

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
DUS METROPOLITAN DISTRICT NO. 3
HELD
MAY 17, 2021

A special meeting of the Board of Directors (“**Board**”) of the DUS Metropolitan District No. 3 (“**District**”) was convened on Monday, May 17, 2021, at 8:00 a.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, this District Board meeting was held via Zoom videoconference. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Frank Cannon, President
Donna Blair, Secretary (for a portion of the meeting)
Mark Falcone, Assistant Secretary
Jay Lambiotte, Assistant Secretary

Also present were:

Elisabeth A. Cortese, Esq., Emily Murphy, Esq. and Samantha Lillehoff, Esq.; McGeady Becher P.C.
Debra Sedgeley; CliftonLarsonAllen LLP (“**CLA**”)
Matt Schartz; Continuum Partners

ADMINISTRATIVE MATTERS

Disclosure of Potential Conflicts of Interest: A quorum for the meeting was confirmed and the Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Attorney Cortese that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors.

Agenda: The Board reviewed the Agenda for the District’s special meeting. Following discussion, upon motion duly made by Director Blair, seconded by Director Cannon, and upon vote unanimously carried, the Board approved the Agenda, and excused the absence of Director Cara.

Approval of Meeting Location and Posting of 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. Following

discussion, upon motion duly made by Director Blair, seconded by Director Cannon, and upon vote unanimously carried, the Board determined that due to concerns regarding the spread of COVID-19 and the benefit to the control of the spread of the virus by limiting in-person contact, this meeting was conducted via Zoom videoconference and encouraged public participation via Zoom. The Board noted that notice of this meeting and Zoom meeting information was duly posted and the Board had not received any objections to the Zoom meeting or any requests that the meeting be changed by taxpaying electors within the District's boundaries.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Blair, seconded by Director Cannon, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted within the boundaries of the District as least 24-hours prior to each meeting at the following location: on a fence within the boundaries of the District.

Public Comment: No public comment.

CONSENT AGENDA

The Board considered the following items on the Consent Agenda:

- Approval of minutes from the November 2, 2020 special meeting, November 11, 2020 and December 9, 2020 continued meetings.
- Ratify approval of 2020 Audit Exemption Application.

Following discussion, upon motion duly made by Director Cannon, seconded by Director Blair, and upon vote unanimously carried, the Board approved and/or ratified, as appropriate, the above items on the Consent Agenda.

LEGAL MATTERS

The Board discussed possible enhancements to the areas within the boundaries of the Districts to assist with deterring activities that could pose a security risk to the users of the transit center and the surrounding areas. No action was taken by the Board.

Second Amendment to Resolution Regarding Colorado Open Records Act Requests: Following discussion, upon motion duly made by Director Falcone, seconded by Director Blair, and upon vote unanimously carried, the Board approved the Second Amendment to Resolution Regarding Colorado Open Records Act Requests.

OTHER BUSINESS

There was no further business to come before the Board.

ADJOURNMENT

Upon motion duly made by Director Cannon, seconded by Director Falcone, and upon vote unanimously carried, the Board adjourned the meeting.

The foregoing record constitutes a true and correct copy of the Minutes of the above-referenced meeting.

Donna Blair

Donna Blair, Secretary