

JEFFERSON CENTER METROPOLITAN DISTRICT NO. 2

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
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NOTICE OF A SPECIAL MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office</u>	<u>Term/Expiration:</u>
Charles Church McKay	President/Chairman	2023/May 2023
Gregg Bradbury	Treasurer	2023/May 2023
Jeff Nading	Assistant Secretary	2022/May 2022
Steve Nading	Assistant Secretary	2022/May 2022
VACANT		2023/May 2022
David Solin	Secretary	

DATE August 24, 2021 (Tuesday)

TIME: 9:30 A.M.

PLACE: **Zoom Meeting: 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 meeting will be held via Zoom without any individuals (neither District representatives nor the general public) attending in person. The meeting can be joined through the directions below:**

Join Zoom Meeting

<https://zoom.us/j/99140197137?pwd=VIVSenZIZEx0bXdXM3FBBeUMzRS9Odz09>

Meeting ID: 991 4019 7137

Passcode: 673983

Dial-In: 1-253-215-8782

I. ADMINISTRATIVE MATTERS

A. Present Disclosures of Potential Conflicts of Interest.

B. Approve Agenda, confirm location/manner of the meeting and posting of meeting notices.

C. Review and approve Minutes of the June 22, 2021 Special Meeting (enclosure).

D. Acknowledge resignation of Diana K. Ten Eyck from the Board of Directors, effective as of July 26, 2021.

- E. Consider appointment of qualified individual Brandon Dooling to fill the vacancy on the Board of Directors (Notice of Vacancy was published on August 12, 2021). Administer Oath of Director.
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II. PUBLIC COMMENT

- A. _____

III. FINANCIAL MATTERS

- A. Review and consider approval of the payment of claims for the period beginning June 17, 2021 through August 19, 2021, in the amount of \$53,501.07 (enclosure).
-
- B. Discuss status of any amounts due from Mountain Shadows Metropolitan District.
-

IV. MANAGEMENT MATTERS

- A. Review Water Tracking Report (enclosure).
-

V. LEGAL MATTERS

- A. _____

VI. OTHER BUSINESS

- A. _____

VII. ADJOURNMENT **THE NEXT REGULAR MEETING IS SCHEDULED FOR SEPTEMBER 28, 2021.**

RECORD OF PROCEEDINGS

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

RECORD OF PROCEEDINGS

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.

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.

PUBLIC COMMENT

There were no public comments.

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.

RECORD OF PROCEEDINGS

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.

MANAGEMENT MATTERS

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

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

RECORD OF PROCEEDINGS

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.

OTHER BUSINESS

There was no other business 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

Account	PO/Cont	Check #	Invoice	Date	Date Paid	Description	Amount
01-000-06750	0	10358	5 21 779B	05/31/2021	06/17/2021	5 21 Legal	112.50
	**** TOTAL ****					McGeady Becher P.C.	112.50
01-000-06100	0	10359	5/21 MGMT	05/31/2021	06/17/2021	5 21 Management Fee	28.00
	**** TOTAL ****					Special District Management	28.00
01-000-06170	0	10360	30610	04/30/2021	06/17/2021	April Accounting Svcs	5,587.83
	**** TOTAL ****					Simmons & Wheeler, PC	5,587.83
01-000-07105	0	10361	178821	05/26/2021	06/17/2021	1st Q 2021 Stormwater IGA	11,862.20
	**** TOTAL ****					City of Arvada	11,862.20
01-000-06750	0	10362	779B 6 21	06/30/2021	07/22/2021	6 21 Legal	3,871.00
	**** TOTAL ****					McGeady Becher P.C.	3,871.00
01-000-06100	0	10363	6 21 MGMT	06/30/2021	07/22/2021	6 21 Management Fee	873.60
	**** TOTAL ****					Special District Management	873.60
01-000-06170	0	10364	31003	06/30/2021	07/22/2021	6 21 Accounting	2,954.98
	**** TOTAL ****					Simmons & Wheeler, PC	2,954.98
01-000-06750	0	10365	779B 7 21	07/31/2021	08/19/2021	7 21 Legal	1,048.50
	**** TOTAL ****					McGeady Becher P.C.	1,048.50
01-000-06100	0	10366	7 21 MGMT	07/31/2020	08/19/2021	7 21 Management Fee	467.71
	**** TOTAL ****					Special District Management	467.71
01-000-06170	0	10367	30802	05/31/2020	08/19/2021	5 21 Accounting	3,217.71
01-000-06170	0	10367	31195	07/31/2020	08/19/2021	7 21 Accounting	3,497.40
	**** TOTAL ****					Simmons & Wheeler, PC	6,715.11
01-000-07105	0	10368	178882	07/06/2021	08/19/2021	2nd Qtr Church Bypass	19,979.64
	**** TOTAL ****					City of Arvada	19,979.64
	*** GRAND TOTAL ***						53,501.07

