

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
SW DOWNTOWN BUSINESS IMPROVEMENT DISTRICT
(THE "DISTRICT")
HELD
JULY 28, 2021

A special meeting of the Board of Directors of the SW Downtown Business Improvement District (referred to hereafter as the "Board") was convened on Wednesday, July 28, 2021, at 10:00 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 Microsoft Teams. The board and consultants were present at 111 S. Tejon Street, Suite 222, Colorado Springs, Colorado 80903 with all other attendees attending via telephone or video conference. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Chris Jenkins, President
David Jenkins, Secretary
Delroy Johnson, Treasurer

Absence Excused:

Jeffrey Finn, Assistant Secretary
Russell T. Tutt IV, Assistant Secretary

Also, In Attendance Were:

Russell W. Dykstra.; Spencer Fane, LLP.
Krista Baptist, & Carrie Bartow; CliftonLarsonAllen LLP
Robert Huls; Nor'Wood Development Group
Whitley Crow, Nor' Wood Development Group

ADMINISTRATIVE MATTERS

Call to Order and Approve Agenda: Director Chris Jenkins called the meeting to order at 10:01 a.m.

Following discussion, upon a motion duly made by Director D. Jenkins seconded by Director C. Jenkins and, upon vote, unanimously carried, the Board approved the agenda, as amended to include item V.B. Discussion regarding the District Name Change, and item V.C. Discussion Regarding the Parking Lot Lease.

Declaration of Quorum/Director Qualifications/Disclosure Items: Mr. Dykstra discussed the state law requirements for disclosure of potential conflicts of interest with the directors, noting that completed disclosure statements had been filed for each of the Directors with the Secretary of State at least three

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days prior to the meeting. In addition, Mr. Dykstra noted that each director is to verbally reveal his/her potential conflicts of interest to the Board prior to beginning the discussion in which a conflict may arise.

Community Comments: None.

FINANCIAL MATTERS

June 30, 2021 Unaudited Financial Statements: Ms. Bartow presented the financial statements to the Board. Following discussion, upon a motion duly made by Director D. Jenkins, seconded by Director Johnson and, upon vote, unanimously carried, the Board accepted the June 30, 2021 Unaudited Financial Statements.

Payment of Claims: Ms. Bartow presented the claims to the Board. Following discussion, upon a motion duly made by Director C. Jenkins, seconded by Director Johnson and, upon vote, unanimously carried, the Board approved the payment of claims.

LEGAL MATTERS

Acceptance of Public Improvements: Mr. Dykstra presented the cost certification to the Board Following discussion, upon a motion duly made by Director Finn, seconded by Director Johnson and, upon vote, unanimously carried, the Board approved the cost certification and acceptance of public improvements.

Service Agreement with Kings III of America: Ms. Crow presented the Service Agreement to the Board. Following discussion, upon a motion duly made by Director C. Jenkins, seconded by Director D. Jenkins and, upon vote, unanimously carried, the Board approved the Service Agreement with Kings III of America.

West Landing Easement Agreement: Mr. Dykstra presented the easement agreement to the Board. Following discussion, upon a motion duly made by Director Johnson, seconded by Director D. Jenkins and, upon vote, unanimously carried, the Board approved the West Landing Easement Agreement subject to final legal review.

Greater Downtown Colorado Springs Business Improvement District Memorandum of Understanding: Ms. Crow presented the Memorandum of Understanding to the Board Following discussion, upon a motion duly made by Director Johnson, seconded by Director D. Jenkins and, upon vote, unanimously carried, the Board approved the Greater Downtown Colorado Springs Business Improvement District Memorandum of Understanding.

United Olympic and Paralympic Museum Access Agreement: Mr. Dykstra presented the access agreement to the Board. Following discussion, upon a motion duly made by Director Johnson, seconded by Director D. Jenkins and,

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upon vote, unanimously carried, the Board approved the United Olympic and Paralympic Museum Access Agreement subject to final legal review.

MANAGER MATTERS

Other: None.

OTHER BUSINESS

Confirm Quorum for the Next Regular Meeting: Mr. Miller noted that District Management would reach out to confirm quorum as necessary.

District Name Change Following discussion, upon a motion duly made by Director Johnson, seconded by Director D. Jenkins and, upon vote, unanimously carried, the Board approved the District name change to Park Union Business Improvement District.

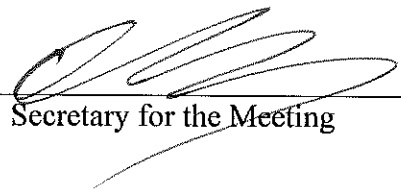
Parking Lot Lease: Mr. Huls reviewed the parking lot lease with the Board. Following discussion, upon a motion duly made by Director Johnson, seconded by Director D. Jenkins and, upon vote, unanimously carried, the Board approved the Parking Lot Lease subject to final review by legal, accounting, and the Director C. Jenkins.

ADJOURNMENT

There being no further business to come before the Board the meeting was adjourned the meeting at 10:17 a.m.

Respectfully submitted,

By


Secretary for the Meeting