

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE SECTION 14 METROPOLITAN DISTRICT HELD JANUARY 21, 2021

A Special Meeting of the Board of Directors of the Section 14 Metropolitan District, Jefferson County and the City and County of Denver, Colorado was duly posted and held on Thursday, the 21st day of January, 2021, at 9:30 a.m. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was held by conference call. The meeting was open to the public via conference call.

ATTENDANCE

Directors In Attendance Were:

Jay Perlmutter
Jonathan Perlmutter
Douglas C. Ernst
G. Darwin Toll, Jr.
Kenya Jenkins

Also In Attendance Were:

Ann Finn; Special District Management Services, Inc.

MaryAnn M. McGeady, Esq. and Kate Olson, Esq.; McGeady Becher P.C.

Brad Gordon; Jordon Perlmutter & Co.

Terry Green; Foothills Park & Recreation District

Jason DeYoung; Proof Civil Co.

Julia Robinson, Esq.; Robinson Bailey PC

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure 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. Attorney McGeady noted that a quorum was present and requested members of the Board to disclose any potential

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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 the statute. It was noted that Directors' Disclosure Statements have been filed for all Directors.

ADMINISTRATIVE MATTERS

Agenda: Ms. Finn distributed for the Board's review and approval a proposed Agenda for the District's Special Meeting.

Following discussion, upon motion duly made by Director Jay Perlmutter, seconded by Director Ernst and, upon vote, unanimously carried, the Agenda was approved, as presented.

Meeting Location/Manner and Posting of Meeting Notice: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The Board noted that due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders issued by the Colorado Department of Health and Environment, and the threat posed by the COVID-19 coronavirus, the meeting was held via teleconference.

Ms. Finn reported that notice was duly posted and that no objections to the telephonic manner of the meeting or any requests that the telephonic manner of the meeting be changed by taxpaying electors within the District boundaries have been received.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Jay Perlmutter, seconded by Director Ernst, and upon vote, unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted within the boundaries of the District as least 24 hours prior to each meeting on the District's website at: <https://section14md.colorado.gov/>.

Minutes: The Board reviewed the Minutes of the November 30, 2020 Special Meeting.

Following discussion, upon motion duly made by Director Jay Perlmutter, seconded by Director Toll and, upon vote, unanimously carried, the Board approved the Minutes of the November 30, 2020 Special Meeting.

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PUBLIC COMMENTS

There were no public comments at this time.

FINANCIAL MATTERS

Claims: The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period ending Nov. 25, 2020	Period ending Dec. 14, 2020	Special Check Dec. 1, 2020
General	\$ 25,125.28	\$ 31,232.94	\$ 0
Debt	\$ 0	\$ 0	\$ 0
Capital	\$ 0	\$ 0	\$ 206,914.14
Total	\$ 25,125.28	\$ 31,232.94	\$ 206,914.14

Following review, upon motion duly made by Director Toll, seconded by Director Jay Perlmutter and, upon vote, unanimously carried, the Board ratified the approval of the payment of claims, as presented.

Unaudited Financial Statements: The Board deferred discussion.

LEGAL MATTERS

Master Service Agreement with Proof Civil Co., for Engineering Services for the Chanson Plaza Storm Drainage Improvement Project: Attorney Olson reviewed with the Board a Master Service Agreement with Proof Civil Co., for Engineering Services for the Chanson Plaza Storm Drainage Improvement Project. Mr. DeYoung further reviewed the proposal and discussed recommendations for repair work to the outfall structures.

Following review, upon motion duly made by Director Jay Perlmutter, seconded by Director Toll and, upon vote, unanimously carried, the Board approved the Master Service Agreement with Proof Civil Co., for Engineering Services for the Chanson Plaza Storm Drainage Improvement Project.

Proposals for Geotech Services and Master Service Agreement with Ground Engineering Consultants, Inc.: Mr. Gordon reviewed with the Board proposals for Geotech services.

