

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE DENVER CONNECTION WEST METROPOLITAN DISTRICT (THE “DISTRICT”) HELD MAY 25, 2021

A special meeting of the Board of Directors of the Denver Connection West Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, May 25, 2021 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 Zoom. The meeting was open to the public via Zoom.

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**Directors In Attendance Were:**

Marc Robson  
Rafael Martinez  
Tina Woodard  
Shawn Hampleton

**Also In Attendance Were:**

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

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

Yelena Primachenko; CliftonLarsonAllen LLP

Brooke Hutchens; D.A. Davidson & Co.

Jeff Hall; Board Candidate

**Public In Attendance Were:**

Sam Bass, Bob Bongiovanni, Chris G., Mia Janes, Jack Morgan, Jonathan Vailes, Mr. Vert, Amanda Vert, Pat Wamboldt, Rachelle Weigold, Cara Wolfe, Anna, Juliana and Prince

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**DISCLOSURE OF  
POTENTIAL  
CONFLICTS OF  
INTEREST**

The Board 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

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requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting. No disclosures were made and it was noted that all Directors are residents of the District.

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### **ADMINISTRATIVE MATTERS**

**Agenda:** The Board reviewed the Agenda for the District's special meeting.

Following discussion, upon motion duly made by Director Woodard, seconded by Director Hambleton 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, the Board noted that due to concerns regarding the spread of 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 Zoom. The Board further noted that notice of this meet and the conference/video access 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.

**Board Vacancy and Process for Appointment:** The Board entered into discussion regarding a Board vacancy and process for appointment of Directors.

Following discussion, upon motion duly made by Director Woodard, seconded by Director Hambleton and, upon vote, unanimously carried, the Board approved the process for appointment of Directors.

**Appointment of Director:** The Board considered the appointment of Jeff Hall to fill the vacancy created by the resignation of Craig Wagner.

Following discussion, upon motion duly made by Director Woodard, seconded by Director Hambleton and, upon vote, unanimously carried, Jeff Hall was appointed to fill the vacancy created by the resignation of Craig Wagner.

**2021 SDA Conference:** Ms. Ripko discussed the SDA Conference with the Board, and noted the information concerning the details of the conference will be emailed to them once the information is available.

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### **PUBLIC COMMENTS**

There was no public comment.

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**CONSENT AGENDA** The Board considered the following action:

- Minutes of the February 23, 2021 Special Meeting, April 6, 2021 Special Meeting and April 27, 2021 Work Session.

Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard and, upon vote, unanimously carried, the Board approved the Consent Agenda item.

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**FINANCIAL MATTERS**

**Claims:** The Board considered the ratification of approval of the payment of claims as follows:

Fund	Period Ending Feb. 23, 2021	Period Ending Mar. 24, 2021	Period Ending April 30, 2021
General	\$ 6,480.13	\$ 17,711.80	\$ 11,630.09
Debt	\$ -0-	\$ -0-	\$ -0-
Capital	\$ 1,515.00	\$ -0-	\$ 750.00
Special Revenue	\$ 20,790.18	\$ 32,425.94	\$ 48,612.26
<b>Total</b>	<b>\$ 28,785.31</b>	<b>\$ 50,137.74</b>	<b>\$ 60,992.35</b>

Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard and, upon vote, unanimously carried, the Board ratified approval of the payment of claims, as presented.

**Financial Statements, Schedule of Developer Advances, Property Tax Reconciliation, and Schedule of Cash Position:** Ms. Primachenko presented to the Board the unaudited financial statements dated March 31, 2021, property tax reconciliation 2021, and schedule of cash position statement ending March 31, 2021, updated as of May 13, 2021.

Following review and discussion, upon motion duly made by Director Robson, seconded by Director Martinez and, upon vote, unanimously carried, the Board accepted the unaudited financial statements dated March 31, 2021, property tax reconciliation 2021, and schedule of cash position statement ending March 31, 2021, updated as of May 13, 2021.

**Fee Revenues:** The Board entered into discussion regarding the status of fee revenues received to date and whether District action is necessary to collect unpaid fees.

