

RECORD OF PROCEEDINGS

**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
DENVER CONNECTION WEST
METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
JANUARY 25, 2022**

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, January 25, 2022 at 6:00 p.m. This District Board meeting was held by Zoom. The meeting was open to the public via Zoom.

Directors In Attendance Were:

Marc Robson
Jeffery Hall
Tina Woodard
Shawn Hampleton

Also In Attendance Were:

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

Elisabeth A. Cortese, Esq. and Suzanne Meintzer, Esq.; McGeady Becher P.C.

Jason Carroll; CliftonLarsonAllen LLP

Kim Fiore and Barrett Marrocco; Independent District Engineering Services LLC (“IDES”)

Public In Attendance Were:

Bob Giovanni, Peter Metcalf, Pat Wemboldt, Cara Wolfe, Rachele, Ramsey, Hayley Ortiz, Kristen Benton, Tye Brown, Henry, Carol, Bernadette, Ashley, Breanna Vailes, “Motorola 5G”, and “**5774”.

**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. 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 regular meeting.

Following discussion, upon motion duly made by Director Hampleton, seconded by Director Woodard 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 this District Board meeting was held by Zoom. The Board further noted that notice of this meeting 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.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Hampleton, seconded by Director Woodard, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted at least 24 hours prior to each meeting on the District's website at: <https://dcwmd.colorado.gov> or if posting on the website is unavailable, notice will be posted at the HUB, 4746 Jasper Street, Denver, Colorado.

Minutes: The Board reviewed the Minutes of the November 23, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Hall, seconded by Director Woodard and, upon vote, unanimously carried, the Minutes of the November 23, 2021 Special Meeting were approved.

Board Vacancy: The Board discussed the current vacancy on the Board. Attorney Cortese provided an update to the Board on the May 3, 2022 Regular Election. It was noted Directors cannot be appointed to the Board after February 25, 2022 because the Division of Local Government will not recognize such appointments.

PUBLIC COMMENTS

There were no public comments.

FINANCIAL MATTERS

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

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Fund	Period Ending Dec. 31, 2021
General	\$ 18,504.76
Debt	\$ -0-
Capital	\$ 3,765.00
Special Revenue	\$ 13,852.76
Total	\$ 36,122.52

Following discussion, upon motion duly made by Director Robson, seconded by Director Hall 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: Mr. Carroll presented to the Board the draft unaudited financial statements, dated December 31, 2021, property taxes reconciliation 2021, and the schedule of cash position for the period ending December 31, 2021, updated as of January 18, 2022. Mr. Carroll noted that the Board was not required to take action on these items because they would be finalized pursuant to the 2021 Audit.

Status of Collections for Delinquent Accounts: Ms. Ripko presented the report on delinquent accounts and status of collections to the Board.

Prepayment of Quarterly Fees: The Board entered into discussion regarding issuing refunds to those residents who had prepaid quarterly fees.

Following review and discussion, upon motion duly made by Director Robson, seconded by Director Hall and, upon vote, unanimously carried, the Board approved issuing refunds to those residents who had prepaid quarterly fees.

Transition to Increased General Fund Mill Levy: Mr. Cohrs reported to the Board that the transition to the increased General Fund Mill Levy instead of the imposition of Operations & Maintenance Fees was going well, and that a community meeting had been held to answer questions regarding this transition.

CONSTRUCTION MATTERS

Construction Committee Report: Construction items were discussed under Legal Matters.

Engineer's Report: There was no report given during this meeting.

LEGAL MATTERS

Resolution No. 2022-01-01, Resolution of the Board of Directors of the Denver Connection West Metropolitan District Regarding the Imposition of Administrative Fees: Attorney Meintzer reviewed with the Board Resolution No.

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2022-01-01, Resolution of the Board of Directors of the Denver Connection West Metropolitan District Regarding the Imposition of Administrative Fees.

Following review and discussion, upon motion duly made by Director Hall, seconded by Director Robson and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-01-01, Resolution of the Board of Directors of the Denver Connection West Metropolitan District Regarding the Imposition of Administrative Fees.

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 "Bonds"), and Potential New Subordinate Bond Issuance for Park Improvements: Attorney Cortese discussed with the Board the 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 "Bonds"), and potential new subordinate bond issuance for park improvements. She noted she is working with D.A. Davidson & Co. and the City and County of Denver.

Funding for the City Park: The Board discussed the status of discussions with the City and County of Denver (the "City") regarding funding for the City park (the "Park"). It was noted that Denver intends to reimburse the District for the funding needed to construct the Park, subject to the discussions and negotiations of final terms.

Engagement of IDES for Services Related to the Park: Mr. Marrocco presented the IDES proposal for the Park construction bidding and related services. Mr. Marrocco noted that IDES understands that the District's payments to IDES for these services are anticipated to come from bond proceeds.

Following discussion, upon motion duly made by Director Hall, seconded by Director Robson and, upon vote, unanimously carried, the Board approved the engagement of IDES for Park construction bidding and related services.

Park Proposal and Construction Committee: The Board discussed creating a Park proposal and construction committee.

Following discussion, upon motion duly made by Director Hall, seconded by Director Robson and, upon vote, unanimously carried, the Board established a Park proposal and construction committee and appointed Directors Hall and Robson, as well as any interested residents, to work with IDES.

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Tract and Improvement Acquisition: Attorney Cortese noted that tract acquisition and acceptance matters are related to the bonds and Park matters. Mr. Cohrs reported that SDMS is working on the estimated amount of money to correct/repair certain issues before the District will acquire/accept same.

Warranty Walk-Through Items: Attorney Meintzer summarized the close-out/warranty items as follows:

1. The light fixture is now ordered and can be installed once delivered to the District. The Pool replaster is scheduled for May before the pool re-opens.
2. Ms. Ripko reported that some concrete flatwork items were approved and SDMS is in the process of scheduling the work.
3. Ms. Ripko reported that the new/replacement benches had arrived. SDMS is working on finding a contractor to provide an estimate for installation services.

Ms. Fiore requested the Board President to execute the respective contract close out notices for Thoutt Brothers Concrete Contractors, Inc. and BrightView Landscape Development, Inc.

Denver Connection West Metropolitan District Bylaws: Director Hall noted that he felt District Bylaws would assist with informing Board members and the community how the Board functions, given the potential transition of the Board between elections. Director Hall stated that the potential Bylaws could be discussed during District work sessions and that he would work with General Counsel to draft and finalize same once the general framework of the potential Bylaws was better established. The Board deferred action.

POOL AND HUB OPERATIONS

HUB and Pool Operations: Ms. Ripko reported to the Board she is still searching for a replacement for the pool services contractor.

District Rules and Regulations: Attorney Meintzer noted that the Board previously approved the Third Amended Rules and Regulations related to use of the HUB.

COVENANT ENFORCEMENT/ DESIGN REVIEW/ OPERATIONS

Community Manager's Report: Ms. Ripko presented the Community Manager's Report to the Board.

Violation Report: Ms. Ripko presented the Violation Report to the Board.

Architectural Review Committee ("ARC")

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Update from ARC: Mr. Giovanni reported to the Board that six design review requests were submitted, and that three were approved, two holding, and 1 denied pending legal review by Altitude Community Law.

Social Committee

Update from Social Committee: Ms. Wolfe provided an update to the Board on the Social Committee and upcoming events.

Request from 4733 Idalia Street: The request was approved during the November 23, 2021 meeting.

OPERATIONS AND MAINTENANCE

Other: There were no other operation and maintenance matters.


OTHER BUSINESS

There was no other business.

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