

## 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 JUNE 9, 2020

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, June 9, 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 conference call. The meeting was open to the public via conference call.

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**Directors In Attendance Were:**

Marc Robson  
Tina Woodard  
Craig Wagner  
Rafael Martinez (for a portion of the meeting)

**Also In Attendance Were:**

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

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

**Public In Attendance Were:**

Mel Cagle, Olivia Nunez, William Pineda, Eric Garcia, Lacey & Phillip Fisher, Steve & Alyssa Wiernga, Tom Mayer, Barbara Simpson, Marcelo De Lima, Brian Lucheleli, Johnathon Vails, Rene Harano, Cara Wolfe, Eva Cowle, Bob Bongiovanni, Roberto Reynold-Sandoval, Dan Peterson, Dan Gregg, Julie Hitchman, Scott & Reyna Atkinson, Genevieve Trist, Samantha Burns, Phil Vigil

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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 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 Director Wagner, and no additional conflicts were disclosed at the meeting.

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### ADMINISTRATIVE MATTERS

**Agenda:** Ms. Ripko distributed for the Board's review and approval a proposed Agenda for the District's special meeting.

Following discussion, upon motion duly made by Director Robson, seconded by Director Wagner and, upon vote, unanimously carried, the Agenda was approved, as presented.

**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 conference call. The Board further noted that notice of the meeting and conference call information 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.

The Board discussed the resignation of Mr. McGovern. No action was taken to fill the vacancy at this time.

### PUBLIC COMMENTS

There were no public comments.

### POOL AND HUB OPERATIONS

**Pool Opening with Regards to COVID-19:** The Board discussed the pool opening with regards to COVID-19 restrictions. Ms. Ripko outlined the Guidelines provided by the State and the potential financial impact of following those Guidelines.

Homeowners present expressed their thoughts regarding opening the pool.

### OTHER BUSINESS MATTERS

**EXECUTIVE SESSION:** Pursuant to Section 24-6-402(4)(b) of the Colorado Revised Statutes, upon motion duly made by Director Robson, seconded by Director Woodard and Director Martinez opposed, upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 7:28 p.m. on June 9, 2020 for the sole purpose of receiving legal advice from the Board's attorney on specific legal questions related to contract negotiations as authorized by Section 24-6-402(4)(b), C.R.S. Furthermore, pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of those portions of the executive session that, in the opinion of the Board's attorney, constitute privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard, the Board reconvened in regular session at 8:22 p.m.

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The Board determined to defer action on opening the pool until the Governor's anticipated updated Executive Order on July 1, 2020. They reached this determination based on the cost implications as well as the liability associated with the additional services needed as the unknown nature of the global pandemic, however, the Board directed Ms. Ripko to proceed with actions necessary to open the pool should the Board determine to open the pool following a Special Meeting scheduled for July 2, 2020 to make a final determination.

### ADJOURNMENT

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

Respectfully submitted,

By   
Secretary for the Meeting

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## Attorney Statement

### REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(4)(b), C.R.S., I attest that, in my capacity as the attorney representing the Denver Connection West Metropolitan District, I attended the executive session meeting for the Denver Connection West Metropolitan District which convened at 7:28 p.m. and adjourned at 8:22 p.m. on June 9, 2020 for the sole purpose of receiving from the Board's attorney, legal advice on specific legal questions as authorized by Section 24-6-402(4)(b), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Signed Elisabeth A. Cortese  
Elisabeth A. Cortese, Attorney for the  
District

Dated: June 9, 2020