

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE JEFFERSON CENTER METROPOLITAN DISTRICT NO. 2 HELD JUNE 22, 2021

A Special Meeting of the Board of Directors of the Jefferson Center Metropolitan District No. 2 (referred to hereafter as "Board") was convened on Tuesday, June 22, 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, the District Board meeting was held by video/telephone conference with all participants attending via video/teleconference. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

Gregg Bradbury  
Jeff Nading  
Charles Church McKay  
Diana K. Ten Eyck

Following discussion, upon motion duly made by Director Bradbury, seconded by Director J. Nading and, upon vote, unanimously carried, the absence of Director S. Nading was excused.

#### Also In Attendance Were:

Ann Finn; Special District Management Services, Inc.

Emily Murphy, Esq.; McGeady Becher P.C.

Joy Tatton; Simmons & Wheeler, P.C.

Wes Back and Jesse Peckham; Independent District Engineering Services, LLC

Brandon Dooling; Golden Triangle Construction, Inc.

#### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

**Disclosures 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 disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those

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applicable disclosures made by the Board members prior to this meeting in accordance with the statute. Attorney Murphy noted that all Directors' Disclosure Statements had been filed and that no additional conflicts were disclosed at the meeting.

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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 Bradbury, seconded by Director J. Nading and, upon vote, unanimously carried, the agenda was approved, as presented.

**Location/Manner of Meeting and Posting of Notices:** 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 determined that, 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, the meeting would be held by video/telephonic means, and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted and that the District had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District boundaries.

**Minutes:** The Board reviewed the Minutes from the November 17, 2020 Special Meeting.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director J. Nading and, upon vote, unanimously carried, the Minutes from the November 17, 2020 Special Meeting were approved.

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### PUBLIC COMMENT

There were no public comments.

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### FINANCIAL MATTERS

The Board considered ratification of the payment of claims for the period beginning December 10, 2020 through June 17, 2021, in the amount of \$83,291.53.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director Ten Eyck and, upon vote, unanimously carried, the Board ratified the payment of claims, as presented.

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**2020 Audit:** Ms. Tatton reviewed the 2020 Audit with the Board.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director J. Nading and upon vote, unanimously carried, the Board approved the 2020 Audit, subject to final review by counsel and receipt of an unmodified opinion letter from the Auditor.

**Bill.com:** It was determined that the use of Bill.com was not necessary.

**Amounts Due from Mountain Shadows Metropolitan District (“MSMD”):** Ms. Tatton discussed with the Board the status of amounts due from MSMD. Ms. Tatton noted that the invoice was sent and that she anticipates receiving payment after the next MSMD Board Meeting.

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### **MANAGEMENT MATTERS**

**Water Tracking Report:** Ms. Finn reviewed the status of water allocations and facilities fees billing and collection with the Board.

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### **LEGAL MATTERS**

**Resolution No. 2021-06-01, Resolution Adopting the Capital Improvement Program and Master Infrastructure Plan as Modified by Subsequent Construction Plans (for 2021):** Attorney Murphy reviewed with the Board Resolution No. 2021-06-01, Resolution Adopting the Capital Improvement Program and Master Infrastructure Plan as Modified by Subsequent Construction Plans (for 2021).

Following discussion, upon motion duly made by Director Bradbury, seconded by Director McKay and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-06-01, Resolution Adopting the Capital Improvement Program and Master Infrastructure Plan as Modified by Subsequent Construction Plans (for 2021).

**Second Amendment to Resolution No. 2013-11-03, Regarding Colorado Open Records Act Requests:** Attorney Murphy reviewed with the Board the Second Amendment to Resolution No. 2013-11-03, Regarding Colorado Open Records Act Requests.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director J. Nading and, upon vote, unanimously carried, the Board adopted the Second Amendment to Resolution No. 2013-11-03, Regarding Colorado Open Records Act Requests.

**Bargain and Sale Deed between the District and the City of Arvada:** Attorney Murphy reviewed with the Board the Bargain and Sale Deed between the District and the City of Arvada, conveying real property

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containing an underground storage tank, a water distribution pump station, and related appurtenances.

Following discussion, upon motion duly made by Director Ten Eyck, seconded by Director McKay and, upon vote, unanimously carried, the Board approved the Bargain and Sale Deed between the District and the City of Arvada, conveying real property containing an underground storage tank, a water distribution pump station, and related appurtenances, subject to final review by Counsel.

**Purchase and Sale Agreement (Water Tank Site) by and between the City of Arvada, Jefferson Center Metropolitan District No. 1, and acknowledged by Jefferson Center Metropolitan District No. 2:** Attorney Murphy reviewed with the Board the Purchase and Sale Agreement (Water Tank Site) by and between the City of Arvada and Jefferson Center Metropolitan District No. 1.

Following discussion, upon motion duly made by Director Ten Eyck, seconded by Director McKay and, upon vote, unanimously carried, the Board ratified acknowledgement of the Purchase and Sale Agreement (Water Tank Site) by and between the City of Arvada and Jefferson Center Metropolitan District No. 1.

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### **OTHER BUSINESS**

There was no other business at this time.

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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: 

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Secretary for the Meeting