

MINUTES OF AN ORGANIZATIONAL MEETING OF THE  
BOARD OF DIRECTORS

OF

FALCON FIELD METROPOLITAN DISTRICT

Held: Monday, June 8, 2020, at 9:00 A.M., Conducted  
Telephonically.

Due to the Executive Order issued by Governor Polis on April 26, 2020, requiring all residents of the State of Colorado to stay-at-home to minimize the spread and impact of COVID-19, and the Updated Public Health Order 20-28 implementing the Executive Order, issued by the Colorado Department of Health and Environment (CDPHE) on April 26, 2020, the meeting was held via teleconference.

**ATTENDANCE**

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

James Berger  
Michael Berger  
P.J. Anderson

Director Winnette Berger and Director Gayelynn Berger were absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were: George Rowley, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel;

**ADMINISTRATIVE  
MATTERS**

Call to Order and  
Confirmation of Quorum

Mr. Rowley noted that a quorum of the Board was present, and, therefore, the meeting was called to order. In light of state stay-home order and risks of COVID 19 considered by the Board members, Director's electronic participation was deemed sufficient for quorum purposes. It was noted that the Zoom hyperlink and call-in #s were included on the agenda during the meeting posting process, so that the public had the opportunity to participate electronically if they desired.

Declaration of Quorum and  
Confirmation of Director  
Qualifications

Mr. Rowley noted that a quorum for the Board was present and that the directors had confirmed their qualification to serve.

Reaffirmation of Disclosures  
of Potential or Existing

Mr. Rowley advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official

Conflicts of Interest

action at the meeting. Mr. Rowley reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State’s Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Rowley inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Board determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda

Mr. Rowley presented the Board with the proposed agenda for the meeting. Following discussion, upon a motion duly made and seconded, the Board approved the Agenda.

**DIRECTOR MATTERS**

Election of Officers

Mr. Rowley noted the need to elect a President, Treasurer and a Secretary to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously elected the following officers:

- President: P.J. Anderson
- Vice President: Michael Berger
- Secretary/Treasurer: James Berger
- Assistant Secretary: Winnette Berger
- Assistant Secretary: Gayelynn Berger
- Recording Secretary: Legal Counsel

**PUBLIC COMMENT**

None.

**CONSENT AGENDA**

The Board was presented with the consent agenda items. Upon motion of Mr. Anderson, seconded by Mr. Berger, the Board unanimously took the following actions:

- a. Administrative Matters
  - i. Adoption of Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings
  - ii. Adoption of Resolution Providing for the Defense and Indemnification of Directors and Employees of the District
  - iii. Adoption of Resolution Concerning Colorado Special District Records Retention Schedule
  - iv. Adoption of Resolution Concerning Public Records Request Policy
  - v. Adoption of Resolution Concerning Personal Data Privacy Policy
  - vi. Approval of Eligible Governmental Entity Agreement with SIPA

- vii. Acknowledge Recording of Special District Public Disclosure Documents as required by § 32-1-104.8, C.R.S.
- viii. Consider Approval of Execution of (1) Form SS-4 Application for Federal Employer Identification Number; (2) Application for Colorado Sales Tax Exemption Number; and (3) Application for Assignment of PDPA Numbers

## LEGAL MATTERS

Adoption of 2020 Annual Administrative Resolution Mr. Rowley presented the 2020 Annual Administrative Resolution to the Board for review. Following the discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Adoption of Resolution Designating the Location of Regular Meetings Outside the District's Boundaries Mr. Rowley presented the Resolution Designating the Location of Regular Meetings Outside the District's Boundaries to the Board for review. Following the discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Adoption of Resolution Concerning Authorization for Approval of Contracts and Payments of Claims Mr. Rowley presented the Resolution Concerning Authorization for Approval of Contracts and Payments of Claims to the Board for review. Following the discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Adoption of Resolution Designating the Districts' 24 Hour Posting Location Mr. Rowley presented the Resolution Designating the Districts' 24 Hour Posting Location to the Board for review. Following the discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Consider Adoption of Resolution Authorizing an Electronic Signature Policy Mr. Rowley presented the Resolution Authorizing an Electronic Signature Policy to the Board for review. Following the discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Approval of Funding and Reimbursement Agreement (Operations and Maintenance) with Falcon Field, LLC Mr. Rowley presented the Funding and Reimbursement Agreement with Falcon Field, LLC to the Board to review. Following the discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement.

Approval of Public Improvements Acquisition and Reimbursement Agreement with Falcon Field, LLC Mr. Rowley presented the Public Improvements Acquisition and Reimbursement Agreement with Falcon Field, LLC to the Board to review. Following the discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement.

## **CONSULTANT MATTERS**

Approval of Engagement of WHITE BEAR ANKELE TANAKA & WALDRON as General Counsel Mr. Rowley presented the Engagement Letter of WHITE BEAR ANKELE TANAKA & WALDRON as General Counsel to the Board for review. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the engagement.

Discussion Regarding Accounting Services The Board engaged in general discussion regarding engaging in accounting services. It was noted that the Board would discuss more at a future meeting. No further action was taken.

## **FINANCIAL MATTERS**

Public Hearing on 2020 Budget and Adoption of Resolution Adopting Budget, Imposing Mill Levy and Appropriating Funds Mr. Anderson opened the public hearing on the 2020 budget. Mr. Rowley noted that the notice of the budget hearing was provided in accordance with Colorado law and that no objections were received prior to the hearing. Mr. Anderson reviewed the 2020 budget with the Board. There being no public present, Mr. Anderson closed the public hearing.

Mr. Rowley reviewed the 2020 Budget Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolutions adopting the 2020 Budget, appropriating funds therefor and certifying 0.000 mills for the general fund, 0.000 mills for the debt service fund, and 0.000 mills for the contractual obligation expenses fund.

Approval of Opening of Checking Account and Authorize Signers on the Accounts The Board tabled this item.

## **INSURANCE MATTERS**

SDA Membership and Intergovernmental Agreement with Colorado Special Districts Property and Liability Pool Mr. Rowley presented the Board with the SDA Membership application, the Intergovernmental Agreement with the Colorado Special Districts Property and Liability Pool. Mr. Rowley noted that the insurance includes general liability coverage, public officials' liability coverage, non-owned/hired auto liability, hired auto physical damage and comprehensive crime coverage. Because the District does not currently own any property, property liability coverage is not yet included. Mr. Rowley noted that, in order to obtain insurance through the Pool, membership through the Special District Association is required. Following discussion, upon motion duly made and seconded, the Board approved the insurance matters.

Agency Fee Agreement with Mr. Rowley presented the Board with an Agency Fee Agreement

T. Charles Wilson for Insurance Broker Services with T. Charles Wilson for Insurance Broker Services and noted that the annual agency fee for 2020 is estimated to be \$495. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement.

**OTHER BUSINESS**


Next Meeting Date

The Board agreed to discuss the end of year meeting as it got closer.

**ADJOURNMENT**

There being no further business to be conducted, the meeting was adjourned.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

  
[p.j. anderson \(Jan 28, 2021 13:59 MST\)](#)  
Secretary for the Meeting