CONDENSED SOURCES & USES
As of 8/23/21

Project Water	
Sources	Acre Feet
Pre - 12/2/19	1,869.24
2020 Exercised Options	92.47
Options to Exercise	-
Total Sources	1,961.71

Pre - December 2, 2019 Summary											
SOURCES		RESIDENTIAL USES					COMMERCIAL USES				BALANCE
Existing Agreements	Beginning Balance	MSMD	CPMD	ARP	Total Residential	Unallocated	Beginning	Allocations	CCLLC	Total Commercial	Unallocated
Totals	1869.24	200.00	36.00	1,039.01	1,275.01	-	594.23	54.50	363.05	417.55	176.68

Reconciliation to Post 12/2/19 - JCMD2

Reconciliation to Post 12/2/19 - CCLLC

Ending Balance 12/2/19	176.68
Less Restricted Beginning Commercial	<u>(150.00)</u>
Unrestricted Available	<u>26.68</u>
Plus Options Exercised	85.05
Plus Options to be Exercised	7.42
Net Unrestricted Available	<u>119.15</u>

CCLLC Held Balance 363.05

Post - 12/2/2019 Allocations																	
SOURCES		RESIDENTIAL USES					COMERCIAL USES								BALANCE		
Sources	Unrestricted Including CCLLC	Whisper Village	Taylor Morrison	Allocated	Unrestricted Available	IGA Restricted Balance	Kentro Retail 1	Kentro Retail 2	SCL - Candelas Medical	Whisper Village	Arvada Fire	Freedom Street Restaurant	Total Commercial	Not Allocated	Combined Allocations	CCLLC Available	Restricted Commercial Available
Allocations JCMD2	119.15	33.00	86.15	119.15	-	150.00	2.50	2.50	2.50	15.00	2.50	2.50	27.50	122.50	146.65	-	122.50
Allocations CCLLC	363.05	-	224.85	224.85	138.20	-	-	-	-	-			-	-	224.85	138.20	-

COMMERCIAL WATER ALLOCATION COMMITMENTS
As of 8/23/21

User	Final Tap Size	Final Allocation	Final Letter Date	Preliminary Tap Size	Preliminary Allocation	Preliminary Letter Date	Available Balance (AF)
Pre-12/2/19 Allocations							
Final Allocations							594.23
Yenter	1.00	1.25					592.98
Plains End	2.00	4.00					588.98
Candelas Parkway Irrigation	1.00	1.25					587.73
King Soopers	2.00	4.00	3/20/2019				583.73
King Soopers Gas Station	0.75	0.75	3/20/2019				582.98
King Soopers Retail Center	2.00	4.00	3/20/2019				578.98
Sautter Arvada School	1.00	1.25	3/20/2019				577.73
7-11	1.00	1.25	3/20/2019				576.48
Starbucks	1.00	1.25	3/20/2019				575.23
Three Creeks Elementary	3.00	7.50	3/20/2019				567.73
Whisper Creek Station - Arvada PD	1.00	1.25	3/20/2019				566.48
Candelas Point Retail (Block 1, Lot 3)	1.50	2.50	3/29/2019				563.98
Candelas Point Retail (Block 1, Lot 4)	1.50	2.50	3/29/2019				561.48
Chase Bank	1.00	1.25	4/5/2019				560.23
First Bank	1.00	1.25	7/30/2019				558.98
Wendy's	1.00	1.25	7/30/2019				557.73
Wild Grass Lot 3 (Bldg. A)				1.50	2.50	4/11/2019	555.23
Wild Grass Lot 3 (Bldg. B)				1.50	2.50	4/11/2019	552.73
Wild Grass Lot 3 (Bldg. C)				2.00	4.00	4/11/2019	548.73
Wild Grass Lot 3 (Bldg. D)				2.00	4.00	4/11/2019	544.73
Indiana Plaza				1.00	1.25	4/19/2019	543.48
Primrose School				1.50	2.50	4/25/2019	540.98
Les Schwab				1.00	1.25	8/16/2019	539.73
Total		<u>36.50</u>			<u>18.00</u>		
Initial Allocation Not Included							
Cimarron Commercial LLC					363.05		176.68
Post-12/2/19 Allocations							
Beginning Balance							150.00
Kentro Retail 1				1.50	2.50	10/7/2009	147.50
Kentro Retail 2				1.50	2.50	10/7/2019	145.00
Candelas Medical - SCL				1.50	2.50	10/7/2019	142.50
Whisper Village Commercial (TBD)					15.00		127.50
Arvada Fire				1.50	2.50	3/19/2021	125.00
Freedom Street Restaurant				1.50	2.50	6/3/2021	122.50
Total					<u>27.50</u>		
Total Acre Feet Remaining Unallocated							122.50

