

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

GVR METROPOLITAN DISTRICT

Held: Wednesday, June 14, 2023, at 6:30 P.M. at the GVR Metropolitan District Office, 18650 East 45th Avenue, Denver, Colorado. Also available to the public via Zoom.

Attendance

The special meeting of the Board of Directors of the GVR Metropolitan District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:

Anthony Noble, President
Eric Gravenson, Director
Lyman West, Director
Joyce Bennett, Director

Absent: William Thomas and Matt Stallman (absences excused).

Also in attendance were Micaela Duffy, District Manager, GVR Metropolitan District; Barbara T. Vander Wall, Seter & Vander Wall, P.C., legal counsel; and the following members of the public: Mr. C. Britton, Mr. Tim Camarillo, and Ms. Deborah C. (participating via Zoom).

Call to Order

Chairman Director Noble noted that there is a quorum of the Board in attendance and called the special meeting of the Board of Directors of the GVR Metropolitan District to order.

Approval of Agenda

The Board reviewed the agenda. Ms. Duffy noted that the May 31, 2023 financial report was not provided because property tax data has not yet been received, the Board agreed to exclude this report from the agenda. Upon motion, second and unanimous vote, the Board approved the agenda with the modification to exclude the financial report.

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Conflict of Interest / Disclosure Matters

The Board had been previously advised that pursuant to Colorado law, certain disclosures by the Board members might be required prior to taking official action at the meeting. Legal counsel advised that written disclosures of the conflicts of interest previously submitted by the applicable Directors had been filed with the Secretary of State prior to the meeting.

No additional conflict disclosures were announced.

Public Comment Period:

- Denver Police Dept. There were no comments from the Denver Police Department.
- Master HOA There were no comments from the Master HOA.
- CAB There were no comments from the CAB.
- Councilwoman Gilmore's Office There were no representatives from Councilwoman Gilmore's office present for comment.
- Public Comment Mr. Britton commented on a request regarding air quality testing, noting that a Board member had advised him to contact Denver regarding the matter, but Denver stated it is a local government matter. He noted that he has other issues which have to do with the HOA.

Mr. Camarillo greeted the Board and noted that he has started an internship with US Congresswoman Pettersen; he wished the Board members good luck.

Director West reported that he took pictures of a mulch area at Himalaya and 42nd, where the District's contractor performs landscaping services, which show weeds that have not been removed. He also reported that he took pictures of sidewalk located on 47th Place, which shows red paint and a potential tripping hazard, and inquired as to responsibility for the sidewalks. Director West shared the pictures of the weeds and sidewalk areas.

There were no other comments from the public at this time.

Approval of Minutes

The minutes of the regular meeting of the Board of Directors held May 17, 2023, were read. Director Gravenson requested a modification to language on the District's website regarding

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availability of approved meeting minutes within 24 hours after the meeting, noting that it is inaccurate because approved minutes are not always posted within 24 hours. The Board directed Ms. Duffy to replace the website notice with an appropriate modification.

Director West referred to the language in the draft May minutes which reflect the approved changes to the draft April meeting minutes, disagreeing with the word “quote” and noting it should read “bid”; significant discussion ensued. Upon motion by Director Gravenson to approve the draft minutes with a modification to page 3 to replace “quotes” with “bids,” and seconded by Director West, with a vote of three in favor and one abstention (Director Noble), the Board approved the May minutes with the modification requested.

Attorney’s Report

Ms. Vander Wall directed the Board members to counsel’s written legal report; she noted that the report items are scheduled to be discussed later in the agenda.

Board Reports:

- May 31, 2023
Financials

This item was deferred to the next Board meeting.

- District Manager’s
Report

Ms. Duffy noted that the District’s old Gator is being prepared to be posted on Craig’s list for the minimum price of \$3,500. Director West asked about posting the advertisement on the District’s website; Ms. Duffy agreed to post in both locations.

Ms. Duffy addressed the issue of the sidewalk maintenance responsibility, and noted the area identified by Director West is the District’s responsibility on the side of the street, and is the City’s responsibility by the dog park. She agreed to review the District’s GIS mapping which identifies areas of responsibility. Director Gravenson inquired whether Denver’s recent ballot measure regarding sidewalk assessments applies to government-owned property.

Ms. Duffy stated that the District’s landscape contractor, First Class, performs weed spraying on a set number of treatments; she will confirm the spraying schedule under the contract.

Director West stated that there are other sidewalks which are also in need of repair. Ms. Duffy agreed to review their status.

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Director West requested that the District’s meeting notice add the words “open to the public” in connection with the Zoom link provided, to highlight that the public is eligible to participate in the meetings virtually.

