019 Budget and Set Mill Levy

Director Tompkins opened the public hearing for the 2019 budget. Ms. Tompkins noted that notice for the public hearing was made in accordance with the applicable Colorado statutes. No written objections were received prior to the public hearing. After no public comment was made, the public hearing was closed.

Mr. Carroll presented the proposed 2019 budget to the Board for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the budget and certified 25.416 mills to the Debt Service Fund.

The Board also directed legal counsel and the District's accountant to certify the mill levy by December 15, 2018, and to file the 2019 budgets by January 30, 2019.

Other Financial Matters

None.

Other Business

Update on Detention Pond Enhancement and City of Lakewood Neighborhood Participation Program

Director Wells informed the Board that they have been working with the City on the neighborhood grant, but that there are some issues with the plan for improvements that would likely mean they would not get the neighborhood grant this year. It was noted that the residents are working with the City and intend to continue pursuing the neighborhood grant. The City sees the project more as a maintenance project rather than an enhancement. No action was needed at this time.

Other Updates

None.

Next Meeting

The next regular meeting is scheduled for April 17, 2019.

Adjournment

There being no further business to come before the Board, and following discussion and upon motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

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

Secretary for the Meeting

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LARY J. HERKAL

Secretary for the Meeting






Plaza Minutes

Final Audit Report

2020-06-12

Created:	2020-06-12
By:	Maudie Johns (mjohns@wbapc.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAI6X28xQ1THnzjPXnEJzy67mw2XxZ9G-W

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2020-06-12 - 7:35:24 PM GMT- IP address: 50.209.233.181
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2020-06-12 - 7:41:26 PM GMT- IP address: 173.224.155.209
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