

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

GVR METROPOLITAN DISTRICT

Held: Wednesday, September 19, 2018, at 6:30 P.M. at the
GVR Metropolitan District Office, 18650 East 45th
Avenue, Denver, Colorado.

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:

Matt Stallman, President*
Michael George, Vice President
Anthony Noble, Secretary
Roger Rohrer, Treasurer*
Tim Camarillo, Director
William Thomas, Director
Eric Gravenson, Director

Absent: None.

Also present were Micaela Duffy, District Manager, GVR Metropolitan District; Barbara T. Vander Wall and Russell Newton, Seter & Vander Wall, P.C., legal counsel; Melissa Sotelo, Office of Councilwoman Stacie Gilmore, Denver District 11; Rose Thomas, GVR Master HOA; Earleen Brown, District resident; Charlie Foster, Town Center Metropolitan District; John Sawatzke*, City of Aurora Parks, Recreation & Open Space, and Officer Jeannette Dominguez, Denver Police Department District 5.

[*Arrived / departed where indicated.]

Call to Order

Director George, acting as chair, noted that a quorum of the Board was present with all Directors except for Stallman and Rohrer, being present. Thereafter, Director George called the regular meeting of the Board of Directors of the GVR Metropolitan District to order.

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Approval of Agenda

The Board reviewed the agenda and upon motion, second and 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 for each Director had been filed with the Secretary of State prior to the meeting.

No additional conflict disclosures were announced.

Public Comment Period:

- Denver Police Dept. Officer Dominguez, Community Resource Officer for the area, reported on efforts to deter drag racing in and around the community. She reported that Denver PD has worked with Aurora PD to conduct drag racing operations, which led to three citations and one arrest.

- Master HOA Ms. Thomas, President of the HOA, reported that the HOA recently held its annual meeting. She reported that there were not enough votes to elect new delegates but that there are five new delegates running, and there is one open board position. She further reported on the upcoming seed swap, positive feedback on the farmers' market, and updates to the Green Book, including pre-approved paint options.

- CAB There was no report from the CAB at this time.

- Councilwoman
 Gilmore's Office Ms. Sotelo of Councilwoman Gilmore's office provided an update on several items. She noted that the Harkins Theatre is going to be built at I-70 and Tower Road, with a 12-screen theatre, in Aurora next to the Petco.

[*Directors Stallman and Rohrer arrived during this discussion.]

She reported that Aurora is undergoing a 20-year development plan adoption process and is seeking survey input from community members. She encouraged community members to share pictures or video of recent flooding events in the area to assist the Urban Drainage and Flood Control planning efforts. The Central 70 project has commenced and will include night construction in the coming weeks. The scheduled District 5 meeting with the Commander at Central Park Center has been

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cancelled for this month. A holiday party is scheduled for December 9, 2018, at the Panasonic Building. The proposed street art at the crosswalk of Yampa Street and GVR Boulevard may not be possible due to Public Works' safety concerns due to the 40-mph speed limit at that location. Other options are being considered.

- Public Comment

Ms. Earleen Brown expressed concern regarding the HOA's recently adopted regulation on vehicles with commercial signage. She understands the safety concerns regarding larger vehicles but does not see the harm caused by smaller vehicles. The regulation harms residents that rely on commercial vehicles for work and general transportation. She expressed her objection to the decision, and noted that it is an unnecessary restriction.

Ms. Thomas responded with information about the HOA's research. She advised that the commercial vehicle regulation is commonly used by other associations, and that the community did not provide comment opposing it. The regulation is designed to enhance safety and aesthetics in the community and to protect property values. She noted that owners of such vehicles may park them in their garage.

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

Approval of Minutes

The minutes of the regular meeting of the Board of Directors held August 15, 2018, were read. Upon motion, second, and unanimous vote, the Board approved the minutes as presented.

Attorney's Report

Ms. Vander Wall directed the Board members to her written legal report included in the meeting materials.

She introduced her colleague Russell Newton, who will be attending the October regular meeting due to an unavoidable conflict.

Ms. Vander Wall noted there are no changes to the maintenance building report, which is almost complete, and the parties are working through the discrepancies in the payment requests.

