

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JEFFERSON CENTER METROPOLITAN DISTRICT NO. 1 HELD JANUARY 25, 2022

A Regular Meeting of the Board of Directors of the Jefferson Center Metropolitan District No. 1 (referred to hereafter as "Board") was convened on Tuesday, January 25, 2022, at 9:30 a.m. This 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
Charles Church McKay
Steven Nading
Brandon Dooling

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

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Megan Becher, Esq.; McGeady Becher P.C.

Joy Tatton; Simmons & Wheeler, P.C.

Wes Back, Brandon Collins and Elesha Carbaugh-Gonzales; Independent District Engineering Services, LLC

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. Mr. Solin 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 applicable disclosures made by the Board members prior to this meeting in accordance with the statute. Attorney Becher 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: Mr. Solin distributed, for the Board's review and approval, a proposed agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director Steven Nading, seconded by Director Bradbury and, upon vote, unanimously carried, the agenda was approved, as presented.

Location 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 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 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.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Steven Nading, seconded by Director Bradbury, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted at least 24 hours prior to each meeting on the District's website at: <https://jeffersoncentermd1.colorado.gov>, or if posting on the website is unavailable, notice will be posted on the fence post on the southwest corner of 96th Ave. & Indiana St., Arvada, Colorado.

Minutes: The Board reviewed the minutes of the December 21, 2021 Special Meeting.

Following discussion, upon motion duly made by Director McKay, seconded by Director Dooling and, upon vote, unanimously carried, the minutes of the December 21, 2021 Special Meeting were approved, as presented.

PUBLIC COMMENT

There were no public comments.

CONSENT AGENDA

The Board considered the following actions:

- Ratify approval of Change Order No. 2 to the Contract between the District and JBS Pipeline, LLC, d/b/a JBS Pipeline Contractors, for box full closure changes, in the amount of \$104,038.01.

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- Ratify approval of Change Order No. 4 to the Contract between the District and K.E.C.I. Colorado, Inc. for landscape repair deduction, for a deduction in the amount of <\$4,796.04>.
- Ratify approval of Work Order No. 6 to the Service Agreement between the District and Golden Triangle Construction, Inc., for revise sanitary sewer design, in the amount of \$10,215.
- Ratify approval of Task Order No. 23 to the Master Service Agreement for Construction Observation and Materials Testing Services between the District and CTL/Thompson, Inc., for Hwy 72 Roadway and Box Culvert, Hwy 72 East of Hwy 92, in the amount of \$6,183.
- Ratify approval of Task Order No. 4 to the Service Agreement between the District and Survwest, LLC, for Highway 93 and Highway 72 Widening Project, in the amount of \$46,873.
- Ratify approval of Master Service Agreement for Geotechnical Engineering Services between the District and Triax Engineering, LLC (“Triax MSA”).
- Ratify approval of Task Order No. 1 to the Triax MSA, for Materials Testing Services, SH 72 Water Main, in the amount of \$7,894.

Following review, upon motion duly made by Director Bradbury, seconded by Director McKay and, upon vote, unanimously carried, the Board approved and/or ratified approval of, as appropriate, the above Consent Agenda items/actions.

FINANCIAL MATTERS

Claims: The Board considered approval of the payment of claims through the period ending January 25, 2022 in the amount of \$734,763.46.

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

Unaudited Financial Statements: Ms. Tatton reviewed with the Board the cash position statement as of January 17, 2022.

Following discussion, upon motion duly made by Director Steven Nading, seconded by Director Dooling and, upon vote, unanimously carried, the Board accepted the cash position statement as of January 17, 2022.

Expense Tracking Report (ETR): Ms. Carbaugh-Gonzales reviewed the Expense Tracking Report with the Board.

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District Expenditures Verification Report prepared by Independent District Engineering Services, LLC (“IDES”): Ms. Carbaugh-Gonzales reviewed with the Board IDES’ report entitled “District Expenditures Verification for January 2022,” which summarizes IDES’ review and verification of the expenditures of the District for January 2022 related to certain District construction contracts. The Verification Report identified \$734,763.46 of District Eligible Expenses and \$-0- of Non-Eligible Expenses.

Following discussion, upon motion duly made by Director Dooling, seconded by Director McKay and, upon vote, unanimously carried, the Board determined to accept the District Eligible Expenses in the amount of \$734,763.46.

Forecast of General Fund Revenues and Expenditures: Ms. Tatton reviewed, and the Board discussed, the forecast of General Fund revenues and expenditures.

Future Operation and Maintenance Obligations: The Board discussed possible methods for financing future operations and maintenance obligations. No action was taken by the Board.

MANAGEMENT MATTERS

Water Allocations and Facilities Fees Collections: Mr. Solin reviewed the status of water allocations and facilities fees billing and collection with the Board.

LEGAL MATTERS

Acquisition of Highway 72 Remnant Lot: Attorney Becher and Mr. Solin discussed the status of acquisition of the Highway 72 Remnant Lot with the Board.

CONSTRUCTION MATTERS

Construction Status Report: Mr. Back reviewed the Project Status Report dated January 25, 2022, with the Board. A copy of the report is attached hereto and incorporated herein by this reference.

Contracts, Task Orders, Work Orders and Change Orders: Mr. Back discussed the following Agreements, Contracts, Task Orders, Work Orders and Change Orders:

- Consider approval of construction contract for the Candelas Parkway Southern Sidewalk between the District and Thoutt Bros. Concrete Construction, Inc., in the amount of \$604,425.50.

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- Consider approval of construction contract for the Candelas Indiana North between the District and Wagner Construction, Inc., in the amount of \$5,398,096.
- Consider approval of Change Order No. 3 to the Contract between the District and JBS Pipeline, LLC, d/b/a JBS Pipeline Contractors, for box culvert full closure changes, in the amount of \$68,861.81.
- Consider approval of Task Order No. 14 to the Service Agreement for District Oversight Services between the District and Independent District Engineering Services, LLC, for District Oversight Services, in the amount of \$228,000.
- Consider approval of Task Order No. 14 to the Service Agreement for Traffic Engineering Services between the District and Kimley-Horn and Associates, Inc., for Candelas 72-93 Traffic Impact Study, in the amount of \$7,000.
- Consider approval of Task Order No. 3-A11 to the Service Agreement between the District and Martin/Martin, Inc., for SH93/SH72 Engineering, in the amount of \$42,500.
- Consider approval of Task Order No. 7-A9 to the Service Agreement between the District and Martin/Martin, Inc., for JCMD Parcel Coordination, in the amount of \$10,000.
- Consider approval of Task Order No. 8-A5 to the Service Agreement between the District and Martin/Martin, Inc., for On-Call Survey, in the amount of \$7,500.
- Consider approval of Task Order No. 22-A7 to the Service Agreement between the District and Martin/Martin, Inc., for Indiana North Infrastructure Design, in the amount of \$3,000.
- Consider approval of Task Order No. 25-A1 to the Service Agreement between the District and Martin/Martin, Inc., for Candelas Sanitary Sewer Outfall, in the amount of \$3,500.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director Dooling and, upon vote, unanimously carried, the Board approved (or ratified approval of, as appropriate) the Agreements, Contracts, Change Orders, Task Orders and Work Orders listed above.

State Highway 93 & 72 Box Culvert Project: It was noted that construction will begin in February, due to a delay in receipt of pipe materials.

**CAPITAL
IMPROVEMENTS**

There were no capital improvements matters presented.

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 by Director Bradbury, seconded by Director McKay and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,



By: _____
Secretary for the Meeting