

RECORD OF PROCEEDINGS

**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
DENVER CONNECTION WEST
METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
FEBRUARY 27, 2024**

A special meeting of the Board of Directors of the District (referred to hereafter as the “Board”) was convened on Tuesday, February 27, 2024, 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:

Jeffery Hall, President

Tina Woodard, Secretary (for a portion of the meeting)

Shawn Hampleton, Treasurer

Also In Attendance Were:

Suzanne Meintzer, Esq.; McGeady Becher P.C.

Jerry Jacobs and Shanda Flores; Timberline District Consulting, LLC (“Timberline”)

**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.

**ADMINISTRATIVE
MATTERS**

Agenda: The Board reviewed the Agenda for the District’s Special Meeting. Following discussion, upon motion duly made by Director Hampleton, seconded by Director Hall, and upon vote unanimously carried, the Board approved the Agenda.

Meeting Location: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), of the Colorado Revised Statutes (“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.

Minutes: The Board reviewed the Minutes of the January 23, 2024 Regular Meeting. Following discussion, upon motion duly made by Director Hall, seconded by

RECORD OF PROCEEDINGS

Director Hampleton, and upon vote unanimously carried, the Board approved the Minutes of the January 23, 2024 Regular Meeting, subject to the discussed revision.

PUBLIC COMMENTS

None.

OPERATIONS AND MAINTENANCE

HUB and Pool Matters:

HUB and Pool Staffing: The Board extensively discussed HUB matters.

The Board determined it would like Sherry at Timberline to have the same hours at the HUB as she had last summer. The Board directed that the pool be opened on the Saturday of Memorial Day weekend. Attorney Meintzer recommended and the Board directed Timberline to obtain updated waivers from each address, if possible. Timberline is to coordinate and schedule a key card pick up day. Director Hall asked that the cleaning schedule be updated, and the Board directed that cleaning be one on Wednesdays, unless there is a holiday.

Director Hampleton requested a work session on April 2, 2024 from 4:00 until 5:30 p.m. to discuss HUB matters.

Fourth Amended and Restated District Facilities Rules and Regulations: The Board deferred discussion on the Fourth Amended and Restated District Facilities Rules and Regulations until after the executive session under legal matters below.

Patrolling Security Services at the HUB and pool: The Board discussed security matters and reviewed the proposals from Scout Security LLC and Spear Security, Inc. Following discussion, the Board directed Timberline to obtain additional information from both companies. Attorney Meintzer noted that any security company providing services should be registered/licensed with the City and County of Denver, Colorado (“City”), and explained the District’s Service Plan and statutory limitations on police powers.

Security Monitoring Services at the HUB and pool by ETG Systems, Inc. (“ETG”): Ms. Flores reported that the front door of the HUB is more secure now that ETG updated the locking and latching mechanism. The Board directed Timberline to obtain an estimated date of completion for the cloud conversion.

LEGAL MATTERS

EXECUTIVE SESSION: Pursuant to Sections 24-6-402(4)(a), (b) and (e), C.R.S., upon motion duly made by Director Hampleton, seconded by Director Woodard, and upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 6:51 p.m. for the sole purpose of receiving legal

RECORD OF PROCEEDINGS

advice related to: 1) negotiations regarding Avion Park Funding Agreement, as authorized by Section 24-6-402(4)(b) and (e), C.R.S.; 2) negotiations regarding District Accounting Services, as authorized by Section 24-6-402(4)(b) and (e), C.R.S., and, 3) legal advice on the draft Fourth Amended and Restated District Facilities Rules and Regulations 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 or electronic recording will be kept of those portions of the executive session that, in the opinion of the Board's attorney, constitutes privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

Following discussion, upon motion duly made by Director Hampleton, seconded by Director Woodard, the Board reconvened in regular session at 7:54 p.m.

Avion Park Funding Agreement: Following discussion, upon motion duly made by Director Hall, seconded by Director Woodard, and upon vote unanimously carried, the Board approved the Avion Park Funding Agreement between the District and the City, subject to final legal edits and a request to the City for more security (possible escrow account) on the City revenues.

District Accounting Services: Following discussion, the Board directed Attorney Meintzer to obtain proposals for accounting services from Marchetti & Weaver, LLC and Pinnacle Consulting Group, Inc. for review at the April Board meeting.

Fourth Amended and Restated District Facilities Rules and Regulations: Following discussion, the Board noted it will review the Fourth Amended and Restated District Facilities Rules and Regulations and provide comments to Attorney Meintzer.

OTHER BUSINESS

The Board scheduled an additional work session on April 2, 2024, from 4:00 to 5:30 p.m. at the HUB.

Next Regular Meeting: The Board confirmed quorum for the next regular Board meeting on Tuesday, March 26, 2024, at 6:00 p.m. via Zoom.

Next Work Session: The Board acknowledged the work session scheduled for Tuesday, April 23, 2024, at 6:00 p.m., via Zoom.

The Board discussed the snow trigger depth for removal and requested Timberline to provide the trigger depth in the new High Plains contract for fall snow removal, noting that Landtech will finish the spring 2024 snow season, and then the District will change to High Plains in the fall.

RECORD OF PROCEEDINGS

ADJOURNMENT

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

The foregoing record constitutes a true and correct copy of the Minutes of the above-referenced meeting.

Respectfully submitted,

By Tina Woodard
Secretary for the Meeting

Attorney Statement

REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(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 6:51 p.m. and adjourned at 7:54 p.m. on February 27, 2024 for the sole purpose of receiving from the Board's attorney, legal advice related to: 1) negotiations regarding Avion Park Funding Agreement, as authorized by Section 24-6-402(4)(b) and (e), C.R.S.; 2) negotiations regarding District Accounting Services, as authorized by Section 24-6-402(4)(b) and (e), C.R.S., and, 3) legal advice on the draft Fourth Amended and Restated District Facilities Rules and Regulations 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



Suzanne M. Meintzer, Attorney for the District

Dated:

February 27, 2024