

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

GVR METROPOLITAN DISTRICT

Held: Wednesday, September 20, 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 regular 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
William Thomas*, Vice President [participating via Zoom]
Matt Stallman, Secretary/Treasurer
Eric Gravenson, Director
Lyman West, Director
Joyce Bennett, Director

Absent: None.

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*.

[*Departed where indicated.]

Call to Order

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

Approval of Agenda

The Board reviewed the agenda. A motion to approve the agenda was made and seconded; Director Gravenson called for discussion on the motion. Director Gravenson spoke on procedures for

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directors to add items to the agenda. After further discussion, Chairman Noble called the vote, and upon a unanimous vote, the Board approved the agenda as presented.

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 There were no public comments made at this time.

Director Items

Director Gravenson discussed a director's ability to contact District staff to add items to the meeting agenda. The Board discussed the procedures currently available for directors to place items on the agenda, including bringing items up under "Director Items" or raising the topic in advance with the District manager for disposition. Director Gravenson proposed that directors would have the right to add items to the agenda with at least one week's notice, without District management discretion. Director Thomas asked what problem is needing to be solved. Director Noble stated that he is not in favor of changing and recommends the directors utilize what's currently available. Director Stallman noted there was not a need for change because one can always bring up an item under Director Items. A motion was made by Director Gravenson to authorize any director to submit an agenda item one week in advance to be included on the next meeting agenda, which motion was seconded by Director West. Discussion ensued. Upon a vote of three in favor and three against, the motion failed.

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[*Mr. Britton departed during this discussion.]

Director West made a motion to impeach the president, which motion was seconded by Director Gravenson. Discussion ensued. Legal counsel noted that there is no legal authority or procedure for the impeachment of a special district board president.

Director Thomas stated his resignation from the Board, and departed the meeting at this time.

Director Gravenson reported on his opportunity to walk the property with Ms. Duffy, and identified an area in front of the building with tall grasses which appear unsightly. He recommended the District install xeriscape in lieu of tall grasses and eliminate irrigation, which would contribute to the aesthetics of the building. Ms. Duffy suggested obtaining a proposal from a contractor for substitution of the tall grass landscaping with xeriscape. Ms. Duffy also noted that she will look into whether this is something that staff can do. The Board agreed to move forward with the suggestions.

Approval of Minutes

The minutes of the regular meeting of the Board of Directors held August 16, 2023, were read. Following discussion, and a motion by Director Stallman, seconded by Director Noble, and unanimous vote the minutes were approved as presented.

Attorney's Report

Ms. Vander Wall directed the Board members to counsel's written legal report.

Board Reports:

- August 31, 2023
Financials

Director Stallman presented the financial report and claims payable for the period ending August 31, 2023, including the financial overview, and noted a decrease in water expenses compared to the prior year. Following discussion, and upon motion, second and a vote of three in favor, two against (Directors Gravenson and West), the financial report and the claims were approved by the Board as presented.

- District Manager's
Report

Ms. Duffy presented her report to the Board. She noted that she is waiting on the arrival of the Owl camera for testing purposes. She followed up on the sidewalk repairs. Denver has marked certain sidewalks for replacement, but due to Denver's budget cuts, it will only be doing handicap ramps at this time. She has received a proposal from DCPS in approximately \$30,000 to replace all marked sidewalk areas. Ms. Duffy will request a quote from

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Denver's contractor for additional pricing options. The Board discussed sidewalk responsibilities with respect to obligations under Denver's new law requiring payment of fees by property owners related to amount of adjacent sidewalk. Director West inquired about the quotes being obtained for camera. Ms. Duffy provided information on the contractors she has solicited quotes.

Director Gravenson asked about the status of the sale of the District's blue bus; Ms. Duffy noted that there is no change; the intent is to sell after she obtains cost comparisons for pricing purposes. The Board also followed up on the Gator, which is getting ready for winter use.

Discussion Items /

Unfinished Business:

- Deck Replacement Contract

The Board reviewed the proposed contract prepared by legal counsel for the deck project with Building While Giving, based on the proposal provided by the contractor in the amount of \$17,450. The Board confirmed that it is looking for a replacement project, and not just staining services. It was noted that there may be unforeseen issues with the deck project that are not included in the quote, such as replacement of joists, that may become uncovered after the project begins. Upon motion, second and unanimous vote, the Board approved the deck replacement contract, subject to minor edits approved by legal counsel, with authorization delegated to the District manager to increase the compensation up to an additional \$3,000 for unforeseen costs.

Discussion Items / New Business:

- Interview Board Candidate

Ms. Duffy reported that candidate Roger Rohrer has withdrawn his letter of interest due to health obligations which would conflict with the District's regular board meeting schedule for several months. The Board discussed the other two candidates who were interviewed at the last meeting, Mr. Chuck Britton and Ms. Alvina Ferguson. The Board voted on the candidates, and with a majority of three votes, Mr. Britton was elected to the Board. Ms. Duffy agreed to inform the candidates of the outcome, and invite Mr. Britton to sign his oath of office.

Executive Session

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

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Director Items The Board discussed the issue of the review of legal bills; noting District procedures for Board member review of the bills. The Board was asked not to take photographs of the bills; Director West disagreed. There was no further action on this topic.

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 9:33 p.m.

Secretary for the Meeting