

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE SECTION 14 METROPOLITAN DISTRICT HELD JUNE 28, 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 Monday, the 28th day of June, 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 and Steve Beck (for a portion of the meeting); Special District Management Services, Inc.

Kate Olson, Esq.; McGeady Becher P.C.

Neil Schilling; Schilling & Company, Inc. (for a portion of the meeting)

Brad Gordon; Jordon Perlmutter & Co.

Terry Green; Foothills Park & Recreation District

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 Olson 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

RECORD OF PROCEEDINGS

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

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. It was noted that due to concerns regarding the spread of the COVID-19 and the benefits to the control of the spread of the virus by limiting in-person contact, the District Board meeting was held and properly noticed to be held via telephone conference, without any individuals (neither District representatives nor the general public) attending in person. 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.

Minutes: The Board reviewed the Minutes of the March 18, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Jonathan Perlmutter, seconded by Director Ernst and, upon vote, unanimously carried, the Board approved the Minutes of the March 18, 2021 Special Meeting.

2021 SDA Conference: Ms. Finn discussed the SDA Conference with the Board, and noted the information concerning the details of the conference will be emailed to them once the information is available.

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:

RECORD OF PROCEEDINGS

Fund	Period ending March 30, 2021	Period ending April 23, 2021	Period ending May 28, 2021
General	\$ 16,649.89	\$ 31,926.46	\$ 10,769.31
Debt	\$ -0-	\$ -0-	\$ -0-
Capital	\$ 15,644.50	\$ 6,392.00	\$ 2,235.00
Total	\$ 32,294.39	\$ 38,318.46	\$ 13,004.31

Following review, upon motion duly made by Director Jenkins, 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 March 31, 2021, and the schedule of cash position statement dated March 31, 2021.

Following review, upon motion duly made by Director Toll, seconded by Director Jay Perlmutter and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending March 31, 2021, and the schedule of cash position statement dated March 31, 2021, as presented.

2020 Audit: Mr. Schilling reviewed the draft 2020 Audit with the Board.

Following review and discussion, upon motion duly made by Director Jay Perlmutter, seconded by Director Ernst, and upon vote, unanimously carried, the Board approved the 2020 Audited Financial Statements and authorized execution of the Representations Letter, subject to final legal review and receipt of an Unmodified Opinion Letter from the Auditor.

2022 Budget Preparation: The Board discussed the preparation of the 2022 Budget.

Following discussion, upon motion duly made by Director Jonathan Perlmutter, seconded by Director Jenkins and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2022 Budget. The Board determined to hold the public hearing to consider adoption of the 2022 Budget on November 29, 2021, at 9:30 a.m., at the offices of Jordan Perlmutter & Company, 1601 Blake Street, Suite 600, Denver, Colorado 80217.

RECORD OF PROCEEDINGS

LEGAL MATTERS

Cost Sharing and Reimbursement Agreement between the District, Foothills Park & Recreation District, and Concordia on the Lake LLLP: Attorney Olson reviewed with the Board a Cost Sharing and Reimbursement Agreement between the District, Foothills Park & Recreation District, and Concordia on the Lake LLLP.

Following discussion, upon motion duly made by Director Jay Perlmutter, seconded by Director Jonathan Perlmutter and, upon vote, unanimously carried, the Board approved the Cost Sharing and Reimbursement Agreement between the District, Foothills Park & Recreation District, and Concordia on the Lake LLLP, subject to final approval by the Foothills Park & Recreation District and Concordia on the Lake LLLP.

First Amendment to Master Service Agreement between the District and Proof Civil Co. for Civil Engineering Services: The Board reviewed a First Amendment to Master Service Agreement between the District and Proof Civil Co. for Civil Engineering Services.

Following discussion, upon motion duly made by Director Jay Perlmutter, seconded by Director Jonathan Perlmutter and, upon vote, unanimously carried, the Board approved the First Amendment to Master Service Agreement between the District and Proof Civil Co. for Civil Engineering Services.

