

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE DOVE VALLEY METROPOLITAN DISTRICT HELD NOVEMBER 20, 2023

A Regular Meeting of the Board of Directors (referred to hereafter as the “Board”) of the Dove Valley Metropolitan District (referred to hereafter as the “District”) was convened on Monday, November 20, 2023, at 1:00 P.M. This District Board Meeting was held via video/telephone conference. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Greg L. Armstrong
Megan Murphy

Also In Attendance Were:

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

Elisabeth A. Cortese, Esq. and Emily Murphy, Esq.; McGeady Becher P.C.

Nichole Kirkpatrick; CliftonLarsonAllen LLP

Kevin Collins; Board Candidate

Don Casper; Donald E. Casper Consulting Services, Inc

Kevin Crehan, Solara Designs, Inc.

Christopher Fortin; DHM Design Corporation

Stephanie Chichester; North Slope Capital Advisors

ADMINISTRATIVE MATTERS

Disclosure of Potential Conflicts of Interest: Attorney Cortese noted she was in receipt of a disclosure of potential conflict of interest statement for Director Armstrong and that the statement was filed with the Secretary of State at least seventy-two hours in advance of the meeting. Mr. Solin requested that the Directors review the Agenda for the meeting and advised the Board to disclose any new conflicts of interest with any items scheduled for discussion. No further disclosures were made.

Meeting Location and Posting of Meeting Notices: 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. The Board determined that the meeting would be held via video/telephone conference. Mr. Solin reported that notice was duly posted and that no

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objections to the video/telephonic manner or location of the meeting or any requests that the video/telephonic manner or location of the meeting be changed by taxpaying electors within the District boundaries have been received.

Agenda: Mr. Solin distributed for the Board's review and approval a proposed Agenda for the District's Regular Meeting.

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

Appointment of Director: The Board considered the appointment of Mr. Kevin Collins to fill a vacancy on the Board of Directors. It was noted that pursuant to Section 32-1-808(2)(a)(I), C.R.S., publication of a Notice of Vacancy on the Board was published in a newspaper having general circulation in the District and that no Letters of Interest from qualified eligible electors were received within ten (10) days of such publication.

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote, unanimously carried, the Board appointed Mr. Kevin Collins to fill a vacant position on the Board of Directors. An Oath of Director was administered to Mr. Collins at the end of the meeting, but it was noted that he could not take any action as a director until the Oath is filed with the Arapahoe County Clerk and Recorder.

Appointment of Officers: The Board entered into discussion regarding the appointment of officers.

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Greg Armstrong
Treasurer	Kevin Collins
Secretary	David Solin
Asst. Secretary	Megan Murphy

Public Comments: There were no public comments.

Minutes: The Board reviewed the Minutes of the September 8, 2023 Special Meeting and the September 18, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote, unanimously carried, the Board approved the Minutes of the September 8, 2023 Special Meeting and the September 18, 2023 Regular Meeting.

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Resolution No. 2023-11-01, Resolution Establishing Regular Meeting Dates, Time, and Location, and Designating Location for Posting of 24-Hour Notices: Mr. Solin discussed with the Board Resolution No. 2023-11-01, Resolution Establishing Regular Meeting Dates, Time, and Location, and Designating Location for Posting of 24-Hour Notices.

The Board determined that Regular Meetings for 2024 will be scheduled for January 15, March 18, May 20, July 15, September 16, and November 18, 2024 at 1:00 P.M., to be held virtually.

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-11-01, Resolution Establishing Regular Meeting Dates, Time, and Location, and Designating Location for 24-Hour Notices.

Section 32-1-809, C.R.S., Compliance for 2024: Mr. Solin discussed with the Board the requirements of Section 32-1-809, C.R.S.

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote, unanimously carried, the Board directed that the required Transparency Notice be posted on the District website and the Special District Association website.

Insurance Matters:

Cyber Security and Increased Crime Coverage: The Board discussed cyber security issues and increased crime coverage options.

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote, unanimously carried, the Board approved an increase in the District's crime insurance coverage to \$250,000.

Insurance Committee: The Board discussed establishing an Insurance Committee to make final determinations regarding insurance. The Board determined an Insurance Committee was not necessary.

District's Insurance and Special District Association Membership: The Board discussed the renewal of the District's insurance and Special District Association ("SDA") membership for 2024.

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote, unanimously carried, the Board authorized the renewal of the District's insurance coverage (with the increased crime coverage limit) and SDA membership for 2024.

