

LORETTO HEIGHTS COMMUNITY AUTHORITY
(“AUTHORITY”)

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<https://lorettoheightscommunityauthority.com/>

NOTICE OF REGULAR MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Expiration:</u>
Mark J. Witkiewicz , (LHMD 1)	President	May 3, 2025
Andrew R. Klein , (LHMD 2)	Assistant Secretary	May 3, 2025
Paige C. Langley , (LHMD 3)	Assistant Secretary	May 4, 2027
VACANT		May 4, 2027
Peggy Ripko	Secretary	

DATE: August 28, 2023

TIME: 2:00 p.m.

PLACE: **Zoom Meeting: This meeting will be held via Zoom without any individuals (neither District representatives nor the general public) attending in person. The meeting can be joined through the directions below:**

Zoom information:

<https://us02web.zoom.us/j/86267550643?pwd=V3RnRGRTWkRyUjZzZc1VMWTJFZjFHdz09>

Meeting ID: 862 6755 0643

Passcode: 987572

I. ADMINISTRATIVE MATTERS

A. Present disclosures of potential conflicts of interest.

B. Confirm quorum; confirm location of meeting and posting of meeting notice and approve agenda.

C. Review and consider approval of the July 24, 2023 regular meeting minutes (enclosure).

- D. Acknowledge resignation of Otis C. Moore, III from the Board of Directors (enclosure).
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- E. Acknowledge appointment of representative Board Member from Loretto Heights Metropolitan District No. 4.
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- E. Consider appointment of Officers:

President _____
Treasurer _____
Secretary _____
Asst. Secretary _____
Asst. Secretary _____
Asst. Secretary _____

- F. Discuss Director Fees.
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II. PUBLIC COMMENTS

- A. Members of the public may express their views to the Board on matters that affect the Authority that are not otherwise on the agenda. Comments will be limited to three (3) minutes.
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III. FINANCIAL MATTERS

- A. Review and accept the Schedule of Cash Position for the period ending _____, 2023, updated as of _____, 2023 (to be distributed).
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IV. CAPITAL/CONSTRUCTION MATTERS

- A. Review and consider approval of Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 16, dated _____, 2023, prepared by Schedio Group LLC, for the amount of \$_____ ("Report No. 16") (to be distributed).
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- B. Consider acceptance of verified public improvement costs pursuant to Report No. 16.
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- C. Consider acknowledgment of reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VILLC under the Facilities Funding and Acquisition Agreement between Loretto Heights Metropolitan District No. 1 and ACM Loretto VILLC, pursuant to Report No. 16.
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V. LEGAL MATTERS

- A. _____

VI. OTHER BUSINESS

- A. _____

- VII. ADJOURNMENT **THE NEXT REGULAR MEETING IS SCHEDULED FOR SEPTEMBER 25, 2023.**

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS COMMUNITY AUTHORITY HELD JULY 24, 2023

A Regular Meeting of the Board of Directors of the Loretto Heights Community Authority (referred to hereafter as “Board”) was convened on Monday, July 24, 2023, at 2:00 p.m. The Authority Board meeting was held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Mark J. Witkiewicz, representing Loretto Heights MD No. 1
Paige Langley, representing Loretto Heights MD No. 3
Andrew Klein, representing Loretto Heights MD No. 2

Also In Attendance Were:

Peggy Ripko; Special District Management Services, Inc.

Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

Ted Laudick; Silverbluff Companies, Inc.

Megan Waldschmidt; Westside Investment Partners, Inc.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. Attorney Hoistad noted that Directors’ Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

RECORD OF PROCEEDINGS

ADMINISTRATIVE MATTERS

Agenda: Ms. Ripko distributed for the Board's review and approval a proposed Agenda for the Authority's Regular Meeting.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the Agenda was approved, as presented.

Meeting Location/Manner and Posting of Meeting Notice: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the Authority's Board meeting. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the Authority's Service Area.

Minutes: The Board reviewed the minutes of the May 22, 2023 regular Meeting.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the minutes of the May 22, 2023 Regular Meeting was approved.

Resignation of Secretary: The Board discussed the resignation of Ann E. Finn as Secretary to the Board and considered the appointment of Peggy Ripko as Secretary to the Board.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the Board acknowledged the resignation of Ann E. Finn and appointed Peggy Ripko as Secretary to the Board.

PUBLIC COMMENT

There were no public comments.

FINANCIAL MATTERS

Cash Position Statements: Ms. Ross reviewed with the Board the schedule of cash position statements for the period ending June 30, 2023, updated as of July 18, 2023.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the Board accepted the schedule of cash position statements.

CAPITAL/ CONSTRUCTION/ MATTERS

Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 15: The Board discussed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 15 ("Report No. 15"), dated July 24, 2023, prepared by Schedio Group LLC, for the amount of \$93,368.51.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved Report No. 15.

Verified Public Improvement Costs Pursuant to Report No. 15: The Board discussed the verified public improvement costs pursuant to Report No. 15.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board accepted the verified public improvement costs pursuant to Report No. 15.

Reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC under the Facilities Funding and Acquisition Agreement between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LLC, pursuant to Report No. 15: The Board discussed the reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC under the Facilities Funding and Acquisition Agreement between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LLC, pursuant to Report No. 15.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley and upon vote, unanimously carried, the Board acknowledged the reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC under the Facilities Funding and Acquisition Agreement between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LLC, pursuant to Report No. 15.

Requisitions under the Loretto Heights Community Authority's Special Revenue Bonds, Series 2021⁽³⁾: The Board discussed ratifying the approval of Requisitions under the Loretto Heights Community Authority's Special Revenue Bonds, Series 2021⁽³⁾.

RECORD OF PROCEEDINGS

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley and upon vote, unanimously carried, the Board ratified approval of project fund requisitions to reimburse THB Loretto Land for costs verified pursuant to Report No. 15.

LEGAL MATTERS

There were no legal matters at this time.

OTHER BUSINESS

There was no other business at this time.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Langley, seconded by Director Witkiewicz and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: _____
Secretary for the Meeting

Date: July 26, 2023

I, Otis C. Moore III, hereby resign from the following Boards of Directors, effective as of the date written above:

- Bristol Metropolitan District
- Sky Dance Metropolitan District Nos. 1 and 2
- Lake Bluff Metropolitan District Nos. 1, 2 and 3
- Loretto Heights Metropolitan Districts Nos. 1 through 5 and Loretto Heights Programming Metropolitan District
- Loretto Heights Community Authority Board
- Colorado International Center Metropolitan District Nos. 4, 5, 6, 8, 9, 10, 13 and 14
- Colorado Crossing Metropolitan District Nos. 1, 2 and 3
- Denver High Point at DIA Metropolitan District
- City Center West Commercial Metropolitan District
- City Center West Residential Metropolitan District
- Bristol Metropolitan District

Signed:

A handwritten signature in black ink, appearing to read "Otis C. Moore III", written over a horizontal line.

Otis C. Moore, III