

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT

Held: Thursday, October 29, 2020, at 9:30 A.M. at 7887 E. Belleview Avenue, Suite 475, Denver, CO 8011

### Attendance

The special meeting of the Board of Directors of the Mile High Business Center Metropolitan District was called and held, as shown, in accordance with Colorado law. The following directors confirmed their qualification to serve on the Board:

Thomas Stahl  
John Lynass  
Mark Tekavec

Also present was: Michael Davis and Marisa Davis, Miller & Associates Law Offices, LLC; Kevin Collins and Janece Soendker, CliftonLarsonAllen, LLP; Matthew Chaiken.

### Call to Order

Mr. Davis noted that a quorum of the Board was present and the Directors confirmed their qualification to serve.

### Disclosure Matters

Mr. Davis advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which each Board member confirmed the contents of written disclosures previously made, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

Director Lynass disclosed his interests as an owner of property within the District; and the fact that he is an employee of Panattoni Development Company, Inc., which may participate in transactions with the District as the developer of property within the District, including an Advance and Reimbursement Agreement with the District. These disclosures are associated with items on the agenda that may affect Director Lynass's

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interests.

Director Stahl disclosed his interest in a contract to acquire an interest in a parcel of land within the District. These disclosures are associated with approval of items on the agenda that may affect Director Stahl's interests.

Director Tekavec disclosed his interest in a contract to acquire an interest in a parcel of land within the District. Director Tekavec further disclosed the fact that he is an employee and Vice President of property management for Colliers International who has a management agreement to provide services to the District including snow removal, landscaping, detention pond maintenance/compliance and other services. He further disclosed the fact that he directly managed the 5 Mile High industrial buildings and Mile High Owner's Association for Clarion Partners within the park. His employer Collins International earns management fees for these services though nor he or Collins International has any ownership interest.

Written disclosures of the interests of all of the directors were filed with the Secretary of State prior to the meeting.

Approval of Minutes – July 10, 2020

The minutes for the July 9, 2020 meeting were reviewed by the Board. Upon motion by Director Lynass and second by Director Stahl, the Board unanimously approved the minutes as presented.

Appointment of New Director to the Board

The Board considered the appointment of Mr. Matthew Chaiken to the Board. Upon a motion by Director Lynass and second by Stahl, the Board unanimously approved the appointment of Mr. Chaiken to the Board. Director Lynass administered Mr. Chaiken's oath.

Mr. Davis advised Mr. Chaiken that they were allowed to participate in Board discussions, but were not permitted to vote during this special Board meeting because conflicts of interest had not been filed for him 72 hours prior to the meeting time.

Public Hearing to Consider 2021 Budget

Mr. Davis presented a proposed budget for 2021. Mr. Davis noted that notice of the public hearing for the budget was posted in three locations within the boundaries of the District and otherwise published in accordance with Colorado law. Upon motion of Director Lynass and second by Director Stahl, Director Lynass opened the public hearing. No one providing any

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comments to the budget, upon motion by Director Lynass and second by Director Stahl, Director Lynass closed the hearing.

### Approval of 2021 Budget

Mr. Collins advised the Board of the details of the 2021 budget. Upon review and discussion and upon the motion of Director Lynass and second by Director Stahl, the Board unanimously approved the proposed budget for 2021, subject to receipt of the final assessed value of the District by the County Assessor, and appropriated the funds therefore. Pursuant to Colorado law, a mill levy of 26.391 mills will be certified for collection in 2021. The Board also authorized the execution of its budget resolution containing details of the Board action.

### Approval of 2021 Annual Administrative Resolution

The directors discussed various administrative matters to be determined by the Board on an annual basis in order to comply with Colorado law. Mr. Davis presented the Board with a resolution designating officers for the District and establishing director compensation, regular meeting dates, notice provisions and other administrative matters. Upon motion of Director Stahl and second by Director Lynass, the Board unanimously approved the annual administrative resolution.

### Consider Resolution Waiving Workers' Compensation Insurance for 2021

Mr. Davis presented to the Board the Resolution Waiving Workers' Compensation Insurance for 2021. Upon motion by Director Stahl and second by Director Lynass, the Board unanimously approved the resolution.

### Discussion Regarding Open Permits and Compliance Requirements Relating to Detention Ponds

The Board had a brief discussion regarding open permits and compliance requirements relating to detention ponds.

### Discussion Regarding Current District Boundaries

The Board had a brief discussion regarding current district boundaries.

### Discussion Regarding Landscaping Damage and Repairs

The Board had a brief discussion regarding landscaping damage and repairs.

### Schedule July Board Meeting to Approve 2020 Audit

This item was deferred.

### Other Business

There was no other business at this time.

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Adjournment

There being no further business to come before the Board, upon motion and second, the Board unanimously adjourned the meeting.

DocuSigned by:

*Mark Tekavec*

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Secretary for the District