

CANDELAS SPECIAL IMPROVEMENT DISTRICT NO. 1
8390 E. Crescent Parkway, Suite 300
Greenwood Village, CO 80111
Phone: 303-779-5710

www.candelascommunity.com

NOTICE OF SPECIAL MEETING AND AGENDA

DATE: Tuesday, May 21, 2024
TIME: 7:00 p.m.
LOCATION: Candelas Parkview Swim and Fitness Club
198645 W. 94th Avenue
Arvada, CO 80007

You can also attend the meeting in any of the following ways:

URL:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDNmMTMwNDUtOWFkYS00MmQyLWlZTMtYmZmMzg0MzU4OTNI%40thread.v2/0?context=%7b%22Tid%22%3a%224aaa468e-93ba-4ee3-ab9f-6a247aa3ade0%22%2c%22Oid%22%3a%221f1b712c-e235-4dd5-b5c5-d830e47350db%22%7d

Dial in:

1-720-547-5281 United States, Denver
Phone Conference ID: **381 049 093#**

Board of Directors

Peter Schulte
Anna Smith
Craig Conway
Paul Hoisington
Travis Hart

Office

President
Vice President
Secretary
Treasurer
Assistant Secretary

Term Expires

May, 2027
May, 2027
May, 2025
May, 2027
May, 2025

I. ADMINISTRATIVE MATTERS

- A. Call to order and approval of agenda.
- B. Present disclosures of potential conflicts of interest.
- C. Confirm quorum, location of meeting and posting of meeting notices.

II. PUBLIC COMMENT – Members of the public may express their views to the Board on matters that affect the District that are otherwise not on the agenda.

Comments will be limited to three (3) minutes per person.

III. CONSENT AGENDA

- A. Review and consider approval of minutes of the February 20, 2024 special meeting (enclosure).

IV. FINANCIAL MATTERS

- A. Review and ratify prior claims (enclosure).
- B. Consider approval of utilization of sustainability funds for tankless water heater.
- C. Consider approval of utilization of sustainability funds for school bike racks.

V. OPERATIONAL MATTERS

VI. LEGAL MATTERS

- A. Review and consider approval of Resolution Establishing Regular Meeting Dates, Time, and Location (enclosure).
- B. Review and consider approval of Resolution Regarding Personal Identifying Information Policy (PII) (enclosure).
- C. Review and consider approval of Resolution and Policy Regarding Requests for Public Records – Research and Retrieval (CORA) (enclosure).

VII. OTHER BUSINESS

VIII. ADJOURNMENT

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
CANDELAS SPECIAL IMPROVEMENT DISTRICT NO. 1
(THE "DISTRICT")
HELD
FEBRUARY 20, 2024

A special meeting of the Board of Directors (referred to hereafter as "Board") of the Candelas Special Improvement District No. 1 (referred to hereafter as the "District") was convened on Tuesday, February 20, 2024, at 9:10 p.m. at Candelas Parkview Swim & Fitness Club, 19865 W. 94th Avenue, Arvada, Colorado 80007. This District Board meeting was also held via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Peter Schulte, President
Anna Smith, Vice President
Craig Conway, Secretary
Paul Hoisington, Treasurer
Travis Hart, Assistant Secretary

Also In Attendance Were:

Lisa Johnson, Alex Clem, Rachel Alles, Stephane Odewumi and Alonso Duran Rodriguez; CliftonLarsonAllen LLP ("CLA")
Russell Newton, Esq. and Barbara Vander Wall, Esq.; Seter & Vander Wall, P.C.
Jeb Benson; member of the public

ADMINISTRATIVE MATTERS

Call to Order and Agenda: Director Schulte called the meeting to order at 9:10 p.m. There was distributed for the Board's review and approval, a proposed agenda for the District's special meeting. Following review, upon a motion duly made by Director Hoisington, seconded by Director Hart and, upon vote, unanimously carried, the Board approved the agenda, as presented.

Disclosures of Potential Conflicts of Interest: The Board discussed 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. Legal counsel requested members of the Board 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, if any.

Quorum, Location of Meeting, and Posting of Meeting Notices: It was noted that a quorum was present. The Board entered into a discussion regarding the

RECORD OF PROCEEDINGS

requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The Board determined that the meeting would be held as a hybrid by video/telephonic means and with individuals attending in person. It was noted that the notice was duly posted and that no objections to the video/telephonic manner of the meeting or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District boundaries have been received.

PUBLIC COMMENT

There was no public comment.

