

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
TALLYN'S REACH AUTHORITY**

AUTHORIZING TEMPORARY SUSPENSION OF NEW LATE FEES AND INTEREST

WHEREAS, Tallyn's Reach Authority (the "**Authority**") is a contractual authority and political subdivision 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 Authority and the State; and

WHEREAS, § 32-1-1001(1)(h) C.R.S., provides the Board of Directors of the Authority (the "**Board**") with the management, control and supervision of all the business and affairs of the Authority; and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the Board is authorized to fix and from time to time increase or decrease, fees, rates, tolls, penalties, or charges for services, programs, or facilities furnished by the Authority to properties within and without the Authority's boundaries; and

WHEREAS, pursuant to the Amended and Restated Resolution of the Authority Establishing the Guidelines for the Collection of Delinquent Fees and Charges (the "**Authority's Collection Policies**"), the Authority has the authority to impose fees and charges for the late payment of fees; and

WHEREAS, the Authority's Collection Policies permit the Authority to deviate from the procedures set forth therein if in the Authority's sole discretion, deviation is reasonable under the circumstances; and

WHEREAS, the Governor of the State (the "**Governor**") declared a state of emergency on March 10, 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 March 16, 2020, the Governor issued Public Health Order 20-22 closing down all bars, restaurants, theaters, gymnasiums and casinos in the State for thirty days, effective March 17, 2020 at 8:00 AM; and

WHEREAS, on March 18, 2020, the Governor issued Public Health Order 20-23 (the "**Order**") limiting all mass gatherings to no more than ten people, effective 12:01 A.M. on March 19, 2020. Gatherings subject to the Order, include, but are not limited to community, civic, public, leisure, faith-based events, and any similar event or activity that brings together ten or more persons in a single room or space at the same time in a venue such as an auditorium, stadium, arena, large conference room, meeting hall, private club, or any other confined indoor or outdoor space; and

WHEREAS, on March 25, 2020, the Governor issued an Executive Order requiring all Coloradans to stay at home to reduce the spread of COVID-19, except for those undertaking activities for Critical Businesses as described therein and in the Colorado Department of Health and Environment's updated Public Health Order 20-24, dated March 26, 2020; and

WHEREAS, the Board recognizes that COVID-19 is causing substantial financial hardship to individuals as a result of business closures, loss of hours or wages, and layoffs, and

WHEREAS, the Board recognizes that the COVID-19 public health emergency may hinder the ability of some individuals to pay their Authority fees; and

WHEREAS, in light of the foregoing and in an attempt to protect the health and safety of the residents of the Authority from COVID-19, the Board deems it necessary to temporarily suspend the imposition of any new late payment fees and interest.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE AUTHORITY AS FOLLOWS:

1. Temporary Suspension of the Imposition of New Late Fees and Charges. Effective immediately and until such time as the Emergency is lifted and the Order is repealed, or sooner as otherwise determined by the Board, the Authority temporarily suspends the imposition of any and all new late payment fees and interest authorized in the Authority's Collection Policies.

2. Past Due Balances. Any outstanding late fees and interest as of the effective date of this Resolution remain in place until paid in full. The Authority Manager continues to have the authority to work on payment plans for past due balances and will continue to work to seek at least some payment on past due balances in order to fulfill the Authority's debt service payment obligation.

3. Term. This Resolution shall remain in full force and effect until such time as the Board determines that the Emergency conditions necessitating its adoption no longer exist, including the repeal of the Order.

ADOPTED THIS 30th DAY OF MARCH, 2020.

TALLYN'S REACH AUTHORITY, a contractual
authority and political subdivision of the State of
Colorado



Officer of the Authority

ATTEST:



APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law



General Counsel to the Authority

*Signature Page to Resolution Authorizing Temporary Suspension of New Late Fees and Interest dated March
30, 2020*