

# BELLEVIEW PLACE METROPOLITAN DISTRICT

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<https://bellevueplacemd.colorado.gov/>

## **NOTICE OF SPECIAL MEETING AND AGENDA**

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Eric Dome	President	2022/May 2022
Brian Mulqueen	Treasurer	2022/May 2022
Cynthia Myers	Secretary	2023/May 2023
James Dickerson	Assistant Secretary	2023/May 2022
<b>VACANT</b>		2022/May 2022

DATE: February 17, 2021

TIME: 6:00 P.M.

**PLACE:** 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 WILL BE HELD BY TELECONFERENCE VIA ZOOM WITHOUT ANY INDIVIDUALS (NEITHER DISTRICT REPRESENTATIVES NOR THE GENERAL PUBLIC) ATTENDING IN PERSON. IF YOU WOULD LIKE TO ATTEND THIS MEETING, PLEASE USE THE ZOOM INFORMATION BELOW. *Please email Peggy Ripko if there are any issues (pripko@sdmsi.com).*

Join Zoom Meeting

<https://us02web.zoom.us/j/86371770709?pwd=c0o5cUFiRHJocDY2VGswcjNhZ01UZz09>

Meeting ID: 863 7177 0709

Passcode: 616543

Dial In: 1-253-215-8782

### I. ADMINISTRATIVE MATTERS

A. Confirm Quorum. Present Disclosures of Potential Conflicts of Interest.

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B. Approve Agenda; confirm location of the meeting and posting of meeting notice and designate 24-hour posting location.

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C. Review and consider approval of October 21, 2020 Special Meeting minutes (enclosure).

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D. Discuss Board Vacancy.

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II. PUBLIC COMMENT

A. \_\_\_\_\_

III. FINANCIAL MATTERS

A. Review and ratify approval of the payment of claims represented by check nos. 1060 through 1074, in the amount of \$41,401.03 (enclosure).

\_\_\_\_\_

B. Review and accept unaudited financial statements through the period ending December 31, 2020 (to be distributed).

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C. Ratify engagement of Auditor to perform the 2020 Audit (to be distributed).

\_\_\_\_\_

IV. LEGAL MATTERS

A. Ratify approval of Service Agreement for 2020/2021 Snow Removal Services between the District and CoCal Landscape Services, Inc.

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B. Ratify engagement of Moeller Graf, P.C. for covenant enforcement/fee collection legal services.

\_\_\_\_\_

C. Discuss status of Service Agreement for landscape maintenance services.

\_\_\_\_\_

D. Discuss and consider adoption of Resolution Regarding Parking Rules and Regulations (to be distributed).

\_\_\_\_\_

E. Discuss and consider approval of Second Amendment to Facilities Acquisition Agreement between the District and Century at Belleview Place, LLC (to be distributed).

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V. COVENANT ENFORCEMENT / DESIGN REVIEW

A. Community Manager's Report.

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B. Discuss status of operations and maintenance map.

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VI. CONSTRUCTION MATTERS

A. Discuss 2020 development / construction outlook.

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VII. OTHER MATTERS

A. \_\_\_\_\_

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VIII. ADJOURNMENT: **THE NEXT REGULAR MEETING IS SCHEDULED FOR  
MAY 19, 2021.**

# RECORD OF PROCEEDINGS

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## MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE BELLEVIEW PLACE METROPOLITAN DISTRICT (THE “DISTRICT”) HELD OCTOBER 21, 2020

A special meeting of the Board of Directors of the Belleview Place Metropolitan District (referred to hereafter as the “Board”) was convened on Thursday, October 21, 2020, at 6:00 p.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 by teleconference via Zoom. The meeting was open to the public via teleconference.

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**Directors in Attendance Were:**

Eric Dome  
Brian Mulqueen  
Cynthia Myers  
James Dickerson

**Also, In Attendance Were:**

Peggy Ripko; Special District Management Services, Inc. (“SDMS”)

Elisabeth A. Cortese, Esq.; McGeady Becher P.C.

Diane Wheeler; Simmons & Wheeler, P.C.

