

**JOINT RESOLUTION  
OF THE BOARDS OF DIRECTORS OF THE  
4201 ARKANSAS METROPOLITAN DISTRICT NOS. 1-2**

**DECLARING EMERGENCY PROCEDURES AND  
AUTHORIZING TELECONFERENCING FOR REGULAR AND SPECIAL MEETINGS**

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WHEREAS, 4201 Arkansas Metropolitan District Nos. 1-2 (the “**Districts**”), are quasi-municipal corporations and political subdivisions of the State of Colorado (the “**State**”) organized to serve a public use and promote the health, safety, prosperity, security and general welfare of the residents of the District and the State of Colorado; and

WHEREAS, pursuant to § 32-1-903, C.R.S., all official business of the Boards of Directors of the Districts (the “**Boards**”) shall be conducted only during regular and special meetings at which a quorum is present, and all said meetings shall be open to the public; and

WHEREAS, § 32-1-1001(1)(h) C.R.S., provides the Boards with the management, control and supervision of all the business and affairs of the Districts; and

WHEREAS, the Governor of the State (the “**Governor**”) declared a state of emergency on March 10, 2020, and extended the declaration on April 8, 2020 (the “**Emergency**”) due to the threat that COVID-19 coronavirus (“**COVID-19**”) poses to the health, safety and welfare of the citizens of the State; and

WHEREAS, on April 26, 2020, as directed by the Governor, the Colorado Department of Public Health and Environment issued Public Health Order 20-28 (the “**Order**”) implementing “Safer at Home” guidelines, effective 12:01 A.M. on April 27, 2020. The Order limits public gatherings outside a residence to no more than ten (10) individuals, except for the purposes expressly permitted in the Order, and to the extent possible encourages compliance with Social Distancing Requirements (as defined in the Order); and

WHEREAS, counties, municipalities, and other local governments have issued, or may issue, COVID-19 related public health orders limiting public gatherings and establishing social distancing requirements (collectively the “**Local Orders**”, and together with the Order, the “**Orders**”); and

WHEREAS, the Colorado Department of Public Health and Environment and Centers for Disease Control and Prevention recommend certain precautions in order to attempt to slow the spread of COVID-19, including minimizing close contact with large numbers of people; and

WHEREAS, in order to attempt to protect the health and safety of the residents and Directors of the Districts from COVID-19 and in order to comply with the Orders, and any subsequent orders, while at the same time continuing with the required business of the Districts, the Boards wish to have

the ability to hold regular and special meetings *via* teleconferencing until such time that the Emergency is lifted by the State, the Orders, or any subsequent orders, are repealed, or as otherwise determined by the Boards; and

WHEREAS, the Boards wishes to establish certain procedures and requirements for when the Districts determine to hold regular and special meetings *via* teleconferencing during the Emergency and the time when the Orders, or any subsequent orders, are in effect.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARDS OF DIRECTORS OF THE DISTRICTS AS FOLLOWS:

1. Teleconferencing for Regular and Special Meetings. The Boards hereby authorize the holding of regular and special meetings for the Districts by teleconferencing methods until such time that the Emergency and Orders, or any subsequent orders, are lifted, or as otherwise determined by the Boards.

2. Quorum of the Boards for Teleconferenced Regular and Special Meetings. A quorum of the Boards for attendance and voting purposes at regular and special meetings shall be established by the attendance of a majority of the members of the Boards on the teleconferencing platform. Each Board member must be able to clearly hear and participate in any teleconferenced meetings.

3. Posting of Regular and Special Meeting Notices. The Districts shall continue to post notice of all regular and special meetings pursuant to the Districts' previously adopted policies and State law.

4. Public Attendance at Teleconferenced Regular and Special Meetings. The Districts shall arrange for a dial-in-number for members of the public and the Boards to utilize in order to attend the teleconferenced regular and special meetings of the Districts. Members of the public may be excluded from executive sessions that are held by the Boards in accordance with State law. The dial-in number shall be included on the agenda for the meeting.

5. Ratification of Actions. Any actions, including, but not limited to the adoption of this Resolution, taken at a regular or special meeting held by teleconference platform shall be ratified at the first regular or special in-person Board meeting that takes place after adoption of this Resolution.

6. Term. This Resolution shall remain in full force and effect until such time as the Boards determine that the conditions necessitating its adoption no longer exist, including lifting of the Emergency, the repeal of the Orders, or any subsequent orders, or as otherwise determined by the Boards.

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ADOPTED THIS 2<sup>nd</sup> DAY OF NOVEMBER, 2020.

4201 ARKANSAS METROPOLITAN DISTRICT  
NOS. 1-2, a quasi-municipal corporation and  
political subdivision of the State of Colorado

*Dimitrios Balfas*

Dimitrios Balfas (Nov 23, 2020 11:47 MST)

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Officer of the Districts

ATTEST:

*Elliot Smith*

Elliot Smith (Nov 23, 2020 11:49 MST)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON

Attorneys at Law

*Eve Velasco*

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General Counsel to the Districts

*Signature Page to Joint Resolution Declaring Emergency Procedures Authorizing Teleconferencing for  
Special Meetings dated November 2<sup>nd</sup>, 2020*









# 4201 Arkansas MD Nos. 1-2 - Meeting Items for Signature

Final Audit Report

2020-11-23

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