Easement Agreements and/or any necessary Amendments thereto between Chanson LLP, the District, and Foothills Park & Recreation District: Attorney Olson discussed with the Board the Amendment to Assignment of Commissioners Easement Deed between Chanson LLP, Foothills Park & Recreation District, and the District, the Non-Exclusive Assignment of Commissioners Easement Deed between Chanson LLP and the District, the Non-Exclusive Easement Agreement between Chanson LLP and the District, and the Second Amendment and Non-Exclusive Assignment of Easements Under the Storm Drainage Agreement between Chanson LLP, Foothills Park & Recreation District, and the District.

Following discussion, upon motion duly made by Director Toll, seconded by Director Jonathan Perlmutter and, upon vote, unanimously carried, the Board approved the Easement Agreements and/or any necessary Amendments thereto between Chanson LLP, the District, and Foothills Park & Recreation District, subject to final approval by Chanson LLP and the Foothills Park & Recreation District. The Board further authorized Manhard Consulting, LTD to update and prepare legal descriptions for the Easement Agreements.

RECORD OF PROCEEDINGS

Second Amendment to Resolution No. 2013-11-05; Regarding Colorado Open Records Act Requests: The Board reviewed a Second Amendment to Resolution No. 2013-11-05; Regarding Colorado Open Records Act Requests.

Following discussion, upon motion duly made by Director Jonathan Perlmutter, seconded by Director Ernst and, upon vote, unanimously carried, the Board adopted the Second Amendment to Resolution No. 2013-11-05; Regarding Colorado Open Records Act Requests.

CAPITAL IMPROVEMENTS

Chanson Plaza Storm Drainage Outfall Structure Improvement Project for Outfall Structure No. 1: Ms. Finn reported to the Board on the status of the Chanson Plaza Storm Drainage Improvements Project for Outfall Structure No. 1. She noted she is working with Messrs. Gordon, Green and DeYoung on finalizing construction documents. Attorney Olson reviewed the Schedule of Events for the construction project.

Payment of Floodplain Permit Application: The Board entered into discussion regarding the payment of Floodplain Permit Application, for the amount of \$500.00.

Following discussion, upon motion duly made by Director Jonathan Perlmutter, seconded by Director Ernst and, upon vote, unanimously carried, the Board authorized payment of the Floodplain Permit Application.

Storm Drainage Outfall Structure Improvement Project for Outfall Structure No. 6: Ms. Finn reported to the Board of the status of the Storm Drainage Outfall Structure Improvements Project for Outfall Structure No. 6. She noted she is working with Messrs. Gordon, Green and DeYoung on finalizing construction documents. Attorney Olson reviewed the Schedule of Events for the construction project.

Ownership and Maintenance Responsibility for Outfall Structure No. 8: The Board entered into discussion regarding the ownership and maintenance responsibility for Outfall Structure No. 8. The Board agreed to maintain the Outfall Structure No. 8 and Concordia agreed to pay for half of the initial clean up.

First Amendment to Service Agreement for Stormwater Inspection and Maintenance between the District and Storm Water Asset Protection LLC: The Board entered into discussion regarding amending the Service Agreement for Stormwater Inspection and Maintenance between the District and Storm Water Asset Protection LLC to include maintenance of Outfall Structure No. 8. Ms. Finn

RECORD OF PROCEEDINGS

reported a draft Maintenance Manual has been completed and noted the estimated costs for initial maintenance is approximately \$30,000.

Following discussion, upon motion duly made by Director Jay Perlmutter, seconded by Director Ernst and, upon vote, unanimously carried, the Board approved the First Amendment to the Service Agreement for Stormwater Inspection and Maintenance between the District and Storm Water Asset Protection LLC and authorized staff to obtain proposals for the maintenance work.

Renovation of the Monument Signs for Bowles Village Shopping Center:
Director Jonathan Perlmutter reported he is waiting on approvals and permits from Jefferson County for the monument renovation project of two signs. He also noted the estimated cost is approximately \$35,000 for each sign.

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 Jonathan Perlmutter, seconded by Director Jay Perlmutter and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: *Ann Finn*
Secretary for the Meeting