Brenda Owings; Century Communities

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**DISCLOSURE OF  
POTENTIAL  
CONFLICTS OF  
INTEREST**

Ms. Ripko noted a quorum was present and discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to 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 statute. It was noted by Attorney Cortese that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors.

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**ADMINISTRATIVE  
MATTERS**

**Agenda:** Ms. Ripko reviewed with the Board a proposed Agenda for the District's Special Meeting.

## RECORD OF PROCEEDINGS

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Following discussion, upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, the Board approved the Agenda, as amended.

**Meeting Location:** The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting.

Following discussion, upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, the Board determined that due to concerns regarding the spread of COVID-19 and the benefit to the control of the spread of the virus by limiting in-person contact, the Board determined to conduct this meeting by teleconference and encouraged public participation via Zoom. The Board further noted that notice of the teleconference via Zoom was duly posted and that it had not received any objections to the format of the meeting or any requests that the meeting format be changed by taxpaying electors within the District's boundaries.

**Resignation of Director:** The resignation of Mick Schumacher, effective as of October 9, 2020, was acknowledged by the Board.

The Board discussed the vacancy on the Board. There were no interested parties to fill the vacancy.

**Minutes:** The Board reviewed the Minutes of the August 19, 2020 Special Meeting and September 10, 2020 Special Meeting.

Following discussion, upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, the Minutes of the August 19, 2020 Special Meeting and September 10, 2020 Special Meeting, were approved.

**Resolution No. 2020-10-01; Establishing 2021 Regular Meeting Dates, Time, and Location and Designating Locations for Posting of 24-Hour Notices:** The Board discussed Resolution No. 2020-10-01; Establishing 2021 Regular Meeting Dates, Time, and Location and Designating Locations for Posting of 24-Hour Notices.

Following discussion, upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, the Board adopted Resolution No. 2020-10-01; Establishing 2021 Regular Meeting Dates, Time, and Location and Designating Location for Posting of 24-Hour Notices. The Board determined to schedule 2021 meetings on February 17, May 19, August 18, and October 20, 2021 at 6:00 P.M. at the Parkside Village Retirement Resort, 14501 E. Crestline Drive, Aurora, CO 80015.

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**§32-1-809, C.R.S. Reporting Requirements (Transparency Notice) and Mode of Eligible Elector Notification for 2021:** The Board discussed §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2021.

Following discussion, the Board directed staff to post the Transparency Notice on the Special District Association Website and the District Website.

### **PUBLIC COMMENTS**

There were no public comments.

### **FINANCIAL MATTERS**

**Outstanding Payment of Invoices:** The Board reviewed the payment of outstanding invoices through October 2, 2020, in the amount of \$22,912.76.

Following discussion, upon motion duly made by Director Dome, seconded by Director Myers and, upon vote, unanimously carried, the Board approved the payment of outstanding invoices through October 2, 2020, in the amount of \$22,912.76.

**Bill.Com:** The Board discussed Bill.com.

Following discussion, upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, the Board authorized staff to set up and use Bill.com for accounts payable.

**Claims:** The Board considered ratifying the approval of payment of claims represented by check nos. 155 - 159, in the amount of \$8,712.39.

Following discussion, upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, the Board ratified approval of payment of claims represented by check nos. 155 - 159, in the amount of \$8,712.39.

**Engagement of Auditor:** The Board discussed the engagement of an auditor. Following discussion, the Board authorized staff to obtain proposals and Director Dome to review the proposals and select an auditor to perform the 2020 audit.

**Engineer's Report and Verification of Costs No. 1 Associated with Public Improvements (Report No. 1"), prepared by Schedio Group LLC:** The Board reviewed the spreadsheet and summary of costs associated with Report No. 1.

Following discussion, upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, the Board approved Report No. 1, prepared by Schedio Group LLC and acceptance of costs, in the amount of \$3,501,506.29.

