

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF MARKETPLACE METROPOLITAN DISTRICT

HELD  
May 14, 2024

The Special Meeting of Marketplace Metropolitan District was held via Zoom and Teleconference on Tuesday, May 14, 2024, at 10:00 a.m.

### ATTENDANCE

#### Directors in Attendance:

Aaron Grant  
Doug Grant  
JoAnna Grant

#### Also in Attendance:

George Rowley, and Marissa Peck; White Bear Ankele Tanaka & Waldron, P.C.  
Kevin Mitts, Jason Woolard, and Tracie Kaminski; Pinnacle Consulting Group, Inc.

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### ADMINISTRATIVE ITEMS

Call to Order: The Special Meeting of the Board of Directors of the Marketplace Metropolitan District was called to order by Mr. Mitts at 10:06 a.m.

Declaration of Quorum/Director Qualifications/Disclosure of Potential Conflicts of Interest: Mr. Rowley noted that a quorum was present, with three out of three Directors in attendance. All Board Members confirmed their qualifications to serve on the Board. Mr. Rowley advised the Board that pursuant to Colorado law, certain disclosures by Board Members might be required prior to taking official action at a meeting. Mr. Rowley reported that disclosures for those Board Members who provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest, if any, were filed with the Colorado 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 regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda: The Board considered the approval of the agenda. Following review and discussion, upon a motion duly made by Director

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Aaron Grant, seconded by Director Doug Grant, and upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda, as presented.

Public Comment: There were no Public Comments received.

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## CONSENT AGENDA

Mr. Mitts reviewed the items on the consent agenda with the Board. Mr. Mitts advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any Director. No items were requested to be removed from the consent agenda. Upon a motion duly made by Director Doug Grant, Seconded by Director JoAnna Grant, the following items on the consent agenda were unanimously approved, ratified, and adopted:

A. Minutes – February 5, 2024, Special Meeting.

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## CONSTRUCTION MATTERS

Status of Development Within District: Director Aaron Grant discussed the Status of Development within the District with the Board and directed District staff to add Construction Matters to future Board meeting agendas.

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## MANAGEMENT MATTERS

Independent Contractor Agreement with Pinnacle Consulting Group, Inc.: Mr. Woolard presented the Independent Contractor Agreement with Pinnacle Consulting Group, Inc. to the Board and answered questions. Following review and discussion, upon a motion duly made by Director Aaron Grant, seconded by Director Doug Grant, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Independent Contractor Agreement with Pinnacle Consulting Group, Inc., as presented.

Snow Removal Maintenance Responsibilities: Ms. Peck discussed Snow Removal Maintenance Responsibilities with the Board and answered questions. Director Doug Grant requested the City be responsible for snow removal throughout the District.

Manager's Report: Mr. Mitts and Ms. Kaminski presented the District Manager's Report to the Board and answered questions.

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### LEGAL MATERS

Amended 2024 Annual Administrative Resolution: Ms. Peck presented the Amended 2024 Annual Administrative Resolution to the Board and answered questions. Following review and discussion, upon a motion duly made by Director Aaron Grant, seconded by Director Doug Grant, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Amended 2024 Annual Administrative Resolution, as presented.

Amended 2024 Resolution Designating Meeting Notice Posting Location: Ms. Peck presented the Amended 2024 Resolution Designating Meeting Notice Posting Location to the Board and answered questions. Following review and discussion, upon a motion duly made by Director Aaron Grant, seconded by Director Doug Grant, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Amended 2024 Resolution Designating Meeting Notice Location, as presented.

Amended Resolution Regarding the Imposition of District Fees, Rates, Tolls, Penalties, and Charges: Ms. Peck presented the Amended Resolution Regarding the Imposition of District Fees, Rates, Tolls, Penalties, and Charges to the Board and answered questions. Ms. Kaminski requested the Board consider establishing procedures for District fee billings annually. Mr. Woolard requested the Board consider collecting past-due fees from certain business only and omit charges for late fees and interest. Following review and discussion, upon a motion duly made by Director Aaron Grant, seconded by Director Doug Grant, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Amended Resolution Regarding the Imposition of District Fees, Rates, Tolls, Penalties, and Charges, subject to final review by Director Aaron Grant, legal counsel and the District accountant..

Resolution Calling Election: Mr. Rowley presented the Resolution Calling Election to the Board and answered questions. Mr. Rowley discussed the need to increase the District debt limit to better align with current market conditions. Following review and discussion, upon a motion duly made by Director Aaron Grant, seconded by Director Doug Grant, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolution Calling Election following review and approval by legal counsel and Director Aaron Grant.

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Implementation of Accessibility Standards for Individuals with a Disability for Information Technology Systems Employed by the District: Ms. Peck discussed the Implementation of Accessibility Standards for Individuals with a Disability for Information Technology Systems Employed by the District with the Board and answered questions.

Resolution Adopting a Digital Accessibility Policy: Ms. Peck presented the Resolution Adopting a Digital Accessibility Policy to the Board and answered questions. Following review and discussion, upon a motion duly made by Director Aaron Grant, seconded by Director JoAnna Grant, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolution Adopting a Digital Accessibility Policy, identifying Pinnacle Consulting Group, Inc. as the District's Compliance Officer.

OTHER  
BUSINESS

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There was no Other Business to come before the Board.

ADJOURNMENT

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There being no further business to come before the Board, upon motion duly made by Director Aaron Grant, seconded by Director JoAnna Grant, and upon unanimous vote, the meeting was adjourned at 10:55 a.m.

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

Respectfully submitted,

*Andrew Kunkel*

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Andrew Kunkel, Recording Secretary for the Meeting