MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE AVION METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
MAY 26, 2026

A regular meeting of the Board of Directors of the District (referred to hereafter as the "Board") was convened on Tuesday, May 26, 2026, at 6:00 p.m. This District Board meeting was held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:
Marc Robson
Shawn Hampleton
Tina Woodard
Rachelle Weigold
Nicole Dickens

Also In Attendance Were:
Suzanne Meintzer, Esq. and Evan Weis, Esq.; McGeady Becher Cortese Williams P.C.
Jerry Jacobs and Brittany Barnett; Timberline Management & Consulting, LLC ("Timberline")
Lindsay Ross; CliftonLarsonAllen LLP ("CLA")
Mel Cagle; Social Committee
Public: Carina (both for a portion of the meeting)

ADMINISTRATIVE MATTERS

Quorum and Disclosures of Potential Conflicts of Interest: The Board noted a quorum was present and 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. No disclosures were made, and it was noted that all Directors are residents of the District.

Agenda: The Board reviewed the Agenda for the meeting. Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard, and upon vote unanimously carried, the Board approved the Agenda.

Meeting Location: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), of the Colorado Revised Statutes ("C.R.S."), concerning the location of the District's Board meeting. Following discussion, the Board noted this District Board meeting was held via Zoom. The Board further noted that notice of this meeting and the conference/video access was duly posted and that it had not received any objections to the format of the meeting or any requests that the meeting format be changed by taxpaying electors within the District's boundaries.

Minutes: The Board reviewed the minutes of the April 28, 2026 special meeting. Following discussion, upon motion duly made by Director Weigold, seconded by Director Robson, and upon vote unanimously carried, the Board approved the minutes of the April 28, 2026 special meeting.

Update from Social Committee: Ms. Cagle provided the Board with the Social Committee update, including status of resolution of Dumpster Day costs. Ms. Cagle informed the Board that she will be resigning from her position on the Social Committee and will provide the Board and the Social Committee with her recommendations for Social Committee events for the remainder of the calendar year, together with how the Dumpster Day costs will affect such events. Ms. Cagle also presented the Board with questions from residents. Ms. Barnett will assess the questions and distribute answers via email.

PUBLIC COMMENT

Public Comment: None.

CAPITAL IMPROVEMENTS

Park Improvements

Engineer's Report: The Board reviewed the Engineer's Report provided by Independent District Engineering Services, LLC ("IDES"). Following discussion, upon motion duly made by Director Robson, seconded by Director Dickens, and upon vote unanimously carried, the Board acknowledged the Engineer's Report.

District Expenditures Verification Report: The Board reviewed the District Expenditures Verification for May 2026, by IDES, in the amount of $182,314.20. Following discussion, upon motion duly made by Director Robson, seconded by Director Dickens, and upon vote unanimously carried, the Board accepted District Expenditures Verification for May 2026, in the amount of $182,314.20.

Pay Applications, Change Orders and Invoices: The Board reviewed and considered approval of the following pay applications and/or invoices:

Pay Application No. 12 from ECI Site Construction Management, Inc. ("ECI") in the amount of $175,035.47: Following discussion, upon motion duly made by Director Robson, seconded by Director Dickens, and upon vote unanimously carried, the Board approved the payment of Pay Application No. 12 from ECI in the amount of $175,035.47.

ECI Change Order No. 8 in the amount of $0.00: Following discussion, upon motion duly made by Director Robson, seconded by Director Dickens, and upon vote unanimously carried, the Board approved Change Order No. 8 under the Construction Contract with ECI for additional contract days due to weather in the amount of $0.00.

Norris Design invoice in the amount of $1,366.70: Following discussion, upon motion duly made by Director Robson, seconded by Director Dickens, and upon vote unanimously carried, the Board approved payment of the invoice from Norris Design in the amount of $1,366.70.

IDES invoice in the amount of $5,912.03: Following discussion, upon motion duly made by Director Robson, seconded by Director Dickens, and upon vote unanimously carried, the Board approved the payment of the invoice from IDES in the amount of $5,912.03.

Executive Session: The Board determined an executive session was not needed.

FINANCIAL MATTERS

Financial Statements and Schedule of Cash Deposits and Investments: Ms. Ross reviewed the unaudited Financial Statements for the period ending March 31, 2026, and Schedule of Cash Deposits and Investments dated January 31, 2026, updated as of May 19, 2026. Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard, and upon vote unanimously carried, the Board accepted the unaudited Financial Statements for the period March 31, 2026, and Schedule of Cash Deposits and Investments dated January 31, 2026, updated as of May 19, 2026.

Claims: Ms. Ross reviewed the claims list for the period of March 17, 2026 through May 19, 2026, with the Board. Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard, and upon vote unanimously carried, the Board ratified approval of the payment of claims for the period of March 17, 2026 through May 19, 2026, in the amount of $906,555.57, and the payment of Directors' Fees in the amount of $1,000.00.

Status of Reimbursement Requests to City of Denver under Avion Park Funding Agreement: The Board discussed the status of reimbursement requests to the City of Denver ("City") under the Avion Park Funding Agreement. Attorney Meintzer reported to the Board that there has been no update since April. No Board action taken.

