

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
SW DOWNTOWN BUSINESS IMPROVEMENT DISTRICT
(THE "DISTRICT")
HELD
SEPTEMBER 22, 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, September 22, 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 meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

David Jenkins, Secretary
Delroy Johnson, Treasurer
Russell T. Tutt IV, Assistant Secretary

Absence Excused:

Jeffrey Finn, Assistant Secretary
Chris Jenkins, President

Also, In Attendance Were:

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

ADMINISTRATIVE MATTERS

Call to Order and Approve Agenda: Director D. Jenkins called the meeting to order at 10:03 a.m. and excused the absence of Director C. Jenkins and Director Finn.

Following discussion, upon a motion duly made by Director Tutt seconded by Director Johnson and, upon vote, unanimously carried, the Board approved the agenda, as amended to include the Service Level Agreement with the City of Colorado Spring.

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 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.

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Community Comments: None.

July 14, 2021 & July 28, 2021 Meeting Minutes: Following discussion, upon a motion duly made by Director D. Jenkins, seconded by Director Johnson and, upon vote, unanimously carried, the Board approved the July 14, 2021 and July 28, 2021 meeting minutes as presented.

FINANCIAL MATTERS

Cash Position and PTax Schedules: Ms. Bartow presented the Cash Position and PTax Schedules 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 Cash Position and PTax Schedules.

Payment of Claims: Ms. Bartow presented the claims 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 approved the payment of claims in the amount of \$60,449.30.

LEGAL MATTERS

Acceptance of Public Improvements: Mr. Dykstra presented the cost certification 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 cost certification and accepted the public improvements.

Status of District Easements: Mr. Huls provided an update on District easements.

2022 Operating Plan: Mr. Dykstra provided an update regarding the 2022 Operating Plan.

District Name Change: Mr. Dykstra provided an update regarding the District name change.

MANAGER MATTERS

Service Agreement with MEI Total Elevator Solutions: Following discussion, upon a motion duly made by Director D. Jenkins, seconded by Director Johnson and, upon vote, unanimously carried, the Board approved the Service Agreement with MEI Total Elevator Solutions.

Grounds and Facilities Maintenance Engineer Job Posting: Following discussion, upon a motion duly made by Director D. Jenkins, seconded by Director Johnson and, upon vote, unanimously carried, the Board approved the Grounds and Facilities Maintenance Engineer Job Posting subject to additional language requested and final legal review.

OTHER BUSINESS

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

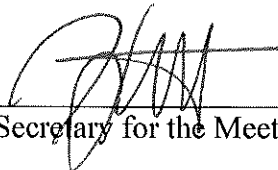
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ADJOURNMENT

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

Respectfully submitted,

By


Secretary for the Meeting