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**Project Fund Requisition No. 1 under the District's General Obligation (Limited Tax Convertible to Unlimited Tax) Bonds, Series 2020A(3)**: The Board discussed Project Fund Requisition No. 1 under the District's General Obligation (Limited Tax Convertible to Unlimited Tax) Bonds, Series 2020A(3).

Following discussion, upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, the Board ratified approval of Project Fund Requisition No. 1 under the District's General Obligation (Limited Tax Convertible to Unlimited Tax) Bonds, Series 2020A(3), in the amount of \$2,089,990.81.

**2020 Budget Amendment Hearing**: The President opened the public hearing to consider an amendment to the 2020 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider an amendment to the 2020 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Following review and discussion, upon motion duly made by Director Myers, seconded by Director Mulqueen and, upon vote, unanimously carried, the Board adopted Resolution No. 2020-10-02 to Amend the 2020 Budget. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

**2021 Budget Hearing**: The President opened the public hearing to consider the proposed 2021 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2021 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Ms. Wheeler reviewed the estimated 2020 expenditures and the proposed 2021 expenditures with the Board.

Following discussion, the Board considered the adoption of Resolution No. 2020-10-03; Resolution to Adopt the 2021 Budget and Appropriate Sums of Money, and Resolution No. 2020-10-04; Resolution to Set Mill Levies (General Fund at 45.315 mills, the Debt Service Fund at 55.664 mills, and ARI mill levy of 1.113 mills for a total mill levy of 102.092 mills). Upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, Resolution No. 2020-10-03

## RECORD OF PROCEEDINGS

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and Resolution No. 2020-10-04 were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2020. Ms. Ripko was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners not later than December 15, 2020. Ms. Ripko was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2021. Copies of the adopted Resolutions are attached to these Minutes and incorporated herein by this reference.

**Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Colorado Constitution, Article X, Section 3:** The Board reviewed Resolution No. 2020-10-05, Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Colorado Constitution, Article X, Section 3.

Following discussion, upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, the Board adopted Resolution No. 2020-10-05, Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Colorado Constitution, Article X, Section 3. A copy of the adopted Resolution is attached to these Minutes and incorporated herein by this reference.

**DLG-70 Mill Levy Certification Form:** The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Following discussion, upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

**2022 Budget Preparation:** The Board discussed the appointment of the District Accountant to prepare the 2022 Budget.

Following discussion, upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2022 Budget and directed that the draft 2022 Budget be the

same as the 2021 adopted Budget unless a Board member provides input to otherwise adjust those assumptions.

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### LEGAL MATTERS

**Resolution No. 2020-10-06, Resolution Regarding Continuing Disclosure Policies and Procedures:** Attorney Cortese reviewed with the Board Resolution No. 2020-10-06, Resolution Regarding Continuing Disclosure Policies and Procedures.

Following discussion, upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, the Board adopted Resolution No. 2020-10-06, Resolution Regarding Continuing Disclosure Policies and Procedures.

**Covenant Enforcement/Fee Collection Legal Services:** The Board discussed the engagement of legal counsel for covenant enforcement/fee collection legal services.

Following discussion, upon motion duly made by Director Myers, seconded by Director Dome and, upon vote, unanimously carried, the Board authorized the engagement of Moeller Graf, P.C. for covenant enforcement/fee collection legal services.

**Operation Funding Agreement between the District and Century at Belleview Place, LLC:** Following review and discussion, the Board determined that an Operation Funding Agreement between the District and Century at Belleview Place, LLC is not needed.

**Landscape Maintenance and Snow Removal Services for 2021:** The Board discussed snow removal services for 2021. The Board directed Director Myers and Ms. Ripko to obtain proposals and select a vendor.

The Board discussed the timing relative to the conveyance of the landscape improvements and the need for landscape maintenance services for 2021. No action was taken.

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### COVENANT ENFORCEMENT/DESIGN REVIEW

**Community Manager's Report:** Ms. Ripko reviewed with the Board the Community Manager's Report.

**Operations and Maintenance Map:** Ms. Ripko is working on an operations and maintenance map and will have a draft at the next Board meeting.

