

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE
AVION METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
APRIL 28, 2026

A special meeting of the Board of Directors of the District (referred to hereafter as the “Board”) was convened on Tuesday, April 28, 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 (for a portion of the meeting)
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”)
Adam Iori; Independent District Engineering Services, LLC (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 Dickens, and upon vote unanimously carried, the Board approved the Agenda, as amended.

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 March 24, 2026 regular meeting. Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard, and upon vote unanimously carried, the Board approved the minutes of the March 24, 2026 special meeting.

PUBLIC COMMENT

Public Comment: None.

LEGAL MATTERS

Plat Amendment: Attorney Meintzer reported to the Board that the plat amendment was approved by City Staff on April 17, 2026, and updated mylar maps will be circulated soon, which the District will need to sign. It is estimated that it will take four to six weeks following the City's receipt of the fully executed mylars for City Council approval.

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 reimbursement requests have been submitted to the City thus far totaling approximately \$3,270,000. No Board action taken.

Transition of District Manager at Timberline Management & Consulting:

Executive Session: Pursuant to Section 24-6-402(4)(b) and (e), C.R.S., upon motion duly made by Director Robson, seconded by Director Dickens, and upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 6:17 p.m. for the sole purpose of receiving legal advice regarding transition of District Manager, as authorized by Section 24-6-402(4)(b) and (e), C.R.S. Furthermore, pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record or electronic recording will be kept of those portions of the executive session that, in the opinion of the Board's attorney, constitutes privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

Following discussion, upon motion duly made by Director Robson, seconded by Director Hampleton, the Board reconvened in regular session at 7:00 p.m.

The Board directed Ms. Barnett to compile and send a list of Timberline's team members, job descriptions and contact information to the Board.

Other: None.

CAPITAL IMPROVEMENTS

Park Improvements

Engineer's Report: Mr. Iori reported on the status of the Park Improvements. 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 Weigold, and upon vote unanimously carried, the Board acknowledged the Engineer's Report.

District Expenditures Verification Report: The Board reviewed the District Expenditures Verification for April 2026, by IDES, in the amount of \$361,472.87. Following discussion, upon motion duly made by Director Robson, seconded by Director Weigold, and upon vote unanimously carried, the Board accepted District Expenditures Verification for April 2026, in the amount of \$361,472.87.

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

Pay Application No. 11 from ECI Site Construction Management, Inc. ("ECI") in the amount of \$350,550.44: Following discussion, upon motion duly made by Director Robson, seconded by Director Weigold, and upon vote unanimously carried, the Board approved the payment of Pay Application No. 10 from ECI in the amount of \$350,550.44.

Harris Kocher Smith invoice in the amount of \$1,374.60: Following discussion, upon motion duly made by Director Robson, seconded by Director Weigold, and upon vote unanimously carried, the Board approved payment of the invoice from Harris Kocher Smith in the amount of \$1,374.60.

Norris Design invoice in the amount of \$2,155.40: Following discussion, upon motion duly made by Director Robson, seconded by Director Weigold, and upon vote unanimously carried, the Board approved payment of the invoice from Norris Design in the amount of \$2,155.40.

IDES invoice in the amount of \$7,392.43: Following discussion, upon motion duly made by Director Robson, seconded by Director Weigold, and upon vote unanimously carried, the Board approved the payment of the invoice from IDES in the amount of \$7,392.43.

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

The Board asked Mr. Iori about the City Park construction timeline. Mr. Iori responded to questions and provided information regarding the final walkthrough process. The Board expressed interest in participating in the final walkthrough and Attorney Meintzer noted that is possible and the Board could hold a work session for the event.

Mr. Iori also reported that IDES is engaging in discussions with the City regarding the Public Art requirement. No action was taken.

FINANCIAL MATTERS

None.

OPERATIONS AND MAINTENANCE / COVENANT ENFORCEMENT MATTERS

HUB Rental / Reservation Procedures: The Board discussed HUB rental and reservations procedures. Director Weigold volunteered to review the District's documentation for potential updates. No action was taken.

Online payments of HUB reservations: Ms. Barnett informed the Board that the online payment system for HUB rentals and reservations is on the District's website and is active.

2026 Pool Season and Staffing: The Board discussed updates to pool staffing for the 2026 season. Mr. Jacobs reported that the pool staff contractor raised its prices by \$0.25 per hour. 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").

Change Order No. 15 for High impact corner guards in the amount of \$3,227.75 – Director Weigold presented details regarding this work. Mr. Jacobs stated that FFM will need to conduct additional research regarding corner guard specifications. No action was taken.

Change Order No. 16 for Bar light replacement in the amount of \$757.77 – the Board deferred discussion. No action was taken.

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 Weigold, seconded by Director Robson, and upon vote unanimously carried, the Board took the following actions:

Proposal for spring floral services in the amount of \$1,151.00 – the Board deferred discussion.

Approved Task Order No. 4 for removal and storage of snow stakes in the amount of \$1,165.00.

Proposal from Stormwater Asset Protection, LLC (SWAP) and New Restoration and Recovery Services, LLC d/b/a Aqualis: The Board reviewed and discussed the proposals for stormwater facility and underdrain services. Following discussion, upon motion duly made

by Director Weigold, seconded by Director Robson, and upon vote unanimously carried, the Board approved the proposal from SWAP and authorized execution of a Service Agreement for services.

Architectural Review Committee (“ARC”): The Board discussed the appointment of members to the ARC. Following discussion, upon motion duly made by Director Weigold, seconded by Director Robson, and upon vote unanimously carried, the Board appointed Lindsay Hampton and Desiree Torres at TMC to the ARC and adopted a Resolution regarding same.

Community Manager’s Report: Ms. Barnett reviewed the Manager’s Report with the Board.

BOARD MEMBER MATTERS

Director Weigold noted for Ms. Barnett that the pool hours on the District website need to be updated.

OTHER BUSINESS

Next Regular Meeting: The Board confirmed quorum for the regular meeting scheduled for May 26, 2026, at 6:00 p.m. via Zoom.

MEETING RECAP OF ACTION ITEMS

Attorney Meintzer reviewed the meeting recap action items as follows:

Timberline will do the following:

- Follow up with FFM on various change order items.
- Follow up with EDLLC regarding proposal changes for spring florals.
- Send out newsletter including new TMC contact information, website updates, key-fob pick up times, common covenant violations, and email the Board with TMC staffing and job descriptions updated.
- Ensure that EDLLC maintains a count of snow stakes under Task Order No. 4.

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

REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing the Avion Metropolitan District (formerly known as Denver Connection West Metropolitan District), I attended the executive session meeting for the Avion Metropolitan District which convened at 6:17 p.m. and adjourned at 7:00 p.m. on April 28, 2026, for the purpose of receiving legal advice related to covenant enforcement matters, as authorized by Section 24-6-402(4)(b), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S., and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Signed Suzanne Meintzer
Suzanne Meintzer, Attorney for the District
Dated: April 28, 2026

REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing the Avion Metropolitan District (formerly known as Denver Connection West Metropolitan District), I attended the executive session meeting for the Avion Metropolitan District which convened at 6:17 p.m. and adjourned at 7:00 p.m. on April 28, 2026, for the purpose of receiving legal advice related to covenant enforcement matters, as authorized by Section 24-6-402(4)(b), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S., and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Signed Evan Weis
Evan Weis, Attorney for the District
Dated: April 28, 2026