

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

GVR METROPOLITAN DISTRICT

Held: Wednesday, August 17, 2022, at 6:30 P.M. at the GVR Metropolitan District Office, 18650 East 45th Avenue, Denver, Colorado. Also available to the public via Go-To-Meeting.

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
Lyman West, Director
Eric Gravenson, Director
Matt Stallman, Director
William Thomas*, Vice President

Absent: Tim Camarillo (absence excused).

Also in attendance were Micaela Duffy, District Manager, GVR Metropolitan District; Barbara T. Vander Wall and Russell Newton, Seter & Vander Wall, P.C., legal counsel; residents Joyce Bennett, 3990 Odessa St., and Richard Gravito, 4400 Argonne St.

[*Attending virtually.]

Call to Order

Chairman Director Noble noted that there is a quorum of the Board with five directors in attendance, and called the regular meeting of the Board of Directors of the GVR Metropolitan District to order. The Board acknowledged the excused absence of Director Camarillo for the current meeting, and the unexcused absence of Director Thomas for the prior month's meeting.

Approval of Agenda

The Board reviewed the agenda. Upon motion, second and unanimous vote, the Board approved the agenda as presented.

RECORD OF PROCEEDINGS

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 representatives present from the Denver Police Department at this time.
- Master HOA There were no comments from the Master HOA at this time.
- CAB There were no comments from the CAB at this time.
- Councilwoman
Gilmore's Office There were no representatives from Councilwoman Gilmore's office present for comment.
- Public Comment Ms. Joyce Bennett introduced herself as a resident who has lived in Green Valley since 1995 and that she is retired and is interested in becoming more involved by serving on the Board. Ms. Duffy provided Ms. Bennett with a form to complete regarding interest in becoming a District Director, and explained that it would be followed by an interview process.

There was no additional public comment at this time.

Approval of Minutes

The minutes of the regular meeting of the Board of Directors held July 20, 2022, were read. Director Gravenson inquired about the Board direction to revise the personnel manual signature page. After discussion, the Board agreed to an insertion regarding the personnel manual that reflects the direction made by the Board President. Upon motion, second, and unanimous vote, the Board approved the minutes of the meeting with the revision discussed.

Attorney's Report

Ms. Vander Wall directed the Board members to her written legal report included in the meeting materials. She reviewed the updated COVID-19 community levels as reported by the CDC based on statistics on a state and county basis. In Denver, the community level has been reduced to a "low" level.

RECORD OF PROCEEDINGS

Ms. Vander Wall reviewed the request from the City of Aurora for a temporary construction easement crossing property owned by the District, noting that this would be addressed later in the agenda.

Ms. Vander Wall reported on the published invitation to bid notice, which has a deadline of August 26, 2022 for responses. The Board will be presented with the responses received and a proposed form of contract to be awarded at the next meeting.

Ms. Vander Wall noted highlights from the recently enacted House Bill 22-1137 regarding “HOA Board Accountability and Transparency.” She will be working with Ms. Duffy on proposed modifications to the current agreement with the HOA based on changes in law.

Board Reports:

- July 31, 2022
Financials

In the absence of Director Camarillo, Director Stallman presented the financial report and claims payable for the period ending July 31, 2022, including the financial overview, and the District’s property tax collections. Director Gravenson noted the District’s cash reserves and amounts available in the event of capital project expenses. Ms. Duffy confirmed that Directors are not compensated for meetings when the Director is absent. Upon motion, second and unanimous vote, the Board accepted the July financial report as presented.

- District Manager’s
Report

Ms. Duffy updated the Board with highlights from her manager’s report. She noted that staff has contacted nine companies for proposals for the HVAC work to add to the two proposals previously received, and that none of them are able to provide services to the District for varying reasons. She has reached out to get a break down of the estimate received from one of the original companies. At the direction of the Board, Ms. Duffy will reach out to a new company based on a referral provided by Director West, and will follow up with the original proposers to confirm the estimates remain valid, and obtain a breakdown of the amounts. The Board discussed the need to get something in place to accommodate its heating needs as the season changes to cooler weather.

Ms. Duffy addressed concerns with the District’s current landscape contractor, and noted that the contractor is not meeting the expected “excellence” standards, including issues of

RECORD OF PROCEEDINGS

communication, weed management and other performance deficiencies. Ms. Duffy expects to solicit new proposals for the 2023 landscape season for fertilization and weed control only.

Discussion Items /

Unfinished Business:

- Review Training /
Action Board List

Ms. Duffy reported that she did not receive any additional feedback from the Directors regarding the Board items for training and directions list. It was noted that Directors Noble and Thomas, as well as Ms. Duffy, would be attending the annual Special District Association conference in September. Director Noble suggested that Board training be the first priority, with goals to include an understanding of the Board's duties, decorum within the Board, and how the Board interacts with the community. Director West suggested the trainer be someone who is not associated with Green Valley Ranch. Director Gravenson stated a goal of effective communication. Director Noble stated that the training is more than communication, and that an understanding of the duties is important. The Board agreed that board training may be appropriate. Director Noble stated that he would research options at the Special District Association conference.

- Update on estimates
for HVAC

Ms. Duffy stated that this item was already discussed as part of the Manager's Report.

Discussion Items / New

Business:

- MOA / TCE with
City of Aurora

Mr. Newton discussed the request for a temporary construction easement (TCE) and memorandum of agreement (MOA) by the City of Aurora, for the installation of a concrete path which will be installed by Aurora across a parcel of property owned by the District, and which will provide a connection to the adjacent open space and High Line Canal trail, owned by Denver. The temporary construction easement will allow for the stockpiling of materials which will be used in connection with the separate sewer interceptor line project being installed by Aurora. The MOA sets for the compensation amounts and the terms for the provision of the easement. Mr. Newton discussed the proposed revisions to the proposed MOA, and requested the Board authorize legal counsel to proceed with the requested revisions. He clarified that the District's approval or disapproval of the MOA and TCE will not affect the installation of the interceptor line project, but that Aurora may condemn the easement property if necessary. The Board reviewed the responses to the

RECORD OF PROCEEDINGS

questions posed at the last meeting regarding the project. After further discussion, the Board directed legal counsel to proceed as recommended.

Director Items

Director Noble expressed that he is looking forward to attending the Special District Association Conference in Keystone, CO in September, and to learning more through the workshop and training opportunities being offered.

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 8:35 p.m.

Secretary for the Meeting