

## RECORD OF PROCEEDINGS

---

### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE SECTION 14 METROPOLITAN DISTRICT HELD APRIL 17, 2020

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 Friday, the 17<sup>th</sup> day of April, 2020, at 11:30 a.m. The meeting was open to the public.

*The meeting was held via conference call due to the State of Emergency declared by Governor Polis and Public Health Order 20-23 Implementing Social Distancing Measures, and threat posed by the COVID-19 coronavirus.*

#### ATTENDANCE

##### Directors In Attendance Were:

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

##### Also In Attendance Were:

Ann Finn and Steve Beck; Special District Management Services, Inc.  
  
MaryAnn M. McGeady, Esq. and Kate Olson, Esq.; McGeady Becher P.C.  
  
Drew Beck and Mason Haycock; Matrix Design Group, Inc.  
  
Brad Gordan and Brian Heinze; Jordon Perlmutter & Co.

#### 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 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.

## RECORD OF PROCEEDINGS

---

### 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 Toll, seconded by Director Jonathan Perlmutter and, upon vote, unanimously carried, the Agenda was approved, as presented.

**Minutes:** The Board reviewed the Minutes of the December 2, 2019 Special Meeting.

Following discussion, upon motion duly made by Director Ernst, seconded by Director Toll and, upon vote, unanimously carried, the Board approved the Minutes of the December 2, 2019 Special Meeting.

### 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 Dec. 19, 2019	Period ending January 20, 2020	Period ending Feb. 19, 2020	Period ending March 20, 2020
General	\$ 16,168.16	\$ 15,875.61	\$ 22,583.86	\$ 13,125.91
Debt	\$ 1,512.50	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ 1,470.25	\$ 5,705.15
<b>Total</b>	<b>\$ 17,680.66</b>	<b>\$ 15,875.61</b>	<b>\$ 24,054.11</b>	<b>\$ 18,831.06</b>

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

**Unaudited Financial Statements:** Mr. Beck reviewed with the Board the unaudited financial statements through the period ending December 31, 2019, and the schedule of cash position statement dated December 31, 2019.

Following review, upon motion duly made by Director Ernst, seconded by Director Jenkins and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending December 31, 2019, and the schedule of cash position statement dated December 31, 2019 were accepted, as presented.

## RECORD OF PROCEEDINGS

---

### LEGAL MATTERS

**Cost Sharing for the Chanson Plaza Stormwater Drainage Improvement Project (“Chanson Plaza Drainage Facility Project”)**: Attorneys McGeady and Olson discussed with the Board the possibility of sharing costs for the repair work to the Chanson Plaza Drainage Facility with other entities that benefit from the improvement. They noted that following their review of the documents, it was determined that the Developer is responsible for the maintenance and repair costs associated with the Chanson Plaza Drainage Facility as evidenced by a 1986 Commissioners Easement Deed (Reception No. 86140821) (“Easement Deed”) which describes the permanent non-exclusive easement granted from Jefferson County to Section 14 Development Co., and its successors and assigns, regarding the drainage facility which needs to be repaired and is subject of the “Chanson Plaza Drainage Improvements Alternatives Analysis Report” by Matrix Design Group, Inc. (“Matrix”). Manhard Consultants will confirm the area of the easement. The Board discussed an assignment of the Easement Deed from Chanson LLP (current owner) to the District.

The Board directed staff to include consideration of the following at the next Board meeting:

- a. District accepting an Assignment of the Easement Deed, whereby the District will assume responsibility for the repair and maintenance of the Chanson Plaza Drainage Facility at the June 22, 2020 Board meeting.

### CAPITAL PROJECTS

**Chanson Plaza Drainage Alternatives Analysis Report provided by Matrix:** Messrs. Drew Beck and Mason Haycock with Matrix presented the “Chanson Plaza Drainage Improvements Alternatives Analysis Report” and explained the five alternatives for repairing the drainage facility. Following review and discussion, the Board directed Mr. Heinze and Mr. Gordon to work with Matrix to seek out additional information on pricing for Alternative #3 (Buried Riprap), Alternative #4 (Buried Riprap and Sheetpile) and Alternative #5 (Flexamat). The Board also requested that Matrix reach out to the Flexamat manufacturer to obtain a list of contractors who have experience working with Flexamat. In addition, the Board authorized its consultants obtain additional information regarding costs associated with each of the Alternatives so that the project can be publicly bid.

The Board directed staff to include consideration of the following for the next Board meeting:

## RECORD OF PROCEEDINGS

---

- a. Direction to be provided to proceed with the bidding of the Chanson Plaza Drainage Facility Project at the June 22, 2020 meeting.
- \_\_\_\_\_

### OTHER MATTERS

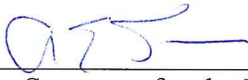
There were no other matters to discuss at this time.

\_\_\_\_\_

### ADJOURNMENT

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

Respectfully submitted,

By:   
Secretary for the Meeting