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FINANCIAL MATTERS

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

Fund	Period Ending Sept. 30, 2023	Period Ending Oct. 31, 2023	Period Ending Nov. 20, 2023
General	\$ 66,703.19	\$ 107,629.29	\$ 44,515.94
Debt Service	\$ -0-	\$ -0-	\$ -0-
Capital Projects	\$ 250,000.00	\$ -0-	\$ -0-
Total Claims	\$ 316,703.19	\$ 107,629.29	\$ 44,515.94

Following review and discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote, unanimously carried, the Board ratified approval of the payment of claims, as presented.

Unaudited Financial Statements: No financial statements were presented.

Preparation of 2023 Audit: Following discussion, upon motion duly made by Director Murphy, seconded by Director Armstrong and, upon vote, unanimously carried, the Board approved the engagement of Simmons & Wheeler, P.C. to prepare the 2023 Audit, for an amount not to exceed \$6,000.

2023 Budget Amendment Hearing: The President opened the public hearing to consider an amendment to the 2023 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider amendment of the 2023 Budget and the date, time, and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received, and the public hearing was closed.

Following discussion, the Board determined that a 2023 Budget Amendment was not needed.

2024 Budget Hearing: The President opened the public hearing to consider the proposed 2024 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2024 Budget and the date, time, and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received, and the public hearing was closed.

Ms. Kirkpatrick reviewed the estimated 2023 expenditures and the proposed 2024 expenditures.

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Following discussion, the Board considered the adoption of Resolution No. 2023-11-02 to Adopt the 2024 Budget and Appropriate Sums of Money, and Resolution No. 2023-11-03 to Set Mill Levies, [for the General Fund at 4.016 mills (including abatement reduction) and the Debt Service Fund at 6.394 mills, for a total mill levy of 10.410 mills]. Upon motion duly made by Director Murphy, seconded by Director Armstrong and, upon vote, unanimously carried, the Resolutions were adopted, as amended, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before January 3, 2024. Mr. Solin was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Arapahoe County not later than January 10, 2024. Mr. Solin was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2024. Copies of the adopted Resolutions are attached to these minutes and incorporated herein by this reference.

DLG-70 Certification of Tax Levies Form (“Certification”): Following discussion, upon motion duly made Director Armstrong, seconded by Director Murphy and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare the Certification, authorized Director Armstrong to sign the Certification, and directed the District Accountant to file the Certification with the Board of County Commissioners and other interested parties.

Master Service Agreement and Statements of Work with CliftonLarsonAllen LLP: The Board discussed the Master Service Agreement and Statements of Work between the District and CliftonLarsonAllen LLP for 2024 Accounting Services.

Following discussion, upon motion duly made Director Armstrong, seconded by Director Murphy and, upon vote, unanimously carried, the Board approved the Master Service Agreement and Statements of Work between the District and CliftonLarsonAllen LLP for 2024 Accounting Services, subject to final legal review.

2025 Budget: The Board discussed the preparation of the 2025 Budget.

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2025 Budget and directed that the 2025 draft budget be in the same format as the 2024 adopted budget unless a Board Member provides input to otherwise adjust those assumptions. The Board determined to hold the public hearing to consider adoption of the 2025 Budget on Monday, November 18, 2024 at 1:00 p.m. at the regular meeting.

Financial Advisory Services: Ms. Chichester provided an update to the Board regarding the timeline for the External Financial Advisor report, noting that North Slope Capital is still compiling information for the report.

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LEGAL MATTERS

Intergovernmental Agreement – Maintenance Program for Trails between the District and the County of Arapahoe (“IGA – Maintenance Program”): Attorney Murphy and Mr. Crehan provided an update on the status of the IGA – Maintenance Program.

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote unanimously carried, the Board approved the \$13,000 annual maintenance cost and the IGA – Maintenance Program, subject to final legal review.

Resolution No. 2023-11-04, Resolution Amending Policy on Colorado Open Records Act Requests: The Board reviewed Resolution No. 2023-11-04, Resolution Amending Policy on Colorado Open Records Act Requests.

Following discussion, upon motion duly made by Director Murphy, seconded by Director Armstrong and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-11-04, Resolution Amending Policy on Colorado Open Records Act Requests.

OPERATIONAL/ MAINTENANCE MATTERS

Intergovernmental Agreement Regarding 2023 Grant of Arapahoe County Open Space Program Funds – Project Name: East Fremont Avenue Trail by and between the District and the Board of County Commissioner so the County of Arapahoe, State of Colorado (the “Grant Funding IGA”): Attorney Murphy reviewed the Grant Funding IGA with the Board.

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote unanimously carried, the Board approved the Grant Funding IGA.

Temporary Construction Easement Agreement (Fremont Avenue Trail) between Gypsum Management and Supply, Inc. (as Grantor) and the District (as Grantee): Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote unanimously carried, the Board ratified approval of the Temporary Construction Easement Agreement (Fremont Avenue Trail) between Gypsum Management and Supply, Inc. (as Grantor) and the District (as Grantee).