EXECUTIVE SESSION

Upon a motion duly made by Director Hart, seconded by Director Hoisington and, upon vote, unanimously carried, the Board entered into Executive Session at 9:12 p.m. pursuant to Section 24-6-402(4)(b), C.R.S. for the purpose of receiving legal advice related to the Sustainability Trust Program and CSID No.1 governing documents and operations.

Upon a motion duly made by Director Hoisington, seconded by Director Smith and, upon vote, unanimously carried, the Board exited from Executive Session at 9:49 p.m.

No action was taken in Executive Session.

CONSENT AGENDA

- **Minutes of the November 16, 2023 Regular Meeting**

Following review, upon a motion duly made by Director Hoisington, seconded by Director Hart and, upon vote, unanimously carried, the Board approved the minutes of the November 16, 2023 Regular Meeting, as presented.

FINANCIAL MATTERS

Prior Claims: Mr. Rodriguez reviewed the prior claims with the Board. Following review, upon a motion duly made by Director Hoisington, seconded by Director Smith and, upon vote, unanimously carried, the Board ratified approval of prior claims in the amount of \$6,187.50, as presented.

OPERATIONAL MATTERS

None.

LEGAL MATTERS

None.

OTHER BUSINESS

Projects for Consideration of Approval: Mr. Benson presented six proposals to the Board. Director Schulte made a motion to approve all proposals except for the first proposal, and the motion failed for lack of a second.

Irrigation Controller Updates in the minimum amount of \$162,920.00: Mr. Benson reviewed the project with the Board. Following review, upon a motion duly made by Director Hoisington, seconded by Director Hart and,

RECORD OF PROCEEDINGS

upon vote, unanimously carried, the Board approved the Irrigation Controller Updates in the amount of \$191,025.47.

Slow the Flow Residential Audits in the amount of \$1,480.00: Mr. Benson reviewed the project with the Board.

Waterwise Yard Seminars in the amount of \$2,400.00: Mr. Benson reviewed the project with the Board.

Scholarships in the amount of \$5,000.00: Mr. Benson reviewed the project with the Board.

School Bus Bike Racks in the amount TBD: Mr. Benson reviewed the project with the Board.

Director Conway moved to approve the Slow the Flow Audits, Waterwise Yard Seminars, Scholarships, and School Bus Bike Racks proposals; the motion failed for lack of a second.

Upon a motion duly made by Director Schulte, seconded by Director Conway and, upon vote, unanimously carried, the Board approved the School Bus Bike Racks in an amount not to exceed \$10,000.00.

Sustainable Communities Awards in the amount of \$1,200.00: Mr. Benson reviewed the project with the Board. Following review, upon a motion duly made by Director Hoisington, seconded by Director Hart and, upon vote, majority carried, the Board approved the Sustainable Communities Awards in the amount of \$1,200.00. Director Conway abstained.

Director Schulte made a motion to approve the Scholarships proposal, and withdrew the motion after further discussion.

ADJOURNMENT

Upon motion duly made by Director Hoisington, seconded by Director Smith and, upon vote, unanimously carried, the meeting was adjourned at 10:25 p.m.

Respectfully submitted,

Secretary for the Meeting

Vauxmont Metropolitan District
Interim Check List - CSID Only
February 15, 2024 - May 15, 2024

Check Date	Bill.com Reference	Vendor	Amount	
4/1/2024	P24032902 - 4073807	Environmental Designs, Inc.	\$	170,000.00
4/24/2024	Transfer to Cimarron MD	Setzer, Vander Wall & Mielke, P.C.		7,593.00
Check List Total			\$	177,593.00

Check List Count = 2

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE CANDELAS SPECIAL IMPROVEMENT DISTRICT NO. 1
ESTABLISHING REGULAR MEETING DATES, TIME, AND LOCATION, AND
DESIGNATING LOCATION FOR POSTING OF 24-HOUR NOTICES**

A. Pursuant to Section 32-1-903(1), C.R.S., special districts are required to designate a schedule for regular meetings, indicating the dates, time and location of said meetings.

B. Pursuant to Section 32-1-903(5), C.R.S., “location” means the physical, telephonic, electronic, or virtual place, or a combination of such means where a meeting can be attended. “Meeting” has the same meaning as set forth in Section 24-6-402(1)(b), C.R.S., and means any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication.