2025 Audit: The Board discussed the status of the 2025 Audit, noting it is anticipated to be ready for approval at the June 23, 2026 Board meeting.

LEGAL MATTERS

Plat Amendment: Attorney Meintzer reported that the mylars were circulated, signed on behalf of the District and are currently with the City.

Public Art Requirement: Attorney Meintzer reported that she is still waiting to hear from the City about the public art requirement.

Other: Director Weigold asked Ms. Barnett when she last sent the OAC minutes, to which Ms. Barnett reported that she did so on Friday, May 22, 2026.

Director Weigold initiated discussion with the Board and consultants regarding the Avion Park agreement. Attorney Meintzer explained how the dedication of public improvements typically functions. Director Weigold requested District Counsel send the Board a timeline of District stewardship of the Park.

OPERATIONS AND MAINTENANCE

HUB Rental / Reservation Procedures: The Board discussed HUB rental and reservations procedures. Director Weigold requested to revise HUB rentals and reservations procedures at the July 28, 2026 Board meeting. No action was taken.

Report on 2026 Pool Opening: The Board discussed opening weekend at the pool. Director Woodard had concerns about the number of staff and security at the pool. No action was taken.

Foothills Facilities Maintenance, LLC ("FFM") Proposals: The Board reviewed proposals from FFM for the below listed maintenance and repairs and considered approval of change orders under the Service Agreement for Pool and HUB Maintenance Services with FFM ("FFM Service Agreement").

Following discussion, upon motion duly made by Director Weigold, seconded by Director Robson, and upon vote unanimously carried, the Board took the following actions:

> Approved Change Order No. 15 under the FFM Service Agreement for high impact corner guards in the amount of $2,643.62.
>
> Approved Change Order No. 16 under the FFM Service Agreement for bar light replacement in the amount of $757.77.

Proposals from Environmental Designs, LLC (EDLLC): The Board reviewed proposals from EDLLC and considered approval of Task Orders under the Master Service Agreement for Landscape Maintenance Services with ECLLC ("EDLLC MSA").

Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard, and upon vote unanimously carried, the Board took the following actions:

> Approved Task Order No. 5 under the EDLLC MSA for spring floral services in the amount of $1,151.00.
>
> Approved Task Order No. 6 under the EDLLC MSA for irrigation repairs in the amount of $6,265.98.

The Board discussed the lack of context for ECLLC proposals. Timberline to discuss adding additional information / context to future proposals.

COVENANT ENFORCEMENT / DESIGN REVIEW

<u>Community Manager's Report / Architectural Review Committee ("ARC") Report / Violation Report</u>: Ms. Barnett summarized her report, the violation report and ARC Report.

BOARD MEMBER MATTERS

Director Weigold requested an update on the status of the removal of the snow stakes, and Ms. Barnett reported that she is waiting on an update from EDLLC.

Director Weigold initiated a discussion regarding use of the pool by Non-District Members. Attorney Meintzer reminded that the pool is open to the general public ("Non-District Members") and that pursuant to the Fourth Amended and Restated District Facilities Rules and Regulations, Non-District Members are required to pay an annual household membership per year per household to use the pool ("Non-District Member Annual Household Membership").

The Board discussed the Non-District Member Annual Household Membership. Following discussion, upon motion duly made by Director Robson, seconded by Director Weigold, and upon vote unanimously carried, the Board approved an increase in the Non-District Member Annual Household Membership to $6,000 per year per household, and approved the First Amendment to the Fourth Amended and Restated District Facilities Rules and Regulations regarding same.

Director Hampleton initiated a discussion regarding whether the District could implement age restrictions in the hot tub. Attorney Meintzer advised that there is no distinction between this restriction and the Board's inability to implement age restrictions in other areas of the HUB. At the request of the Board, District Counsel will research age restrictions in the City to assess feasibility.

Director Weigold requested to be included in the invoices, and Ms. Ross agreed to do so.

OTHER BUSINESS

<u>Next Regular Meeting</u>: The Board confirmed quorum for the work session scheduled for June 23, 2026, at 6:00 p.m. via Zoom, and converted it to a special meeting.

MEETING RECAP OF ACTION ITEMS

Attorney Meintzer reviewed the meeting recap action items as follows:

Timberline will do the following:

- Check caliber software for community email function.
- Discuss more detailed communication with EDLLC.
- Research whether pool furniture is numbered and catalogued.
- Send out an email regarding the final cost of Dumpster Day.

- Inquire with EDLLC regarding snow stake removal progress.
- Inquire about bar stools for the HUB.

District Counsel will do the following:

- Follow up with the City regarding the plat amendment, public art requirement, and reimbursements.
- Email the Board regarding District stewardship of the park during the transition to the City.
- Research age restrictions for the hot tub.
- Draft proposed resolution and sign verbiage regarding required fees to enter the pool.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made, and upon vote unanimously carried, the meeting was adjourned.

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

Tina Woodard
Secretary