

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

WESTERLY CREEK METROPOLITAN DISTRICT

Held: Thursday, May 26, 2022, at 8:00 A.M. held via Zoom Conferencing at 720-707-2699; meeting ID: 811 1096 5583 Password: 628225.

**ATTENDANCE**

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

Justin Ross  
Derek Lis  
Doug Marsh  
Kristin Rozansky

Also present were:

- Megan J. Murphy, Esq. and Nelson G. Dunford, Esq. WHITE BEAR ANKELE TANAKA & WALDRON, Attorneys at Law, District General Counsel;
- Brian Fennelly, Brookfield Properties;
- John Simmons, Simmons & Wheeler;

**ADMINISTRATIVE MATTERS**

Call to Order

Ms. Murphy noted that a quorum of the Board was present and called the meeting to order.

Declaration of Quorum and Confirmation of Director Qualifications

A quorum for the Board was confirmed present and the director's qualifications to serve were also confirmed.

Reaffirmation of Disclosures of Potential or Existing Conflicts of Interest

Ms. Murphy advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Murphy reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Murphy inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of

interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda

The Board reviewed the proposed agenda for the meeting. Following discussion, upon motion by Mr. Lis and seconded by Mr. Ross, the Board unanimously approved the agenda as amended.

**PUBLIC COMMENT**

None.

**DIRECTOR MATTERS**

Consider Election of Officers

The Board engaged in general discussion regarding the Election of Officers. Following discussion, upon a motion duly made by Mr. March and seconded by Mr. Lis, the Board elected Director Ross as President, Director Lis as Treasurer, Director Rozansky as Secretary, and Director Marsh as Assistant Secretary.

Discuss Board Orientation Meeting

The Board engaged in general discussion regarding an Orientation Meeting for the new board members. Directors Marsh and Lis requested an in-person meeting at the WBA offices.

Discuss Board Vacancy

Ms. Murphy explained the board appointment process. Director Rozansky requested that the vacancy be posted in the Front Porch and the district website. Ms. Murphy noted responses to the solicitation would be due June 17, 2022.

**CONSENT AGENDA**

Ms. Murphy reviewed the items on the consent agenda with the Board. Ms. Murphy advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. Upon a motion duly made by Ms. Rozansky and seconded by Mr. Marsh, the following items on the consent agenda were unanimously approved, ratified and adopted:

a. Approval of Amended and Restated Public Records Request Policy.

Approval of Minutes from March 23, 2022 Regular Meeting

Ms. Murphy presented to the Board the Minutes from the meeting. Following discussion, upon a motion duly made by Ms. Rozansky and seconded by Mr. Ross, the Board approved the

minutes of the March 23, 2022 Regular Meeting. Mr. Lis and Mr. Marsh abstained from voting.

**MATTERS RELATED TO STAPLETON DEVELOPMENT CORPORATION**

Update from Stapleton Development Corporation

The Board deferred discussion of this matter.

**MATTERS RELATED TO PARK CREEK METROPOLITAN DISTRICT**

Update from Park Creek Metropolitan District

The Board deferred discussion of this matter.

Appoint Two Ex-Officio Board Members to Park Creek Metropolitan District Board

Following discussion by the Board, upon a motion duly made by Mr. Marsh and seconded by Mr. Ross, the Board appointed Mr. Ross and Ms. Rozansky as ex-officio Board members of the Park Creek Metropolitan District Board.

**OTHER BUSINESS**

Financial Claims to be Ratified in the Amount of \$55,631.48

Mr. Simmons presented the financial claims to be ratified to the Board in the amount of \$55,631.48. Following discussion by the Board, upon a motion duly made by Ms. Rozansky and seconded by Mr. Ross, the Board approved the ratification of the claims.

Next Meeting—June 15, 2022

Ms. Murphy suggested moving the meeting to July to allow for consideration of the candidates for the vacancy in the Board. The Board cancelled the June 15 meeting.

**ADJOURNMENT**

There being no further business to come before the Board, upon motion, second and unanimously carried, the Board determined to adjourn the meeting.

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

*Kristin F. Rozansky*  
[Kristin F. Rozansky \(Aug 18, 2022 13:16 MDT\)](#)

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Secretary for the District

The foregoing minutes were approved by the Board of Directors on the 2nd day of August 2022.