

# RECORD OF PROCEEDINGS

---

## MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE DENARGO MARKET METROPOLITAN DISTRICT NO. 2 HELD JULY 19, 2023

A Special Meeting of the Board of Directors (referred to hereafter as the “Board”) of the Denargo Market Metropolitan District No. 2 (referred to hereafter as the “District”) was held on Wednesday, the 19<sup>th</sup> day of July 2023, at 4:00 p.m. The District Board meeting was held and properly noticed to be held via Zoom and in person at McGeady Becher P.C. 450 E 17th Ave #400 Denver, CO 80203. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

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

#### Also In Attendance Were:

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

Paula Williams, Esq. and Kate Olson, Esq; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

Mike Kuyper; Triunity Engineering & Management & Management, Inc.

Scott Vion and Benjamin Kreye, Swinerton Construction Company

### 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. 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 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.

## RECORD OF PROCEEDINGS

---

**Confirmation of Quorum, Location of Meeting and Posting of Meeting**

**Notices:** Ms. Finn 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 and properly noticed to be held by video / telephonic means via 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 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 Jones and, upon vote unanimously carried, the Agenda was approved, as presented.

**Resignation and Appointment of Secretary to the Board:** The Board discussed the resignation of Ann Finn and considered the appointment of David Solin as Secretary to the Board.

Following discussion, upon motion duly made by Jones, seconded by Director Newman and, upon vote, unanimously carried, the Board accepted the resignation of Ann Finn as Secretary to the Board and appointed David Solin as Secretary to the Board.

**Board Vacancy:** Mr. Solin discussed with the Board the vacancy on the Board of Directors. There are no known candidates at this time.

**PUBLIC COMMENT**

\_\_\_\_\_

There were no public comments.

\_\_\_\_\_

**FINANCIAL MATTERS**

\_\_\_\_\_

There were no financial matter.

\_\_\_\_\_

**LEGAL MATTERS**

**Matters Related to November 7, 2023 Special Election for Denargo Market Metropolitan District No. 2:**

*Adoption of Resolution Calling a Special Election for Debt Within District No. 2 on November 7, 2023:* The Board entered into discussion regarding adoption of Resolution Calling a Special Election for Debt Within District No. 2 on November 7, 2023.

## RECORD OF PROCEEDINGS

---

Following discussion, upon motion duly made by Director Newman, seconded by Director Jones and, upon vote unanimously carried, the adopted the Resolution Calling a Special Election for Debt Within District No. 2 on November 7, 2023.

*Intergovernmental Agreement by and among the City and County of Denver, the Clerk and Recorder of the City and County of Denver and District No. 2 Concerning the November 7, 2023 Coordinated Election (Election and TABOR Notice):* The Board entered into discussion regarding an Intergovernmental Agreement by and among the City and County of Denver, the Clerk and Recorder of the City and County of Denver and District No. 2 Concerning the November 7, 2023 Coordinated Election (Election and TABOR Notice).

Following discussion, upon motion duly made by Director Jones, seconded by Director Newman and, upon vote unanimously carried, the adopted the Intergovernmental Agreement by and among the City and County of Denver, the Clerk and Recorder of the City and County of Denver and District No. 2 Concerning the November 7, 2023 Coordinated Election (Election and TABOR Notice).

*Service Agreement for Election Management Services by and between District No. 2 and Circuit Rider of Colorado, LLC:* The Board discussed the Service Agreement for Election Management Services by and between District No. 2 and Circuit Rider of Colorado, LLC.

Following discussion, upon motion duly made by Director Jones, seconded by Director Newman and, upon vote unanimously carried, the approved the Service Agreement for Election Management Services by and between District No. 2 and Circuit Rider of Colorado, LLC.

---

### **OPEARATION AND MAINTENANCE**

**Status of potholes on District No. 2's Roads:** Mr. Solin noted that the asphalt contractor will be onsite to review the needs and prepare a proposal on July 26th.

Following discussion, upon motion duly made by Director Jones, seconded by Director Newman and, upon vote unanimously carried, the approved \$10,000 for the project, subject to final review by Directors Wenskoski and Davidson.

**Towing Agreement:** Mr. Solin noted that the draft towing agreement is being reviewed by Attorney Williams.

---

### **CAPITAL MATTERS**

**Construction Oversight Reports/Site Inspections/Development Application Reviews:** Director Davidson, Mr. Vion and the Board discussed the Construction Oversight Reports/Site Inspections/Development Application Reviews.

## RECORD OF PROCEEDINGS

---

### **Construction Activity Plan Concerning the Anticipated Construction Activity within the Districts and the Need for Easements/Licenses and Permits and Damage Deposits:**

*Appointment of Construction Committee and Authorize Committee to Take Actions Necessary to Implement Construction Activity Plan:* The Board discussed the appointment of a Construction Committee and authorize committee to take actions necessary to implement Construction Activity Plan.

Following discussion, upon motion duly made by Director Newman, seconded by Director Jones and, upon vote unanimously carried, the approved the authorized the Construction Committee to review and approve Temporary Construction Easements and modifications to the Rules and Regulations for Construction Activity, as needed.

---

### **ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director Newman, seconded by Director Jones and, upon vote unanimously carried, the Special Meeting was adjourned at 6:20 p.m.

Respectfully submitted,

By:   
Secretary for the Meeting