Following review, upon motion duly made by Director Jonathan Perlmutter, seconded by Director Jay Perlmutter and, upon vote, unanimously carried, the Board approved the proposal from Ground Engineering Consultants, Inc. for Geotech services and authorized General Counsel to prepare a Master Services Agreement, which should include a 20% contingency.

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Terms of Project Management Agreement with Jordan Perlmutter & Co. for Project Management Services: Attorney McGeady discussed with the Board the terms of the Project Management Agreement between the District and Jordan Perlmutter & Co. for Project Management Services. She noted the project management fee will need to be certified by an independent engineer.

Following review, upon motion duly made by Director Toll, seconded by Director Jonathan Perlmutter and, upon vote, unanimously carried, the Board authorized General Counsel to draft the Project Management Agreement with Jordan Perlmutter & Co. for Project Management Services. The Board also recognized that some property management services have already been performed and Attorney McGeady noted reimbursements made under this agreement will require certification by an independent engineer.

Cost Sharing Agreement between the District, Foothills Park & Recreation District and Concordia on the Lake LLLP: Attorney McGeady noted for the Board that a Cost Sharing Agreement will need to be negotiated with Foothills Park & Recreation District and Concordia on the Lake LLLP for Outfall Structure No. 6 improvements.

Following review, upon motion duly made by Director Jonathan Perlmutter, seconded by Director Jay Perlmutter and, upon vote, unanimously carried, the Board authorized General Counsel to prepare a Term Sheet. The Board further authorized Director Toll to work with General Counsel on negotiating this Agreement on the District's behalf.

Assignment of Storm Drainage Agreement between Chanson LLP and the District: Attorney Olson reviewed with the Board an Assignment of Storm Drainage Agreement between Chanson LLP and the District.

Following review, upon motion duly made by Director Toll, seconded by Director Jonathan Perlmutter and, upon vote, unanimously carried, the Board approved the Assignment of Storm Drainage Agreement between Chanson LLP and the District.

CAPITAL PROJECTS

Chanson Plaza Storm Drainage Improvement Project (“Chanson Plaza Project”): Mr. Gordon reported to the Board on the status of the Chanson Plaza Project. Follow discussion, the Board directed Mr. Gordon, Mr. DeYoung and Ms. Finn to work on a Schedule of Events for the Project.

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Proposals from Schedio Group LLC, Independent District Engineering Services, LLC and Ranger Engineering, LLC for Engineering and Cost Verification Service: The Board reviewed proposals from Schedio Group LLC, Independent District Engineering Services, LLC and Ranger Engineering, LLC for cost verification services.

Following review, upon motion duly made by Director Toll, seconded by Director Jay Perlmutter and, upon vote, unanimously carried, the Board approved the proposal from Schedio Group LLC for cost verification services. The Board further authorized General Counsel to prepare a Service Agreement between the District and Schedio Group LLC.

Maintenance Manual for Storm Drainage Facilities: Mr. DeYoung discussed preparation of a Maintenance Manual for the Storm Drainage Facilities and noted the manual will include an inspection program, future repairs and life cycle of improvements.

OTHER MATTERS

There were no other matters to discuss at this time.

ADJOURNMENT

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

Respectfully submitted,

By: *Ann Finn*
Secretary for the Meeting

TITLE	Section 14 MD - Approved Minutes
FILE NAME	11-30-2020 Spec Mtg Mintues S14MD.pdf and 1 other
DOCUMENT ID	7497d12a9d9a6be95bcd3718d3c553ca8f9852ad
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
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Document History



SENT

05 / 04 / 2021

22:18:47 UTC

Sent for signature to Ann Finn (afinn@sdmsi.com) from apadilla@sdmsi.com
IP: 50.78.200.153



VIEWED

05 / 04 / 2021

22:22:10 UTC

Viewed by Ann Finn (afinn@sdmsi.com)
IP: 50.78.200.153



SIGNED

05 / 04 / 2021

22:22:28 UTC

Signed by Ann Finn (afinn@sdmsi.com)
IP: 50.78.200.153



COMPLETED

05 / 04 / 2021

22:22:28 UTC

The document has been completed.