

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>Term/Expiration:</u>
Mark J. Witkiewicz (LHMD 1)	President	2025/May 2025
Andrew R. Klein (LHMD 2)	Assistant Secretary	2025/May 2025
Paige C. Langley (LHMD 3)	Treasurer	2027/May 2027
Megan Waldschmidt (LHMD 4)	Assistant Secretary	2025/May 2025
Peggy Ripko	Secretary	

DATE: July 22, 2024

TIME: 2:00 p.m.

PLACE: Zoom Meeting: The meeting can be joined through the directions below. *
** Individuals requiring special accommodation to attend and/or participate in the meeting please advise the District Manager (pripko@sdmsi.com or 303-987-0835) of their specific need(s) before the meeting.*

<https://us02web.zoom.us/j/86267550643?pwd=V3RnRGRtWkRyUlZzc1VMWTJFZjFHdz09>

Meeting ID: 862 6755 0643

Passcode: 987572

Dial In: 1-719-359-4580

I. ADMINISTRATIVE MATTERS

A. Present disclosures of potential conflicts of interest.

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

C. Review and consider approval of minutes of the June 3, 2024 Special Meeting (enclosure).

D. Discuss Authority website accessibility matters and authorize necessary actions in connection therewith.

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 Unaudited Financial Statements and the Schedule of Cash Position for the period ending June 30, 2024 updated as of July 16, 2024 (enclosure).
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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. 24, prepared by Schedio Group LLC ("Report No. 24") (to be distributed).
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- B. Discuss and consider acceptance of verified public improvement costs pursuant to Report No. 24.
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- C. Discuss and consider acknowledgement of 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. 24.
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- D. Discuss and consider acknowledgement of payment by Loretto Heights Metropolitan District No. 1 to Westside Property Investment Company, Inc. ("Westside") under the Project Management Services Agreement between Loretto Heights Metropolitan District No. 1 and Westside, pursuant to Report No. 24.
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V. LEGAL MATTERS

- A. _____

VI. OTHER BUSINESS

- A. _____

VII. ADJOURNMENT **THE NEXT REGULAR MEETING IS SCHEDULED FOR AUGUST 26, 2024.**

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS COMMUNITY AUTHORITY (“Authority”) HELD JUNE 3, 2024

A Special Meeting of the Board of Directors of the Loretto Heights Community Authority (referred to hereafter as “Board”) was convened on Monday, June 3, 2024, at 2:00 p.m. The 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 C. Langley, representing Loretto Heights MD No. 3
Megan Waldschmidt, representing Loretto Heights MD No. 4

Also In Attendance Were:

Peggy Ripko; Special District Management Services, Inc.

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

Lindsay Ross; CliftonLarsonAllen LLP (“CLA”)

Blake Amen; Loretto Heights Metropolitan District Nos. 1-5 and Loretto Heights Programming Metropolitan District

ADMINISTRATIVE MATTERS

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.

Quorum /Meeting Location and Posting of Meeting Notice: Ms. Ripko confirmed the presence of a quorum. The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the

RECORD OF PROCEEDINGS

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.

Agenda / Director Absence: Ms. Ripko distributed for the Board's review and approval a proposed Agenda for the Authority's Special Meeting.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Waldschmidt and, upon vote, unanimously carried, the Agenda was approved, and the absence of Director Andrew R. Klein was excused.

Minutes: The Board reviewed the Minutes of the April 22, 2024 Regular Meeting.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Waldschmidt and, upon vote, unanimously carried, the Minutes of the April 22, 2024 Regular Meeting were approved.

PUBLIC COMMENT

There were no public comments.

FINANCIAL MATTERS

Unaudited Financial Statements / Schedule of Cash Position: There were no financial statements or schedule of cash position presented for review.

2023 Audit: Ms. Ross reviewed with the Board the draft 2023 Audit.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Waldschmidt, and upon vote, unanimously carried, the Board approved the 2023 Audit and authorized execution of the Representations Letter, subject to final legal review.

CAPITAL/ CONSTRUCTION/ MATTERS

Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 24 ("Report No. 24"): There was no report presented for review.

RECORD OF PROCEEDINGS

Acceptance of Verified Public Improvement Costs Pursuant to Report No. 24: The Board deferred discussion.

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. 24: The Board deferred discussion.

Payment by Loretto Heights Metropolitan District No. 1 to Westside Property Investment Company, Inc. (“Westside”) under the Project Management Services Agreement between Loretto Heights Metropolitan District No. 1 and Westside, pursuant to Report No. 24: The Board deferred discussion.

LEGAL MATTERS

Attorney Becher informed the Board that UMB Bank was directed to proceed with the transfer of funds under the ICS network agreements.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

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

Respectfully submitted,

By: _____
Secretary for the Meeting

Schedule of Cash Position
June 30, 2024
Updated as of July 16, 2024

	<u>Debt Service Fund</u>	<u>Capital Project Fund</u>	<u>Total</u>
<u>UMB - Bond Fund - 155994.1</u>			
Balance as of 06/30/24	223,811.18	-	223,811.18
<i>Anticipated Balance</i>	223,811.18	-	223,811.18
<u>UMB - Project Fund - 155994.2</u>			
Balance as of 06/30/24	\$ -	\$ 18,359,829.64	\$ 18,359,829.64
Subsequent activities:			
07/03/24 Requisition No. 107 LHMD1	-	(33,958.54)	(33,958.54)
<i>Anticipated Activities</i>			
Requisition No. 108 LHMD1	-	(8,811.78)	(8,811.78)
<i>Anticipated Balance</i>	-	18,325,871.10	18,325,871.10
Anticipated Balances	\$ 223,811.18	\$ 18,325,871.10	\$ 18,549,682.28

Monthly Yield Information

UMB APY as of 6/30/24 5.33%

*Accounts with zero balance not shown