C. Pursuant to Section 24-6-402(2)(c)(I), C.R.S., special districts are required to designate annually at the board of directors of the district’s first regular meeting of each calendar year, the public place at which notice of the date, time and location of regular and special meetings (“**Notice of Meeting**”) will be physically posted at least 24 hours prior to each meeting (“**Designated Public Place**”). A special district is deemed to have given full and timely notice of a regular or special meeting if it posts its Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

D. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., special districts are relieved of the requirement to post the Notice of Meeting at the Designated Public Place, and are deemed to have given full and timely notice of a public meeting if a special district posts the Notice of Meeting online on a public website of the special district (“**District Website**”) at least 24 hours prior to each regular and special meeting.

E. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., if a special district is unable to post a Notice of Meeting on the District Website at least 24 hours prior to the meeting due to exigent or emergency circumstances, then it must physically post the Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

F. Pursuant to Section 32-1-903(1.5), C.R.S., all meetings of the board that are held solely at physical locations must be held at physical locations that are within the boundaries of the district or that are within the boundaries of any county in which the district is located, in whole or in part, or in any county so long as the physical location does not exceed twenty (20) miles from the district boundaries unless such provision is waived.

G. The provisions of Section 32-1-903(1.5), C.R.S., may be waived if: (1) the proposed change of the physical location of a meeting of the board appears on the agenda of a meeting; and (2) a resolution is adopted by the board stating the reason for which meetings of the board are to be held in a physical location other than under Section 32-1-903(1.5), C.R.S., and further stating the date, time and physical location of such meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Candelas Special Improvement District No. 1 (the “**District**”), City of Arvada, Jefferson County, Colorado:

1. That the provisions of Section 32-1-903(1.5), C.R.S., be waived pursuant to the adoption of this Resolution.

2. That regular meetings of the Board of Directors (“**District Board**”) for the year 2024 shall be held on the third Tuesday of March, June, September, and December, at 5:00 p.m. at the Candelas Parkview Swim & Fitness Club, 19865 W. 94th Ave., Arvada, Colorado 80007, in Jefferson County, Colorado, and also via Microsoft Teams or other video/telephonic means.

3. That special meetings of the District Board shall be held as often as the needs of the District require, upon notice to each director.

4. That, until circumstances change, and a future resolution of the District Board so designates, the physical location and/or method or procedure for attending meetings of the District Board virtually (including the conference number or link) shall appear on the agenda(s) of said meetings.

5. That the residents and taxpaying electors of the District shall be given an opportunity to object to the meeting(s) physical location(s), and any such objections shall be considered by the District Board in setting future meetings.

6. That the District has established the following District Website, www.candelascommunity.com, and the Notice of Meeting of the District Board shall be posted on the District Website at least 24 hours prior to meetings pursuant to Section 24-6-402(2)(c)(III), C.R.S. and Section 32-1-903(2), C.R.S.

7. That, if the District is unable to post the Notice of Meeting on the District Website at least 24 hours prior to each meeting due to exigent or emergency circumstances, the Notice of Meeting shall be posted within the boundaries of the District at least 24 hours prior to each meeting, pursuant to Section 24-6-402(2)(c)(I) and (III), C.R.S., at the following Designated Public Place:

- (a) Candelas Parkview Swim & Fitness Club, 19865 W. 94th Ave., Arvada, Colorado 80007

8. The District Manager, or his/her designee, is hereby appointed to post the above-referenced notices.

[SIGNATURE PAGE TO RESOLUTION ESTABLISHING REGULAR MEETING DATES, TIME, AND LOCATION, AND DESIGNATING LOCATION FOR 24-HOUR NOTICES]

RESOLUTION APPROVED AND ADOPTED on May 21, 2024.

CANDELAS SPECIAL IMPROVEMENT DISTRICT NO. 1

By: _____
Peter Schulte, President

Attest:

Secretary/Assistant Secretary

DRAFT

**RESOLUTION OF THE BOARD OF DIRECTORS
OF
CANDELAS SPECIAL IMPROVEMENT DISTRICT NO. 1**

Disposal of Personal Identifying Information

WHEREAS, Candelas Special Improvement District No. 1 (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado formed by the Vauxmont Metropolitan District pursuant to § 32-1-1101.7, C.R.S. on May 25, 2010; and

WHEREAS, as a government entity and political subdivision of the State of Colorado, the District is subject to and required to comply with Colorado Revised Statutes, Section 24-73-101 (“**Personal Information Statute**”); and

WHEREAS, the Personal Information Statute requires the adoption of a written policy explaining the District’s disposal practices for documents containing personal identifying information of citizens of the State of Colorado; and

NOW THEREFORE, be it resolved by the Board of Directors for the Candelas Special Improvement District No. 1 that the “Policy Regarding Disposal of Data Containing Personal Identifying Information” attached as **Exhibit A** to this resolution (“**PII Data Disposal Policy**”), is approved.