She reported on the proposed contract for the fence project with Fence Consulting Services and the issues which are being considered, with the project manager services being performed by FCS and the construction labor being performed by Peters Fence Company. The proposed contract has been modified to

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include all three parties with respective obligations.

From the legal report, Ms. Vander Wall presented the legal counsel response to the inquiry presented at the last meeting related to the recent covenants adopted by the Master HOA related to prohibitions against parking of commercial vehicles on streets, alleys and driveways, and the District's ability to enforce such covenants. She reviewed the research and determinations from the legal report. Based on this research, she advised that the District may request a property owner within the GVR community to comply with the commercial vehicle restrictions, to the extent that the vehicle owner is the property owner or related to the owner of the private property where the vehicle is parked. Follow up questions, discussion and responses ensued, including the question of whether clarifying amendments should be made to the agreement between the District and the HOA. A motion was made by Director Rohrer to elect not to amend the HOA contract. Director Thomas seconded the motion, and it was carried by a vote of five to two, with Directors Gravenson and George voting in opposition.

Board Reports:

- August Financials

Director Rohrer presented the financial report for the period ending August 31, 2018. He reported on the balance sheet, noting the District's assets and liabilities, and the profit and loss statement, noting the District's income and that expenditures are under budget. He presented checks for payment and noted that property tax collections were at 99.21% compared to 99.32% at the same time last year. He presented the Denver water bill, noting an increase of approximately \$33,000 from last year. He reviewed the Denver water bill and noted the expenses for the current period compared to the same period last year. Upon motion, second and unanimous vote, the Board approved the August financial report as presented.

- District Manager's Report

Ms. Duffy presented highlights from her manager's report. She reported that the Special District Association Conference was a great event this year, with many valuable classes and speakers. She advised that the annual "trunk or treat" event will be held at the medical building campus, subject to obtaining insurance. She requested feedback from the Board members regarding the holiday party plans, noting that it may be held at a local steakhouse.

Discussion Items / Unfinished Business:

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- Fence Contract with FCS/Peters Fence Co. There was no additional discussion on this item, noting that the contract status was discussed in the attorney report.

Discussion Items / New Business

- Resolution for Disposal of Personal Identifying Information

Ms. Vander Wall presented the Board with a resolution to put the District in compliance with HB 18-1128, effective as of September 1, 2018. HB 18-1128 addresses the increasing threat of data breaches, and requires both public and private entities with personal identifying information to establish a written policy regarding disposal of such information, and further requires that the District implement and maintain reasonable security procedures and practices that are appropriate. Upon motion, second and unanimous vote, the Board adopted the resolution as presented.

- Trail Project – Highline Canal

John Sawatzke, the architect for Aurora’s Parks department, informed the Board that the City of Aurora is constructing a trail system that connects communities with the Highline Canal trail system. The project includes a proposal to incorporate the GVR community’s trail system. Adams County is funding the project and the funds aren’t eligible for construction within the City and County of Denver. He explained that a 75 to 80-foot portion of the proposed trail is within the City and County of Denver, and requested that the Board consider funding this portion of the project which runs through the District, at an estimated cost of \$9,000. The Board and Mr. Sawatzke discussed in detail the proposed location, the design of the trail, and who would take responsibility for the operations and maintenance of this section. It was also noted that the District would need to convey an easement for the trail and would likely remain responsible for maintenance, including snow removal. Mr. Sawatzke clarified that the City of Aurora would bid and construct the project and that it is only requesting funding from the District when it moves forward with the project. The Board discussed that it could fund this project with the District’s Great Outdoors Colorado (GOCO) grant funds. Director Rohrer made a motion to proceed with the project as presented, in an amount not to exceed \$10,000. It was discussed that Mr. Sawatzke would prepare a letter agreement with the terms discussed for execution. Director Thomas seconded the motion, and it was carried with unanimous vote.

[*Mr. Sawatzke departed at this time.]

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Director Items Director Gravenson reported that the planning committee is working to identify property suitable for xeriscaping to mitigate the District's use of water.

Executive Session There were no items to discuss in executive session 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 7:50 p.m.

Secretary for the Meeting