Following review and discussion, upon motion duly made by Director Robson, seconded by Director Martinez and, upon vote, unanimously carried, the Board authorized the collection of unpaid fees.

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**2021 Audit:** Ms. Primachenko reviewed the 2020 draft Audited Financial Statements with the Board. It was noted Mr. Bongiovanni expressed a concern with the way the receivables are stated.

Following review and discussion, upon motion duly made by Director Robson, seconded by Director Martinez and, upon vote, unanimously carried, the Board approved the 2020 Audited Financial Statements and authorized execution of the Representations Letter, subject to final review by the Board and by legal counsel.

**2022 Budget Public Hearing:** The Board entered into discussion regarding setting the date for a Public Hearing to adopt the 2022 Budget. The Board determined to hold the public hearing to consider adoption of the 2022 Budget on November 23, 2021, at 6:00 p.m., at The HUB, 4746 Jasper Street, Denver, Colorado 80239 or virtually pending COVID-19 restrictions.

### CONSTRUCTION MATTERS

#### Engineer's Report:

Warranty Walk-Through on the HUB Facility: The Board entered into discussion regarding the warranty walk-through the HUB Facility. It was noted a final date is pending.

Following review and discussion, upon motion duly made by Director Robson, seconded by Director Hampton and, upon vote, unanimously carried, the Board authorized Director Woodard to approve the warranty walk-through.

Task Order No. 9 to Master Service Agreement for Engineering Services with Independent District Engineering Services, LLC: The Board reviewed Task Order No. 9 to Master Service Agreement for Engineering Services with Independent District Engineering Services, LLC, in the amount of \$8,000.

Following discussion, upon motion duly made by Director Robson, seconded by Director Hampton, and upon vote, unanimously carried, the Board ratified approval of Task Order No. 9 to Master Service Agreement for Engineering Services with Independent District Engineering Services, LLC, in the amount of \$8,000.

### LEGAL MATTERS

**Potential Refunding of the District's Limited Tax (Convertible to Unlimited Tax) General Obligation Bonds, Series 2017A and Subordinate Limited Tax General Obligation Bonds, Series 2017B (the "Bond"), and Potential Subordinate Bond Issuance for Park Improvements:** The Board entered into discussion regarding the potential refunding of the District's Limited Tax (Convertible to Unlimited Tax)

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General Obligation Bonds, Series 2017A and Subordinate Limited Tax General Obligation Bonds, Series 2017B (the “Bond”), and potential subordinate bond issuance for park improvements.

Following discussion, upon motion duly made by Director Woodard, seconded by Director Robson, and upon vote, unanimously carried, the Board approved refunding of the District’s Limited Tax (Convertible to Unlimited Tax) General Obligation Bonds, Series 2017A and Subordinate Limited Tax General Obligation Bonds, Series 2017B (the “Bond”), and potential subordinate bond issuance for park improvements.

Discussions with the City and County of Denver (the “City”) Regarding Funding for the City Park: There was no update available.

**First Amendment to Resolution Regarding Colorado Open Records Act Requests:**  
The Board reviewed a First Amendment to Resolution Regarding Colorado Open Records Act Requests.

Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard, and upon vote, unanimously carried, the Board approved the First Amendment to Resolution Regarding Colorado Open Records Act Requests.

**Engagement with DA Davidson:** The Board entered into discussion regarding the engagement with DA Davidson.

Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard, and upon vote, unanimously carried, the Board ratified approval of the engagement with DA Davidson.

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### **POOL AND HUB OPERATIONS**

**Pool Opening:** Mr. Williams provided an update to the Board in regards to the pool opening.

**HUB Rentals:** The Board entered into discussion regarding HUB Rentals.

Following discussion, upon motion duly made by Director Martinez, seconded by Director Robson, and upon vote, unanimously carried, the Board appointed Directors Robson and Woodard to the HUB Committee.

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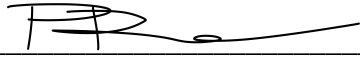
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### ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Robson, seconded by Director Hampleton and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By   
Secretary for the Meeting