

## RECORD OF PROCEEDINGS

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### MINUTES OF A CONTINUED REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE DENARGO MARKET METROPOLITAN DISTRICT NO. 1 HELD MARCH 18, 2024

A Continued Regular 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 Monday, the 18<sup>h</sup> day of March 2024, at 4:15 p.m. The District Board meeting was held via video / telephonic means (Zoom). The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

Laura H. Newman  
Jeffrey D. Jones  
Todd T. Wenskoski  
Wade Davidson  
Michael Kuyper

#### Also In Attendance Were:

David Solin; Special District Management Services, Inc. (“SDMS”)

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

Lindsay Ross; CliftonLarsonAllen LLP

#### ADMINISTRATIVE MATTERS

**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. Mr. Solin 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 made by the Directors present at the meeting and applicable disclosures were made by the Board members prior to this meeting in accordance with the statutes.

**Confirmation of Quorum, Location of Meeting and Posting of Meeting Notice:** Mr. Solin confirmed the presence of a quorum. The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District’s Board meeting. It was noted that the District Board meeting was held electronically via video / telephonic means

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(Zoom). The Board further noted that notice of the time, date and meeting access 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.

**Agenda:** Mr. Solin presented a proposed Agenda for the District's Continued Regular Meeting.

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

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### **PUBLIC COMMENT**

There were no public comments.

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### **LEGAL MATTERS**

**Project Management Service Agreement:** The Board reviewed a Project Management Service Agreement by and between the District and JV LoDo Denargo LLC.

Following discussion, upon motion duly made by Director Kuyper, seconded by Director Jones and, upon vote unanimously carried, the Board approved the Project Management Service Agreement by and between the District and JV LoDo Denargo LLC.

**Engineer's Report and Verification of Costs No. 01, prepared by Schedio Group, LLC and authorize reimbursement to JV LoDo Denargo LLC, pursuant to 2022-2025 Facilities Funding and Acquisition Agreement by and between the District and JV LoDo Denargo LLC:** The Board reviewed Engineer's Report and Verification of Costs No. 01, dated March 14, 2024, prepared by Schedio Group, LLC ("Engineer's Report No. 01").

Following discussion, upon motion duly made by Director Wenskoski, seconded by Director Jones and, upon vote unanimously carried, the Board accepted Engineer's Report No. 01 and authorized reimbursement to JV LoDo Denargo LLC, pursuant to the 2022-2025 Facilities Funding and Acquisition Agreement by and between the District and JV LoDo Denargo LLC and preparation of Requisition No. 01.

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### **OPERATION AND MAINTENANCE**

**2024 Landscape Maintenance Matters:**

**Proposal from BrightView Landscape Services, Inc. ("BrightView") for 2024 Landscape Maintenance Services, in the amount of \$14,605.01:** The Board discussed the Proposal for Landscape Maintenance Services from BrightView.

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Following discussion, upon motion duly made by Director Kuyper, seconded by Director Davidson and, upon vote unanimously carried, the Board approved the preparation of a Service Agreement for Landscape Maintenance Services by and between the District and BrightView, in the amount of \$14,605.01.

Proposal from BrightView for an Irrigation Controller: The Board discussed a Proposal from BrightView to wire in an irrigation controller.

Following discussion, upon motion duly made by Director Kuyper, seconded by Director Davidson and, upon vote unanimously carried, the Board approved the Proposal from BrightView for an Irrigation Controller, for an amount not to exceed \$2,000.

Proposal from BrightView for Summer Watering Services: The Board discussed a Proposal from BrightView for Summer Watering Services. The Board deferred action on this matter.

Security Patrols: Mr. Solin reported that the owner of the prior security company died suddenly, so security patrols stopped for a time, but that Spear Security, Inc. has been engaged to perform security patrols.

Service Agreement for Stormwater Maintenance Services: The Board reviewed a Service Agreement for Stormwater Maintenance Services by and between the District and Stormwater Compliance Solutions, LLC.

Following discussion, upon motion duly made by Director Davidson, seconded by Director Newman and, upon vote unanimously carried, the Board approved the Service Agreement for Stormwater Maintenance Services by and between the District and Stormwater Compliance Solutions, LLC.

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### OTHER MATTERS

There were no other matters.

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### ADJOURNMENT

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

Respectfully submitted,

By:   
Secretary for the Meeting