

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE SECTION 14 METROPOLITAN DISTRICT HELD OCTOBER 4, 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 4th day of October, 2021, at 1:00 p.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 via Zoom. The meeting was open to the public via Zoom.

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

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. Ms. Finn 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.

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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 Ernst, seconded by Director Toll 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. 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 Zoom, 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 Zoom 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 June 28, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Toll, seconded by Director Ernst and, upon vote, unanimously carried, the Board approved the Minutes of the June 28, 2021 Special Meeting.

PUBLIC COMMENTS

There were no public comments at this time.

CONSENT AGENDA

The Board discussed the following actions taken at the special meeting held on October 4, 2021.

- Ratify approval of the Amendment to Assignment of Commissioners Easement Deed between Chanson LLP, Foothills Park & Recreation District and the District.
- Ratify approval of the Cost Sharing and Reimbursement Agreement between the District, Foothills Park & Recreation District and Concordia on the Lake LLP.
- Ratify approval of the Non-Exclusive Assignment of Commissioners Easement Deed between Chanson LLP and the District.
- Ratify approval of the Non-Exclusive Easement Agreement between Chanson LLP and the District.
- Ratify approval of the Second Amendment and Non-Exclusive

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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 Jenkins and, upon vote unanimously carried, the Board ratified approval of the above actions taken at the special meeting held on October 4, 2021.

FINANCIAL MATTERS

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

Fund	Period ending June 30, 2021	Period ending July 31, 2021	Special Check Jefferson County Treasurer	Period ending Aug. 31, 2021
General	\$ 22,506.39	\$ 34,141.46	\$ -0-	\$ 51,395.25
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ 20,617.00	\$ 4,800.00	\$ 500.00	\$ 20,270.00
Total	\$ 43,123.39	\$ 38,941.46	\$ 500.00	\$ 71,665.25

Fund	Period ending Sept. 21, 2021
General	\$ 40,250.80
Debt	\$ -0-
Capital	\$ 1,364.88
Total	\$ 41,615.68

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

LEGAL MATTERS

There were no legal matters to discuss.

CAPITAL IMPROVEMENTS

Chanson Plaza Storm Drainage Outfall Structure Improvement Project for Outfall Structure Nos. 1 and 6 ("Project"): Ms. Finn reported to the Board on the status of the Chanson Plaza Storm Drainage Improvements Project for Outfall Structure Nos. 1 and 6. She noted the bid opening was held September 23, 2021.

Bid Tabulation: Mr. Gordon reviewed the bid tabulation and recommended Edge Contracting, Inc. for \$142,779.00. Mr. Green noted he has worked with Edge Contracting, Inc. in the past and agrees with the recommendation.

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Award Construction Contract: Following discussion, upon motion duly made by Director Jay Perlmutter, seconded by Director Jonathan Perlmutter and, upon vote, unanimously carried, the Board awarded the contract to Edge Contracting, Inc.

Issuance of Notice of Award and Notice to Proceed.: Following discussion, upon motion duly made by Director Jonathan Perlmutter, seconded by Director Ernst and, upon vote, unanimously carried, the Board authorized Mr. Gordon to issuance a Notice of Award and Notice to Proceed.

Approval of Construction Contract: Following review, upon motion duly made by Director Jonathan Perlmutter, seconded by Director Ernst and, upon vote, unanimously carried, the Board approved the Construction Contract between the District and Edge Contracting, Inc.

Schedule of Events: Ms. Finn reviewed the Schedule of Events for the Project with the Board.

Operation and Maintenance Manual for Underground Stormwater Treatment Facilities and Outfalls From Storm Water Asset Protection LLC: Ms. Finn noted the Maintenance Manual included in the meeting packet for the Boards review and information.

Proposal for Stormwater Inspection and Maintenance Services: The Board entered into discussion regarding the proposal for stormwater inspection and maintenance services. Ms. Finn noted Outfall No. 8 needs to be added to the scope of work.

Following discussion, upon motion duly made by Director Jay Perlmutter, seconded by Director Toll and, upon vote unanimously carried, the Board authorized Director Jay Perlmutter, Director Toll, Messrs. Gordon and Mr. Green to approve the revised proposal, subject to ratification by the Board.

Renovation of the Monument Signs for Bowles Village Shopping Center: Director Jonathan Perlmutter reported the estimated costs for the monument renovation project is \$30,000.00 for each monument (total \$60,000.00). He noted Jefferson County is requiring the grade of each monument be verified.

OTHER MATTERS

The Board determined to move the budget hearing to November 30, 2021 at 1:00 P.M. at the offices at the offices of Jordon Perlmutter and Co., 1601 Blake Street, Suite 600, Denver, Colorado.

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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: *Ann Finn*
Secretary for the Meeting