

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE DENARGO MARKET METROPOLITAN DISTRICT NO. 1 HELD MARCH 9, 2021

A Special Meeting of the Board of Directors (referred to hereafter as the “Board”) of the Denargo Market Metropolitan District No. 1 (referred to hereafter as the “District”) was held on Tuesday, the 9th day of March, 2021, at 4:30 p.m. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the District Board meeting was held and properly noticed to be held via telephone conference and Zoom meeting. The meeting was open to the public telephonically.

ATTENDANCE

Directors In Attendance Were:

Laura H. Newman
Donald D. Cabrera
Jeffrey D. Jones
David H. Smith
Todd T. Wenskoski

Also In Attendance Were:

Ann E. Finn and Matt Cohrs; Special District Management Services, Inc. (“SDMS”)

Paula Williams, Esq.; McGeady Becher P.C.

Jason Carroll; CliftonLarsonAllen LLP

Fred Schultz; Golub representative

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board and to the Secretary of State. It was noted that disclosures of potential conflicts of interest statements for each of the Directors had been filed with the Secretary of State seventy-two hours in advance of the meeting. Attorney Williams requested that the Directors consider whether they had any additional conflicts of interest to disclose. It was noted for the record that there were no additional disclosures

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made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statutes.

ADMINISTRATIVE MATTERS

Agenda: Ms. Finn reviewed with the Board a proposed Agenda for the District's Special Meeting.

Following discussion, upon motion duly made by Director Newman, seconded by Director Wenskoski and, upon vote, unanimously carried, the Agenda was approved, as amended.

Confirmation of Quorum and Approval of Meeting Location: Ms. Finn confirmed the presence of a quorum. The Board entered into discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting.

Following discussion, upon motion duly made by Director Newman, seconded by Director Wenskoski and, upon vote, unanimously carried, the Board determined that due to concerns regarding the spread of COVID-19 and the benefits to the control of the virus by limiting in-person contact, this meeting was conducted by teleconference. The Board further noted that notice of the time, date and teleconference information was duly posted and that no objections, or any requests that the means of hosting the meeting be changed were received from taxpaying electors within the District's boundaries.

PUBLIC COMMENT

There were no public comments.

LEGAL MATTERS

Resolution Acknowledging and Adopting the District Amended and Restated Rules and Regulations for Construction Activity: The Board entered into discussion regarding potential changes to the Amended and Restated Rules and Regulations for Construction Activity and requested that the District Manager provide a recommendation on the potential changes at the next meeting. No action was taken by the Board.

The Denargo Market Development Agreement by and among the City and County of Denver, JV Denargo LLC and the District: Discussion ensued regarding The Denargo Market Development Agreement by and among the City and County of Denver, JV Denargo LLC and the District. The Board deferred action regarding this matter to the next meeting.

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CAPITAL MATTERS


Construction Activities and Requirements for Submittal of Safety Plans, Traffic Control Plans, Construction Traffic Plans and a COVID-19 Plan:

The Board entered into discussion regarding construction activities and requirements for submittal of safety plans, traffic control plans, construction traffic plans and a COVID-19 plan. The District Manager was directed to recommend changes to the Amended and Restated Rules and Regulations for Construction Activity to incorporate the additional requirements discussed.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Jones, seconded by Director Wenskoski and, upon vote, unanimously carried, the Regular Meeting was adjourned.

Respectfully submitted,

By: 
Secretary for the Meeting