Discussion Items / Unfinished Business:

- Review Contract with Panoramic Pro for Building Painting

Per request, Panoramic Pro Painting provided the additional cost of \$2,013.85 for siding replacement in connection with the administrative building staining and painting contract proposal, for a total contract price of \$20,708. The Board discussed authorizing Ms. Duffy to exceed this amount by up to \$1,000, in the event additional areas were discovered to need repair work prior to the staining and painting services, in order to avoid any disruptions. After further discussion, and upon motion by Director West, second by Director Gravenson, and unanimous vote, the Board approved the contract with Panoramic Pro Painting, including the delegation of authority to Ms. Duffy to spend the additional amount of \$1,000 if needed. Anything in excess of this price would be required to go back to the Board for further authorization.

Discussion Items / New Business:

- Special Meeting for Budget

The Board discussed whether to hold a special workshop meeting for the single purpose of reviewing the District’s draft 2024 budget. Director West expressed that he would like to know the budget in advance, and would like a line-by-line review. Director Gravenson noted that the budget and its components can be overwhelming, he would like to have more information about the District’s budget and priorities to compare to the prior year, and believes a special meeting to review the draft budget with staff would be helpful. Director Noble stated that he and potentially other directors may have a different level of understanding of the budget; he would like to identify the budget questions in advance so that they can be answered efficiently. Ms. Duffy stated that she will look at scheduling a special meeting between October 15 and the public hearing date, but noted that the Board has to have some level of trust with the working knowledge brought to the budget by herself and staff who are involved in the District’s day-to-day operations. The Board agreed to set a special budget workshop meeting for purposes of reviewing the draft budget.

- Recording of Meetings

The Board discussed whether to record the District’s meetings. Ms. Vander Wall referred the Board to her legal status report for

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meeting minutes requirements, and suggestions of the advantages and disadvantages associated with recorded meetings. Director Noble inquired as to risk, exposure and requirements, he also asked about what the District is required to report versus the utilization of recording. He does not believe that recording meetings will solve the primary challenges that arise in the Board meetings. Director West stated that he would like to use the audio as a cross check with the meeting minutes. Director Gravenson expressed concerns regarding accuracy and precision of what is taken at the meeting, noting that the minutes are required to be a summary of what has occurred at the meeting, and must be accurate and characterize the interchange. He would like the recording as a corroboration of what was said. In response to Ms. Vander Wall's memorandum in which she stated that recording meeting minutes "May make Directors feel less comfortable in Board meetings," Director Gravenson responded that he is less concerned with the comfort of Board members than he is with the interests of taxpayers and protection of the District. Director Bennett stated that she believes the recording will serve as protection, and to address one Director's word against another. The Board discussed the proposal of using a recording of the meeting via Zoom as a supplement. Director Gravenson expressed his desire that the recordings be maintained in perpetuity. Directors West and Gravenson expressed a desire to install camera equipment to record facial expressions.

Director West made a motion to have the District acquire audio and video equipment to have at the District meetings in order to have accurate records. The motion failed for lack of a second.

Director Gravenson then moved for a resolution to move forward to investigate audio and video equipment in the marketplace, for the purpose of the acquisition of an audio and video system to record board proceedings, and for the Manager to report back the findings to the Board within 60 days. The motion was seconded by Director West. Upon a vote of three in favor, one against (Director Noble), the motion passed.

- Review Quotes for Deck Project Ms. Duffy reported on her requests for quotes for the deck replacement project. Two companies stated that they'd get back to her, and have not yet. One of those companies did not quote TREX products. She reached out to a total of 9 companies, and has received varying responses regarding certified TREX product, and permitting. After further discussion, the Board members agreed that they would like to use the TREX-brand product based

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on prior track record. The Board requested that Ms. Duffy continue to obtain quotes and information regarding the deck replacement requirements for further discussion at the next meeting.

Executive Session

There was no need for an executive session at this time.

Director Items

Director West asked about phone numbers for other directors. It was noted that those who desired to share phone numbers may do so, with regard for adherence to open meetings laws.

Director Gravenson spoke on recent changes to the covenant enforcement hearing process. Ms. Duffy reported that the HOA is sending out a new green book regarding the updated covenants. It was noted that the District's responsibilities are to implement the changes approved by the HOA through the inspection and reporting per the contract. Director Gravenson stated that he will be recommending the HOA send increased communication for public awareness.

Other Business

There was no other business for discussion at this time.

Adjournment

There being no further business to come before the Board, and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at approximately 10:14 p.m.

Secretary for the Meeting