

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
DENVER CONNECTION WEST
METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
JULY 23, 2024

A regular meeting of the Board of Directors of the District (referred to hereafter as the “Board”) was convened on Tuesday, June 25, 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
Marc Robson, Treasurer
Shawn Hampleton, Assistant Secretary
Rachelle Weigold, Assistant Secretary

Also In Attendance Were:

Suzanne Meintzer, Esq.; McGeady Becher P.C.
Jerry Jacobs and Shanda Flores; Timberline District Consulting, LLC (“Timberline”)
Yelena Primachenko; CliftonLarsonAllen LLP (“CLA”)
Public: Mia Janes; Alec; Haylee Ortiz; Rebecca; Brian; Sandy W.; Bernadette; Brenda;
Sandra Chavez; Carly; Jacquelyn Hilt

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 Regular Meeting. Following discussion, upon motion duly made by Director Robson, 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), 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 June 25, 2024 Special Meeting.

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Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard, and upon vote unanimously carried, the Board approved the Minutes of the June 25, 2024 Special Meeting.

PUBLIC COMMENTS

Brian had questions about the hail damage claim and insurance at the townhomes; Attorney Meintzer referred him to the homeowners' association for the townhomes.

LEGAL MATTERS

Executive Session to receive legal advice regarding negotiations related to the Avion Park Funding Agreement, 2024 Bond/Loan: Executive Session was not needed for these items.

Avion Park Funding Agreement by and between the District and the City and County of Denver ("City IGA"): Attorney Meintzer briefly summarized the status of the City IGA, noting that the City requested District signatures before submitting to City Council.

2024 Bond/Loan: Director Robson asked how the timing of approval of the City IGA would impact the bond/loan issuance, recalling that the City approval process takes 6 weeks. Attorney Meintzer acknowledged that the issuance could likely be delayed a month, but the Board could call a special meeting for action on the bond/loan issuance, if needed.

Executive Session regarding driveway violations as moved to the end of the meeting.

FINANCIAL MATTERS

Financial Statements and Schedule of Cash Deposits and Investments: Ms. Primachenko reviewed the unaudited Financial Statements for the period ending May 31, 2024, and Schedule of Cash Deposits and Investments dated May 31, 2024, updated as of July 10, 2024. Following review and discussion, upon motion duly made by Director Robson, seconded by Director Woodard, and upon vote unanimously carried, the Board accepted the unaudited Financial Statements for the period ending May 31, 2024, and Schedule of Cash Deposits and Investments dated May 31, 2024, updated as of July 10, 2024.

Claims: The Board reviewed the claims list for the period of May 24, 2024 through July 10, 2024. 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 for the period of May 24, 2024 through July 10, 2024, in the amount of \$212,411.28.

July 2024 Advance Request and Project Fund Requisition from the District's Limited Tax (Convertible to Unlimited Tax) General Obligation Improvement Loan, Series 2022A-2: Following discussion, upon motion duly made by Director Robson, seconded by Director Hall, and upon vote unanimously carried, the Board approved the

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July 2024 Advance Request for payment of capital invoices in the amount of \$7,364.15.

2023 Audit: Ms. Primachenko reviewed the 2023 audit with the Board. Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard, and upon vote unanimously carried, the Board approved the 2023 audit, subject to receipt of an unmodified Auditor's opinion, and ratified execution of the Representations Letter.

OPERATIONS AND MAINTENANCE

HUB and Pool Matters:

Pool and HUB Operations: The Board and public extensively discussed HUB and pool matters. Ms. Flores reported that the pool operations were smooth, that the pool license was obtained, the flowerpots had been planted, and that the tile replacement project was completed. Ms. Flores would like to post "no parking overnight/towing signs" in the HUB parking lot and engage Elite Towing. The Board indicated they would like to wait until the park is underway. The Board authorized High Plains Landscape & Water Systems, LLC ("HPL") to remove the tree that is blocking the camera at the pool and for Timberline to obtain proposals for replacement plantings next year.

Inclement Weather Policy: The Board discussed the proposed inclement weather policy and Resolution adopting same. Following discussion, upon motion duly made by Director Robson, seconded by Director Hall, and upon vote unanimously carried, the Board adopted Resolution No. 2024-07-01 Adopting Inclement Weather Policy, subject to revisions discussed.

HUB Cleaning Contractor Matters: Ms. Flores discussed HUB cleaning contractor matters with the Board. Following discussion, the Board directed Timberline to negotiate with the current cleaning company regarding services.

Landscape Maintenance Matters: Ms. Flores provided an update on landscaping matters.

Dog Park Gate Repairs: The Board reviewed the proposals for repairs to the Dog Park Gate from Split Rail Fence Company, LLC and Denver Fence Construction, LLC. Following discussion, upon motion duly made by Director Hall, seconded by Director Woodard, and upon vote unanimously carried, the Board approved landscape enhancements for a combined total of \$39,500, and authorized preparation and execution of the requisite change orders to the Service Agreement for Landscape Maintenance Services with HPL for the following work: 1) installation of 3 boulders and plantings in the turnaround area in Quad 4 to prevent further damage in the amount of \$29,000; 2) replace the trees in the center quad, including the removal and

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replanting of the tree near the baby pool, in the amount of \$3,000; 3) canal mulch replacement along Elk Street in the amount of \$7,500. Mr. Jacobs noted that of the \$85,000 landscape enhancement budget for 2024, \$45,500.00 remains after these services are paid.

Community Project Tracker Dashboard: Following review and discussion, upon motion duly made by Director Woodard, seconded by Director Hall, and upon vote unanimously carried, the Board approved the Community Project Tracker and directed Ms. Flores to post on the District website.

COVENANT ENFORCEMENT / DESIGN REVIEW

Community Manager's Report / Violation Report: Ms. Flores summarized her report and the violation report.

Update from Architectural Review Committee ("ARC"): There was no formal update provided by ARC. However, Ms. Flores noted that she feels the review process is smooth and the team is working well.

Update from Social Committee: No update provided.

OTHER BUSINESS

Work Session: The Board noted the scheduled work session on August 27, 2024 at 6:00 p.m. via Zoom.

Next Regular Meeting: The Board confirmed quorum for the next regular Board meeting on Tuesday, September 24, 2024, at 6:00 p.m. via Zoom.

Executive Session regarding driveway violations as moved to the end of the meeting: Pursuant to Sections 24-6-402(4)(b) and (e), C.R.S., upon motion duly made by Director Robson, 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 7:26 p.m. for the sole purpose of receiving legal advice related to negotiations regarding driveway violations, as authorized by Section 24-6-402(4)(b) and (e), 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 Robson, seconded by Director Woodard, the Board reconvened in regular session at 7:48 p.m.

Driveway violations: Following discussion, upon motion duly made by Director Hall, seconded by Director Robson, and upon vote unanimously carried, the Board approved the draft letter for the current twelve violations and directed Timberline to send them out within ten days, and further approved the draft letter for future

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driveway extension requests.

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

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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 7:26 p.m. and adjourned at 7:48 p.m. on July 23, 2024 for the sole purpose of receiving legal advice related to negotiations regarding driveway violations, as authorized by Section 24-6-402(4)(b) and (e), 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 Meintzer, Attorney for the District

Dated:

July 23, 2024