

Nexus North at DIA Metropolitan District

Pursuant to section 32-1-809, Colorado Revised Statutes for Transparency Notices may be filed with Special District Association of Colorado. This information must be provided annually to the eligible electors of the district no later than January 15 of each year.

**Note that some information provided herein may be subject to change after the notice is posted.*

District's Principal Business Office

Company
Icenogle Seaver Pogue, P.C.

Contact
Shannon Smith-Johnson

Address
4725 South Monaco Street, Suite 360, Denver, Colorado 80237

Phone
303-292-9100

District's Physical Location

Counties
Adams

Regular Board Meeting Information

Location
Via Online Meeting and via Telephone Conference

Address

Day(s)
March 11, 2024; June 10, 2024; September 9, 2024; and November 11, 2024

Time
3:00 P.M.

Posting Place for Meeting Notice

Location
Via the District's website: <https://nexusmetro.specialdistrict.org/>

Address
If the notice cannot be posted on the District's website due to exigent or emergency circumstances: southeast corner of the intersection of Buckley Road and East 88th Ave, Commerce City, Colorado 80022

Notice of Proposed Action to Fix or Increase Fees, Rates, Tolls, Penalties or Charges for Domestic Water or Sanitary Sewer Services

Location

Address

Date

Notice

Current District Mill Levy

Mills

28,600 mills levied in 2023 (for collection in 2024)

Ad Valorem Tax Revenue

Revenue reported may be incomplete or unaudited as of the date this Notice was posted.

Amount(\$)

690,734 in 2023 (this figure is estimated and unaudited)

Date of Next Regular Election

Date

05/06/2025

Pursuant to 24-72-205 C.R.S

The district's research and retrieval fee is **\$33.58** per hour

District Policy

NEXUS NORTH AT DIA METROPOLITAN DISTRICT

AMENDED AND RESTATED RULES RELATED TO REQUESTS FOR INSPECTION OF PUBLIC RECORDS PURSUANT TO THE COLORADO OPEN RECORDS ACT, SECTIONS 24-72-200.1 et seq., C.R.S.

WHEREAS, Nexus North at DIA Metropolitan District (the "District") is a special district organized and existing pursuant to Sections 32-1-101 et seq., C.R.S.; and

WHEREAS, the District is a political subdivision for purposes of the Colorado Open Records Act, Sections 24-72-200.1 et seq., C.R.S., as may be amended from time to time ("CORA"), as defined in Section 24-72-202(5), C.R.S., and is thus subject to CORA; and

WHEREAS, the District has designated an "Official Custodian," as that term is defined in Section 24-72-202(2), C.R.S., who is responsible for the maintenance, care, and keeping of the District's public records, regardless of whether the records are in his or her actual personal custody and control; and

WHEREAS, pursuant to Section 24-72-203(1)(a), C.R.S., the Official Custodian may make such rules with reference to the inspection of public records as are reasonably necessary for the protection of such records and the prevention of unnecessary interference with the regular discharge of the duties of the Custodian (as defined in CORA) and the Custodian's office; and

WHEREAS, the Official Custodian finds it is necessary and in the best interests of the District to adopt certain rules with reference to the inspection of its public records.

NOW, THEREFORE, THE OFFICIAL CUSTODIAN MAKES AND ADOPTS THE FOLLOWING RULES WITH REFERENCE TO THE INSPECTION OF THE NEXUS NORTH AT DIA METROPOLITAN DISTRICT'S PUBLIC RECORDS:

1. Inspection of Public Records. All "Public Records" of the District, as such term is defined in Section 24-72-202(6), C.R.S., shall be available for public inspection by any person at reasonable times as provided in CORA, except as otherwise provided in CORA or as otherwise provided by law. All requests to inspect Public Records shall be in writing and delivered to the Official Custodian or his or her designee. Upon the receipt of a written request to inspect Public Records, the Official Custodian or his or her designee shall set a date and hour at which time the requested Public Records will be available for inspection, which date and hour of inspection shall be between the hours of 8:00 A.M. and 5:00 P.M., Mountain Standard Time, three (3) working days or less from the date such Public Records were requested for inspection unless extenuating circumstances exist as provided in Section 24-72-203(3)(b), C.R.S. The day the request is received, weekends, and legally recognized holidays shall not count as a working day for the purposes of computing the date set for inspection of Public Records. A modification to a request for Public Records is considered a new request.

2. Notification for Inspecting Public Records Not Under Control of the Official Custodian. If the Public Records requested are not in the custody or control of the Official Custodian, the Official Custodian or his or her designee shall notify the person requesting to inspect such records that said records are not in the custody or control of the Official Custodian. The notification shall state in detail to the best of the Official Custodian's knowledge and belief, the reason for the absence of the records, the location of the records, and what person has custody or controls the records.

3. Notification for Inspecting Public Records in Use or Otherwise Unavailable. If the Public Records requested are in active use, in storage, or otherwise not readily available at the time requested, the Official Custodian or his or her designee shall notify the person requesting to inspect the Public Records of the status of the Public Records. Such notification shall be made in writing if desired by the person requesting to inspect the Public Records.

4. Copies of Public Records. Within the period specified in Section 24-72-203(3), C.R.S., the Official Custodian or his or her designee shall notify the person requesting a copy of the Public Records that a copy of the Public Records is available but will only be sent to the requester once the Official Custodian either receives payment or makes arrangements for receiving payment for all costs associated with records transmission and for all other fees lawfully allowed, regardless of whether provided for herein, unless recovery of all or any portion of such costs or fees has been waived by the Official Custodian. Upon receipt of such payment, the Official Custodian or his or her designee shall send a copy of the Public Records to the requester as soon as practicable but no more than three (3) business days after receipt of, or making arrangements to receive, such payment.

