

# RECORD OF PROCEEDINGS

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## MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE DENARGO MARKET METROPOLITAN DISTRICT NO. 1 (THE "DISTRICT") HELD APRIL 24, 2024

A special meeting of the Board of Directors of the Denargo Market Metropolitan District No. 1 (referred to hereafter as the "Board") was convened on April 24, 2024 at 9:00 a.m. and held via Zoom videoconference. 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 and Diana Garcia; Special District Management Services, Inc.

Paula Williams, Esq. and Kate Olson, 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

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District Board meeting was held electronically via video / telephonic means (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:** The Board reviewed the Agenda for the meeting.

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

**Minutes of the March 12, 2024 Regular Meeting and the March 18, 2024 Continued Meeting:** The Board reviewed the Minutes of the March 12, 2024 Regular Meeting and the March 18, 2024 Continued Meeting.

Following review and discussion, upon motion duly made by Director Jones, seconded by Director Newman, and upon vote unanimously carried, the Board approved the Minutes of the March 12, 2024 Regular Meeting and the March 18, 2024 Continued Meeting.

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### **PUBLIC COMMENT**

There were no public comments.

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### **FINANCIAL MATTERS**

**Payment of Claims:** The Board considered ratifying the approval of the payment of claims as follows:

<b>Fund</b>	<b>Period Ending Mar. 31, 2024</b>
General	\$ 52,220.55
Debt Service	\$ -0-
Capital Projects	\$ -0-
Payroll	\$ -0-
<b>Total</b>	<b>\$ 52,220.55</b>

Following discussion, upon motion duly made by Director Jones, seconded by Director Newman, and upon vote unanimously carried, the Board ratified approval of the payment of the claims.

**Cash Position:** Ms. Ross reviewed the Schedule of Cash Position updated as of April 16, 2024 with the Board.

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Following discussion, upon motion duly made by Director Newman, seconded by Director Jones, and upon vote unanimously carried, the Board accepted the Schedule of Cash Position updated as of April 16, 2024.

**Engineer's Report and Verification of Costs No. 2, prepared by Schedio Group LLC and 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. 2, dated April 19, 2024, prepared by Schedio Group LLC ("Engineer's Report No. 2").

Following discussion, upon motion duly made by Director Jones, seconded by Director Wenskoski, and upon vote unanimously carried, the Board accepted Engineer's Report No. 2 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 the related Requisition No. 2.

### **LEGAL MATTERS**

There were no legal matters.

### **OPERATION AND MAINTENANCE**

**2024 Landscape Maintenance Matters:** Mr. Solin updated the Board on the 2024 Landscape Maintenance Matters.

*Change Order No. 9 to Service Agreement for Landscape Services by and between the District and BrightView Landscape Services, Inc. for Extension of Term through December 31, 2024:* The Board reviewed Change Order No. 9.

Following discussion, upon motion duly made by Director Newman, seconded by Director Davidson, and upon vote unanimously carried, the Board ratified approval of Change Order No. 9 to Service Agreement for Landscape Services by and between the District and BrightView Landscape Services, Inc. for Extension of Term through December 31, 2024, in the amount of \$14,605.01.

*Change Order No. 10 to Service Agreement for Landscape Services by and between the District and BrightView Landscape Services, Inc. for Installation of Irrigation Controller:* The Board reviewed Change Order No. 10.

Following discussion, upon motion duly made by Director Newman, seconded by Director Davidson, and upon vote unanimously carried, the Board ratified approval of Change Order No. 10 to Service Agreement for Landscape Services by and between the District and BrightView Landscape Services, Inc. for Installation of Irrigation Controller, for an amount not to exceed \$2,000.00.

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Service Agreement for Security Services by and between the District and Spear Security, Inc.: The Board reviewed the Service Agreement for Security Services by and between the District and Spear Security, Inc.

Following discussion, upon motion duly made by Director Newman, seconded by Director Davidson, and upon vote unanimously carried, the Board ratified approval of the Service Agreement for Security Services by and between the District and Spear Security, Inc.

Service Agreement for Trash Removal Services by and between the District and HG Commercial Services LLC: The Board discussed a proposed Service Agreement for Trash Removal Services by and between the District and HG Commercial Services LLC.

Following discussion, upon motion duly made by Director Newman, seconded by Director Davidson, and upon vote unanimously carried, the Board approved the Service Agreement for Trash Removal Services by and between the District and HG Commercial Services LLC, including trash removal services for the “expanded area”, as discussed.

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### **OTHER BUSINESS**


**Summer Watering:** Director Davidson directed Mr. Solin to confirm that BrightView Landscape Services, Inc. will water the tree lawn on Delgany Street for the summer 2024 season.

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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