Tap Size	AF	Ratio
0.625	0.50	1.0
0.750	0.75	1.5
1.000	1.25	2.5
1.500	2.50	5.0
2.000	4.00	8.0
3.000	7.50	15.0
4.000	12.50	25.0
6.000	25.00	50.0

RESIDENTIAL WATER ALLOCATION COMMITMENTS
As of 8/23/21

User	Acre Feet	Available Balance (AF)
Pre-12/2/19		
		1275.01
Canyon Pines	36.00	1239.01
Mountain Shadows	200.00	1039.01
Arvada Residential Partners	1039.01	0.00
Total	<u>1275.01</u>	
Post-12/2/19		
		389.73
Whisper Village	33.00	356.73
Taylor Morrison	308.00	48.73
Taylor Morrison	<u>3.00</u>	45.73
Total	344.00	

CONDENSED SOURCES & USES
As of 12/2/19

WATER SOURCES		ALLOCATED RESIDENTIAL					ALLOCATED COMMERCIAL																				TOTAL							
Project Water	Acre Feet	CPMD	MSMD	ARP	Not Allocated	Total Residential	CCLLC	Yenter	Plains End	Candelas Irrigation	King Soopers	King Soopers Gas	King Soopers Retail	Sautter	7-11	Starbucks	Three Creeks	Arvada Police	Candelas Point Retail I (Block 1, Lot 3)	Candelas Point Retail II (Block 1, Lot 4)	Chase Bank	Wild Grass Lot 3 Bldg A (Retail E. of Starbucks)	Wild Grass Lot 3 Bldg B (Retail E. of Starbucks)	Wild Grass Lot 3 Bldg C (Retail E. of Starbucks)	Wild Grass Lot 3 Bldg D (Retail E. of Starbucks)	Indiana Plaza at Candelas	Primrose School	First Bank	Wendy's	Les Schwab	Not Allocated	Total Commercial	Acre Feet	
12/6/89 Annex Agmt w/ Arvada	460.00	36.00	-	74.00	-	110.00	343.82	1.25	4.00	0.93	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	350.00	460.00
RVWSD	230.00	-	-	230.00	-	230.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	230.00
Wheatridge Salvage (Vauxmont Agmt.)	200.00	-	-	200.00	-	200.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	200.00
1991 IGA W/ Arvada (20% Water)	4.60	-	-	4.60	-	4.60	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4.60
1991 IGA W/ Arvada (20% Water)	3.91	-	-	0.98	-	0.98	2.93	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2.93	3.91	
Con Mutual (Whisper Creek Water)	200.00	-	200.00	-	-	200.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	200.00
2005 IGA W/ Arvada (20% Water)	0.38	-	-	0.09	-	0.09	0.29	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.29	0.38
2005 IGA W/ Arvada, Section 3.2b	50.60	-	-	50.60	-	50.60	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	50.60
2005 IGA W/ Arvada (20% Water)	19.73	-	-	4.93	-	4.93	14.80	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	14.80	19.73
Smith Water	272.40	-	-	272.40	-	272.40	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	272.40
2005 IGA W/ Arvada (20% Water)	1.62	-	-	0.41	-	0.41	1.21	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1.21	1.62
Consolidated Mutual	126.00	-	-	126.00	-	126.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	126.00
2017 IGA, Water allocated to JCMD by the City of Arvada	300.00	-	-	75.00	-	75.00	-	-	-	0.32	4.00	0.75	4.00	1.25	1.25	1.25	7.50	1.25	2.50	2.50	1.25	2.50	2.50	4.00	4.00	1.25	2.50	1.25	1.25	1.25	1.25	176.68	48.32	300.00
Totals	1,869.24	36.00	200.00	1,039.01	-	1,275.01	363.05	1.25	4.00	1.25	4.00	0.75	4.00	1.25	1.25	1.25	7.50	1.25	2.50	2.50	1.25	2.50	2.50	4.00	4.00	1.25	2.50	1.25	1.25	1.25	1.25	176.68	417.55	1,869.24