5. Fees for Copies of Public Records. The Official Custodian or his or her designee shall furnish, for a fee as set forth herein, a copy, printout, or photograph of the District's Public Records requested. The fee shall be twenty-five cents (\$0.25) per standard page, or such other maximum amount as authorized by Section 24-72-205(5), C.R.S., for a copy, printout, or photograph of the Public Record except as follows:

- a. No per-page fee may be charged when the District's Public Records are provided in a digital or electronic format;
- b. When the format is other than a standard page, the fee shall not exceed the actual cost of providing the copy, printout, or photograph;
- c. If other facilities are necessary to make a copy of the Public Records, the cost of providing the copy at the other facilities shall be paid by the person requesting the copy;
- d. If the Public Records are a result of computer output other than word processing, the fee for a copy, printout, or photograph thereof may be based on recovery of the actual incremental costs of providing the electronic services and products together with a reasonable portion of the costs associated with building and maintaining the information system;
- e. If, in response to a specific request, the District has performed a manipulation of data so as to generate a record in a form not used by the District, a reasonable fee may be charged to the person making the request, which fee shall not exceed the actual costs of manipulating the data and generating the record in accordance with the request; and
- f. Where the fee for a certified copy or other copy, printout, or photograph of a Public Record is specifically prescribed by law, that specific fee shall apply in lieu of the fee(s) set forth herein.

6. Transmission Fees. In addition to the fees set forth above, where the person requesting the Public Record requests the transmission of a certified copy or other copy, printout, or photograph of a Public Record by United States mail or other non-electronic delivery service, the Official Custodian or his or her designee may charge the costs associated with such transmission, except that no transmission fees may be charged to the records requester for transmitting a Public Record via electronic mail.

7. Research and Retrieval Fees. In addition to the fees set forth above, in accordance with Section 24-72-205(6), C.R.S., the Official Custodian or his or her designee may charge a research and retrieval fee of \$33.58 per hour, or such other maximum hourly fee as may be adjusted from time to time pursuant to Section 24-72-205(6)(b), C.R.S., for time spent by the District's directors, employees, agents, and consultants researching, retrieving, gathering, collecting, compiling, preparing, redacting, manipulating, and/or otherwise producing records in order to respond to a request for Public Records. Provided, however, that such research and retrieval fee may not be imposed for the first hour of time expended in connection with such research and retrieval activities related to a request for Public Records, but may be imposed for each subsequent hour.

8. Payment of Fees. All fees associated with production of the District's Public Records requested by the person inspecting said Public Records, as set forth in Paragraphs 4 through 7 above, shall be received by the District before the delivery or inspection of said Public Records. If the District allows the public to pay for other services or products provided by the District with a credit card or other electronic payment method, the District shall allow the person requesting inspection of the Public Records to pay any fees or deposit associated with a record request via a credit card or other electronic payment method. In addition to the fees set forth in Paragraphs 4 through 7 above, the Custodian or

his or her designee may also charge any service charge or fee imposed by the processor of a credit card or electronic payment.

9. In Force Until Amended or Repealed. These rules of the Official Custodian shall remain in full force and effect unless and until such time as they are amended or repealed by the Official Custodian regardless of any change in either the individual serving as, or the designation of, the Official Custodian of the District.

10. Repealer. These rules of the Official Custodian shall supersede all previous versions of rules, regulations, practices and policies of the District related to inspection of Public Records.

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ADOPTED, APPROVED, AND MADE EFFECTIVE on 12/21/2023.

By: Christopher Thompson

Official Custodian of Public Records

Nexus North at DIA Metropolitan District

District contact information for open records request:

Christopher Thompson, Secretary, c/o Icenogle Seaver Pogue, P.C., 4725 S. Monaco Street, Suite 360,

Names of District Board Members

Board President

Name

Michael K. DeGrant

Contact Info

4725 South Monaco Street, Suite 360 Denver, CO 80237

Election

Yes, this office will be on the next regular election ballot

Board Member 2

Name

John Delzell

Contact Info

4725 South Monaco Street, Suite 360 Denver, CO 80237

Election

Yes, this office will be on the next regular election ballot

Board Member 3

Name

Christopher Thompson

Contact Info

4725 South Monaco Street, Suite 360 Denver, CO 80237

Election

Yes, this office will be on the next regular election ballot

Board Member 4

Name

Katherine Reilly

Contact Info

4725 South Monaco Street, Suite 360 Denver, CO 80237

Election

No, this office will not be on the next regular election ballot

Board Member 5

Name

VACANT

Contact Info

Election

Yes, this office will be on the next regular election ballot

Board Candidate Self-Nomination Forms

Any eligible elector of the special district who desires to be a candidate for the office of special district director must file a self-nomination and acceptance form or letter with the designated election official.

Deadline for Self-Nomination Forms

Self-nomination and acceptance forms or letters must be filed not less than 67 days before the date of the regular election.

District Election Results

The district's election results will be posted on the website of the Colorado Secretary of State (www.sos.state.co.us) and the website indicated below, if any.

Website

<https://nexusmetro.specialdistrict.org/>

Permanent Mail-In Voter Status

Absentee voting and Permanent absentee voter status (formerly Permanent Mail-In voter status): Where to obtain and return forms.

Icenogle Seaver Pogue, P.C., 4725 South Monaco Street, Suite 360 Denver, CO 80237

Applications for absentee voting or for permanent absentee voter status are available from and must be returned to the Designated Election Official.

Icenogle Seaver Pogue, P.C., 4725 South Monaco Street, Suite 360 Denver, CO 80237

Notice Completed By

Name

Alexandra Mejia

Company/District

Icenogle Seaver Pogue, P.C.

Title

Associate Attorney

Email

AMEjia@isp-law.com

Dated