EFFECTIVE this 21st day of May, 2024.

CANDELAS SPECIAL IMPROVEMENT
DISTRICT NO. 1

Peter Schulte, President

Attest:

Secretary/Assistant Secretary

Exhibit A

POLICY REGARDING DISPOSAL OF DATA CONTAINING PERSONAL IDENTIFYING INFORMATION

During the course of its activities, the District may receive personal identifying information of its employees, contractors, directors, and/or constituents. Personal identifying information is classified under the Colorado Revised Statutes, Section 24-73-101(4)(b) as the following:

- Social security number;
- Personal identification number;
- Passwords;
- Passcodes;
- Official state or government-issued driver's license or identification card number;
- Government passport number;
- Biometric data (i.e. finger print or retina scan);
- Employer, student, or military identification number;
- Financial transaction devices (i.e. credit cards, debit cards, banking cards, electronic fund transfer cards, guaranteed check cards, and financial account numbers).

When paper or electronic documentation containing personal identifying information is no longer needed, the District shall destroy or arrange for the destruction of such paper and electronic documents within its custody or control that contain personal identifying information by shredding, erasing, or otherwise modifying the personal identifying information in the paper or electronic documents to make the personal identifying information unreadable or indecipherable through any means.

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
CANDELAS SPECIAL IMPROVEMENT DISTRICT NO. 1**

Colorado Open Records Act Rules and Policy

WHEREAS, the Candelas Special Improvement District No. 1 (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado formed by the Vauxmont Metropolitan District pursuant to § 32-1-1101.7, C.R.S. on May 25, 2010; and

WHEREAS, as a governmental entity, the District is subject to and required to comply with the Colorado Open Records Act, §§ 24-72-200.1 *et seq.*, C.R.S. (“**CORA**”); and

WHEREAS, CORA permits the adoption of policies specifying the applicable conditions concerning the research and retrieval of public records, including the imposition of a research and retrieval fee; and

WHEREAS; to provide guidance to persons who submit requests for public records to the District pursuant to CORA, the District desires to adopt an updated policy regarding requests for public records and the research and retrieval fees that apply when responding to CORA requests; and

NOW THEREFORE, be it resolved by the Board of Directors of the Candelas Special Improvement District No. 1 of the County of Jefferson, Colorado:

1. The Board approves and adopts the “Policy Regarding Requests for Public Records – Research and Retrieval” attached as Exhibit A to this resolution (“**CORA Policy**”).
2. The CORA Policy adopted pursuant to this resolution shall supersede in its entirety any and all prior Colorado Open Records Act policies of the District.

APPROVED AND ADOPTED this 21st day of May, 2024.

CANDELAS SPECIAL IMPROVEMENT
DISTRICT NO. 1

Peter Schulte, President

Attest:

Secretary/Assistant Secretary

Exhibit A

POLICY REGARDING REQUESTS FOR PUBLIC RECORDS – Research and Retrieval

Requesting Public Records

To request public records, contact Seter, Vander Wall & Mielke, P.C. at 303-770-2700 who will identify the designated custodian for the requested records. Records requests must be in writing and directed to the designated custodian of records. General emails to the District (or inquiries on the District's website or social media sites) will not be treated as records requests under CORA. Requests must be submitted to and received by the designated records custodian.

All requests must contain the following information:

- Description of the records being requested. Describe the request as specifically as possible. If you are uncertain about which records contain the information you are seeking, provide a description of the type of information you are searching for, including date ranges.
- If photocopies or electronic copies are being sought, your contact information and preferred method of delivery of the records.

Limitations

The District will only produce those documents as permitted by CORA. Documents that are prohibited from disclosure under CORA will not be released.

Fees and Costs

Fees for research and retrieval of public records may be imposed at the discretion of the records custodian as follows:

1 st Hour	-	No Charge
More than 1 Hour	-	\$33.58/hour*

*The hourly research and retrieval fee shall be automatically adjusted to match the maximum hourly research and retrieval fee that is determined pursuant to C.R.S. § 24-72-205(6)(b). Other fees may be imposed at the discretion of the records custodian consistent with the provisions of CORA.