### RECORD OF PROCEEDINGS

# MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE TWIN PEAKS METROPOLITAN DISTRICT HELD NOVEMBER 11, 2021

A special meeting of the Board of Directors ("Board") of Twin Peaks Metropolitan District ("District") was duly held on Thursday, November 11, 2021, at 3:00 p.m. This District Board meeting was held via Zoom and by conference call. The meeting was open to the public.

# **ATTENDANCE**

## **Directors In Attendance:**

Danaria McCoy, President Joseph ("Joey") Ginsborg, Secretary

# **Also In Attendance:**

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

# ADMINISTRATIVE MATTERS

Confirm Quorum/Disclosure of Potential Conflicts of Interest: The Board entered into a discussion regarding the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Attorney Williams noted that a quorum was present and requested members of the Board 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 the statute. Attorney Williams noted that Directors' Disclosure Statements had been filed by the statutory deadline.

**Agenda:** The Board reviewed the Agenda for the meeting and following discussion, upon a motion duly made by Director McCoy, and seconded by Director Joseph Ginsborg, and upon vote unanimously carried, the Board approved the Agenda as presented and excused the absence of Director Jacob Ginsborg.

Approval of Meeting Location: 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 McCoy, and seconded by Director Joseph Ginsborg, and upon vote unanimously carried, the Board determined that because there was not a suitable or convenient location within the District's boundaries to conduct this meeting, it was determined to conduct the meeting at the above-stated date, time and format. The Board further noted that notice of this format was posted within the boundaries of the District and the Board has not received any objections to the format or any requests that the meeting be changed by taxpaying electors within the boundaries of the District.

Public Comment: There was no public comment.

<u>Minutes of the October 18, 2021 Special Meeting</u>: The Board reviewed the minutes of the October 18, 2021 special meeting. Following discussion, upon motion duly made by Director Joseph Ginsborg, seconded by Director McCoy, and upon vote unanimously carried, the Board approved the October 18, 2021 meeting minutes.

#### LEGAL MATTERS

<u>Transparency Notice Required Under Section 32-1-809, C.R.S.</u>: The Board discussed the required transparency notice under Section 32-1-809, C.R.S. Upon motion duly made by Director Joseph Ginsborg, seconded by Director McCoy, and upon vote unanimously carried, the Board directed District Counsel to post the required notice on the Special District Association website.

# **OTHER BUSINESS**

Resolution No. 2021-11-01; Resolution Regarding District Roadway Rules and Regulations: Attorney Williams updated the Board on the discussion with the City's Attorney, Eugene Mei, noting that she inquired whether the City Police would enforce rules adopted and posted in the District regarding vehicles parked overnight. Mr. Mei provided contact information for Officer David Kennedy.

Attorney Williams and Olson discussed Resolution No. 2021-11-01 Regarding District Roadway Rules and Regulations (the "Resolution"). The Board discussed concerns regarding loitering, panhandling, and solicitation and asked if these could also be addressed in the Resolution.

Following discussion, upon motion duly made by Director McCoy, seconded by Joseph Ginsborg, and upon vote unanimously carried, the Board adopted the Resolution subject to revisions to include rules and regulations regarding loitering, panhandling and solicitation (to the extend such rules are permitted by law) and authorized Director McCoy to work with District Counsel on finalizing the Resolution.

### **ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned.

Respectfully submitted,

By \_\_\_\_\_ Secretary for the Meeting