Temporary Construction Easement Agreement (Fremont Avenue Trail) between the following entities (as Grantor) and the District (as Grantee): Attorney Murphy reviewed with the Board the Temporary Construction Easement Agreement (Fremont Avenue Trail) documents between the following entities and the District:

1. Foodworks, Inc.
2. Centennial East Apartments Limited Partnership
3. Brisben Centennial East II Apartments Limited Partnership

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4. Board of County Commissioners of the County of Arapahoe
5. Department of Human Services, State of Colorado
6. Woodspear Fox Run, LLC

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote unanimously carried, the Board approved the Temporary Construction Easement Agreement (Fremont Avenue Trail) documents between the entities listed above and the District, subject to final legal review.

Public Use Easement Agreement – Fremont Avenue Trail between the following entities (as Grantor) and the District (as Grantee): Attorney Murphy reviewed with the Board the Public Use Easement Agreement – Fremont Avenue Trail documents between the following entities and the District:

1. Southeast Metro Stormwater Authority
2. Board of County Commissioners of the County of Arapahoe
3. Department of Human Services, State of Colorado

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote unanimously carried, the Board approved the Public Use Easement Agreement – Fremont Avenue Trail documents between the entities listed above and the District, subject to final legal review.

Fremont Avenue Trail Committee: The Board discussed establishing a committee to review and execute the remaining easements for the Fremont Avenue Trail Project.

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote unanimously carried, the Board established the Fremont Avenue Trail Committee to review and execute the remaining easements for the Fremont Avenue Trail Project, and appointed Director Armstrong to the Committee.

License Agreement between the City of Centennial, Colorado and the District: The Board discussed the License Agreement between the City of Centennial, Colorado and the District.

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote unanimously carried, the Board approved the License Agreement between the City of Centennial, Colorado and the District, subject to final legal review and review by the Fremont Avenue Trail Committee.

Resolution No. 23-248 of the Board of County Commissioners of Arapahoe County: The Board reviewed Resolution No. 23-248 of the Board of County Commissioners of Arapahoe County allowing the District to use the Public Use Easement dedicated by Centennial East Corporate Center Subdivision Filing Nos. 4, 6, and/or 12 relative to the Fremont Avenue Trail (“Resolution No. 23-248”).

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Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote unanimously carried, the Board acknowledged Resolution No. 23-248.

Proposal from Lotito Brothers, Inc.: The Board reviewed the proposal from Lotito Brothers, Inc. for landscape rehabilitation at two monument signs at South Jordan Road & East Broncos Parkway, and South Jordan Road & East Mineral Avenue.

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote unanimously carried, the Board ratified approval of the proposal from Lotito Brothers, Inc. for landscape rehabilitation at two monument signs at South Jordan Road & East Broncos Parkway, and South Jordan Road & East Mineral Avenue, for a total amount of \$23,195.

CAPITAL PROJECTS MATTERS

Proposal for Professional Construction Administration and Oversight Services from Schedio Group LLC (for the upcoming Fremont Avenue Trail Construction Project): The Board reviewed the Proposal for Professional Construction Administration and Oversight Services from Schedio Group LLC (for the upcoming Fremont Avenue Trail Construction Project).

Following discussion, upon motion duly made by Director Murphy, seconded by Director Armstrong and, upon vote unanimously carried, the Board approved the Proposal for Professional Construction Administration and Oversight Services from Schedio Group LLC (for the upcoming Fremont Avenue Trail Construction Project), and authorized preparation of a Service Agreement.

Update of Crossing at Blackhawk and Broncos Parkway: Mr. Crehan and Mr. Casper updated the Board on the crossing at Blackhawk and Broncos Parkway. Mr. Casper will lead the effort in talking to the City of Centennial and pursue conversations with Centennial regarding transferring street lighting along Broncos Parkway to the City of Centennial.

OTHER MATTERS

Intergovernmental Agreement for Dove Creek Trail Project: Mr. Crehan reviewed with the Board the Intergovernmental Agreement for Dove Creek Trail Project by and among the Southeast Metro Stormwater Authority the City of Centennial, the District, and The Board of County Commissioners of the County of Arapahoe (the “Dove Creek Trail IGA”).

Following discussion, upon motion duly made by Director Armstrong, seconded by Director Murphy and, upon vote unanimously carried, the Board approved the Dove Creek Trail IGA, subject to final legal review.

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East Hannibal Circle: Mr. Crehan provided an update on East Hannibal Circle, noting the same was ready for acceptance.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Armstrong, and seconded by Director Murphy and, upon vote, unanimously carried, the meeting was adjourned at 2:47 p.m.

Respectfully submitted,

By  _____
Secretary for the Meeting