

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

GVR METROPOLITAN DISTRICT

Held: Wednesday, June 16, 2021, 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:

Tim Camarillo, President
Matt Stallman, Vice President
Anthony Noble, Secretary/Treasurer
Eric Gravenson, Director
Lyman West, Director
William Thomas, Director

Absent: None.

Also in attendance were: Melissa Sotelo*, Aide to Councilwoman Gilmore, Micaela Duffy, District Manager, GVR Metropolitan District; and Barbara T. Vander Wall and Russ Newton, Seter & Vander Wall, P.C., legal counsel.

[*Attending virtually via Go To Meeting.]

Call to Order

Director Camarillo noted that a quorum of the Board was present with six directors in attendance. Thereafter, Director Camarillo called the regular meeting of the Board of Directors of the GVR Metropolitan District to order.

Approval of Agenda

The Board reviewed the agenda. 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

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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 presented from the Master HOA at this time.
- CAB There were no comments from the CAB at this time.
- Councilwoman Gilmore's Office Ms. Sotelo reported that the recreation center is open to the public as a cooling center to escape the high temperatures. It began June 15th, has been extended through June 17th. She noted that Denver Public Schools is offering free breakfast and lunch to those under the age of 18 at selected schools. The \$0.10 bag fee at grocery and retail stores will take effect in July. Free reusable bags are being made available.

Director West inquired about a reduction in police presence in the area compared to over a year ago. Ms. Sotelo explained that District 5 still surveys the area with a focus on high auto theft areas; however, call volume can draw patrollers elsewhere. Concerns should be directed to the Community Resource Officer and Lieutenant.

Ms. Sotelo reported that her office researched the inquiry regarding potential street sweeping signs in the community. Signs are common in Denver's inner core because those areas require more work and are in worse shape than the GVR community. To add street sweeping signs within GVR, 80% of the community would need to sign and submit a petition.

Director West inquired whether Councilwoman Gilmore was involved in the adoption of HB-1164. Ms. Sotelo explained that her office was not involved with it but does receive updates regarding State legislation. Mr. Newton explained the Colorado Supreme Court's decision that the legislation is not subject to TABOR's voting requirement and how it will impact school districts and property owners.

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- Public Comment There were no comments from the public at this time.

- Approval of Minutes The minutes of the special meeting of the Board of Directors held May 12, 2021, were read. Upon motion, second, and unanimous vote, the Board approved the minutes as presented.

- Attorney's Report Ms. Vander Wall directed the Board to legal counsel's status report. She explained changes to the State's Covid orders and guidance, including the removal of the statewide dial system in favor of County-specific policies. The CDPHE is following the CDC's guidance regarding mask wearing for vaccinated and unvaccinated individuals and certain facilities continue to require masks (K-12 schools, department of motor vehicles, prisons, etc.). Denver continues to recommend social distancing, masks, and cleaning measures.

The Board discussed the District's administrative building and meeting attendance restrictions implemented due to Covid. Ms. Vander Wall advised that Ms. Duffy is implementing the State and local guidelines for the administrative building use, and the Board may determine when to open the District's meetings to in-person attendance. After further discussion, the Board determined to defer the re-opening of the District's admin building for public meetings for now, and take up the issue at the July meeting.

Ms. Vander Wall reported results of the June 8th General Assembly legislative session impacting special districts. She explained a new law that permits virtual meetings and provides a safe harbor for prior virtual meetings held during the pandemic was adopted. Another law adding transparency and reporting requirements was adopted. Ms. Vander Wall advised the District has already implemented many of the requirements and will work with Ms. Duffy to ensure full compliance.

A law lowering assessment rates for certain classes of property was adopted, which will impact the District's assessed valuation and tax revenue for the next two years. The law is in response to the large increases in property value and a potential November 2021 state-wide ballot initiative that seeks to permanently lower assessment rates for certain classes of property.

- Board Reports:
 - April 30, 2021 Director Noble presented the financial report and claims payable Financials for the period ending May 31, 2021. He noted the expenditures

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exceeding \$5,000, including invoices for First Class Landscape, US Bank, Denver Water, and SavATree. He reviewed the status of the District's property tax collections for the current period, and reviewed the water expenses and comparisons to prior periods.

Director Gravenson inquired about the favorable variance of approximately \$900,000 on the Profit and Loss statement. Ms. Duffy explained that the variance is attributable to the lack of expense for the 2021 fence replacement project as of May 31, 2021.

After further discussion, and upon motion, second and unanimous vote, the Board accepted the May financial report and approved the claims as presented.

- District Manager's
Report

Ms. Duffy reported that the District recovered the stolen equipment trailer with a mower being the only item that was not recovered. Denver police were able to obtain a partial plate for potential identification purposes. She explained that their security measures prevented the trailer from being hitched and driven away, and they have added restraints to the wheels to prevent someone from physically pulling the trailer away.

She reported that there is a planning meeting to discuss the potential administrative building remodel or replacement, and the results will be reported at the July Board meeting.

She reported that information on Special District Association board member training was sent to the Board, and noted that she is able to assist the Board members with signing up and attending.

She reported that the District has updated and is implementing a new phone system. Due to short staffing and a series of belligerent calls, the District is having callers leave voicemails, which staff returns within 24-48 hours.

Director West explained he has observed problems with the District's landscape mowing services, including clippings being deposited on private lawns. Ms. Duffy explained that Mr. Albert has addressed the issue with the mowing staff, some of whom have not performed the service in prior years.

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Director West inquired whether Mr. Albert can attend the July Board meeting to discuss facility matters, and who pays for damage to District irrigation facilities related to utility work. Ms. Duffy explained that utility companies have right-of-way easements and are not obligated to notify the District to perform utility locates. Sometimes a utility company will provide a courtesy notice and Mr. Albert will work with them to communicate any issues. Mr. Albert also monitors activity within the District to identify where utility companies will be performing work and to find contacts for these performing the work. If there is damage to District facilities, the utility company will often repair it. However, the District is ultimately responsible for repairing damage.

Director West inquired about the HOA's responsibilities and services regarding the community compared to the District. Ms. Duffy explained the general delineation of services and that the District performs certain covenant enforcement and design review HOA services pursuant to a contract with the HOA.

Director West inquired about who is responsible for maintenance of mailboxes. Ms. Duffy explained that the HOA is responsible for maintenance and repairs damaged mailboxes that are inoperable, but does not perform repairs for rust and other cosmetic issues. Ms. Duffy suggested that Director West bring up the rust issue with the HOA at its next meeting.

Discussion Items /
Unfinished Business:

The Board did not have any unfinished business to address.

Discussion Items / New
Business:

Mr. Newton reported that the District received three separate bids to perform the fence replacement project planned for 2021. The Board discussed the bids received.

Fence Project

Upon motion, second, and unanimous vote, the Board determined at approximately 8:05 p.m. to enter into executive session to obtain legal advice and develop negotiation positions regarding the project and bids.

Upon motion, second, and unanimous vote, the Board exited executive session at approximately 8:40 p.m.

Upon further discussion of the bids, and upon motion, second, and majority vote of five in favor and one against (Director West), the Board identified Fence Consulting Services and

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Trophy Fence as the lowest responsive and responsible bidder, and directed staff and legal counsel to notify them of the Board's award and to prepare a contract for consideration at the July Board meeting.

Director Items:

Director Gravenson suggested that Mr. Albert attend the July meeting to discuss the pros and cons related to a proposed new administrative building.

Director Camarillo reported that he is taking an entrepreneurship and small business law class.

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 8:47 p.m.

Secretary for the Meeting