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### CONSTRUCTION MATTERS

**2020 Development/Construction Outlook:** There were no new updates.

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### OTHER BUSINESS

There was no other business for discussion by the Board at this time.

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### ADJOURNMENT

There being no further business to come before the Board, upon motion duly made, seconded and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By \_\_\_\_\_  
Secretary for the Meeting

Account	PO/Cont	Check #	Invoice	Date	Date Paid	Description	Amount
01-000-09050	0	1060	27122	08/31/2020	10/27/2020	August Accounting	1,596.05
01-000-09050	0	1060	27292	09/30/2020	10/27/2020	September Accounting	1,157.43
**** TOTAL ****			Simmons & Wheeler, P.C.				2,753.48
01-000-09100	0	1061	Aug 20	08/31/2020	10/27/2020	August Management	2,802.43
01-000-09100	0	1061	Sept 20	09/30/2020	10/27/2020	September Management	2,749.93
**** TOTAL ****			Special District Management Service				5,552.36
01-000-09300	0	1062	1355C 08	08/31/2020	10/27/2020	August Legal	5,402.00
01-000-09300	0	1062	1355C 09	09/30/2020	10/27/2020	September Legal	2,177.84
**** TOTAL ****			McGeady Becher P.C.				7,579.84
01-000-09450	0	1063	246338	10/01/2020	10/27/2020	Legal Publication	1,090.00
**** TOTAL ****			DP Media Network LLC				1,090.00
02-000-09080	0	1064	CO09-120C	08/03/2020	10/27/2020	Market Study	3,750.00
**** TOTAL ****			Meyers Research LLC				3,750.00
01-000-09450	0	1065	99334	10/02/2020	10/27/2020	Legal Pub - Clip charge	57.10
**** TOTAL ****			Sentinel				57.10
02-000-07100	0	1066	18-0616	10/02/2020	10/27/2020	Verification Costs	5,465.25
**** TOTAL ****			Schedio Group LLC				5,465.25
01-000-09450	0	1067	220090143	09/30/2020	10/27/2020	RTL Transmissions	64.07
**** TOTAL ****			Utility Notification Center of CO				64.07
01-000-09050	0	1068	27627	10/31/2020	12/21/2020	October Accounting	1,200.00
**** TOTAL ****			Simmons & Wheeler, P.C.				1,200.00
01-000-09100	0	1069	Nov BPMD	11/30/2020	12/21/2020	November Management	1,744.88
01-000-09100	0	1069	Oct BPMD	10/31/2020	12/21/2020	October Management	3,123.73
**** TOTAL ****			Special District Management Service				4,868.61
01-000-09300	0	1070	Nov 1355C	11/30/2020	12/21/2020	November Legal	214.50
01-000-09300	0	1070	Oct 1355C	10/31/2020	12/21/2020	October Legal	4,796.71
**** TOTAL ****			McGeady Becher P.C.				5,011.21
01-000-01700	0	1071	9163	10/13/2020	12/21/2020	2021 Agency Fee	495.00
**** TOTAL ****			T. Charles Wilson Insurance				495.00
01-000-01700	0	1072	POL5176	09/22/2020	12/21/2020	2021 Property & Liability	2,305.00
**** TOTAL ****			Co Special Dist Prop & Liability				2,305.00
01-000-09450	0	1073	220080145	08/31/2020	12/21/2020	Aug RTL Transmissions	59.60
01-000-09450	0	1073	220090146	09/30/2020	12/21/2020	Sept RTL Transmissions	64.07
01-000-09450	0	1073	220100149	10/31/2020	12/21/2020	Oct RTL Transmissions	50.66
01-000-09450	0	1073	220110145	11/30/2020	12/21/2020	Nov RTL Transmissions	32.78
**** TOTAL ****			Utility Notification Center of CO				207.11

Account	PO/Cont	Check #	Invoice	Date	Date Paid	Description	Amount
01-000-03500	0	1074	110622	11/30/2020	12/21/2020	Snow Removal	1,002.00
	**** TOTAL ****			Consolidated Divisions, Inc			1,002.00
	*** GRAND TOTAL ***						41,401.03