

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JEFFERSON CENTER METROPOLITAN DISTRICT NO. 1 HELD JUNE 27, 2023

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, June 27, 2023, 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
Jeff L. Nading
Charles Church McKay
Steve Nading
Brandon Dooling

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

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

Joy Tatton; Simmons & Wheeler, P.C.

Wes Back and Elesha Carbaugh-Gonzales; Independent District Engineering Services, LLC ("IDES")

ADMINISTRATIVE MATTERS

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 Murphy noted that all Directors' Disclosure Statements had been filed and that no additional conflicts were disclosed at the meeting.

Agenda: Mr. Solin distributed, for the Board's review and approval, an agenda for the District's Regular Meeting.

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

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.

Minutes: The Board reviewed the minutes of the May 23, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director McKay and, upon vote, unanimously carried, the minutes of the May 23, 2023 Regular Meeting were approved, as presented.

PUBLIC COMMENT

There were no public comments.

CONSENT AGENDA

The Board considered the following actions:

- Ratify approval of Contract between the District and Encompass Services, LLC, for Subsurface Utility Engineering.
- Ratify approval of Change Order No.1 to the Contract between the District and RCD Construction Inc., for Contract Closeout, for a reduction in the contract amount of \$<14,269.38>.
- Ratify approval of Change Order No.7 to the Contract between the District and Wagner Construction Inc., for Storm Culvert Design Change, in the amount of \$57,382.45.
- Ratify approval of Task Order No. 27 to the Contract between the District and CTL/Thompson, Inc., for Hwy. 72 Widening, Candelas Commercial, Parcel 6, in the amount of \$11,500.00.
- Ratify approval of Task Order No.1 to the Contract between the District and Encompass Services, LLC, for Subsurface Utility Engineering for SH72, in the amount of \$74,152.73.
- Ratify approval of Task Order No.18 to the Contract between the District and Galloway & Company, Inc., for Hwy. 72 & Hwy. 93 P2 & P4 Landscape, in the amount of \$10,500.00.

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Following discussion, upon motion duly made by Director J. Nading, seconded by Director Dooling 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 reviewed and considered approval of the payment of claims through the period ending June 27, 2023, in the amount of \$416,902.00.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director J. Nading and, upon vote, unanimously carried, the Board ratified or approved (as appropriate) the payment of claims, as presented.

Schedule of Cash Position: Ms. Tatton reviewed with the Board the schedule of cash position as of June 19, 2023.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director J. Nading and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the schedule of cash position as of June 19, 2023.

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

Expense Tracking Report and District Expenditures Verification Report prepared by Independent District Engineering Services, LLC (“IDES”): Ms. Carbaugh-Gonzales reviewed with the Board the Expense Tracking Report and IDES’ report entitled “District Expenditures Verification for May 2023,” which summarizes IDES’ review and verification of the expenditures of the District for May 2023 related to certain District construction contracts. The Verification Report identified \$416,902.00 of District Eligible Expenses and \$-0- of Non-Eligible Expenses.

Following discussion, upon motion duly made by Director J. Nading, seconded by Director Bradbury and, upon vote, unanimously carried, the Board determined to accept the District Eligible Expenses in the amount of \$416,902.00.

Future Operation and Maintenance Obligations and Related Budget Matters: There was no update.

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2022 Audit: Ms. Tatton reported to the Board that the District will request an extension of time to file the 2022 Audit.

MANAGEMENT MATTERS

Water Allocations and Facilities Fees Collections: Mr. Solin discussed the water allocations with the Board.

LEGAL MATTERS

City of Arvada's System Development Charges:

Report Regarding City of Arvada's System Development Charges: Attorney Murphy provided an update.

Water Main Line from Highway 72 along Indiana St. to Candelas Pkwy. (the "Purple Line"): Attorney Murphy and Director J. Nading discussed with the Board a potential Intergovernmental Agreement between the District and the City of Arvada relating to the design and construction of the Purple Line.

CONSTRUCTION MATTERS

Construction Status Report: Mr. Back presented to the Board the Construction Status Report.

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

- Consider approval of Change Order No.1 to the Contract between the District and ABC Asphalt Inc., for Permit Fee Reimbursement, in the amount of \$399.50.
- Consider approval of Task Order No. 28 to the Contract between the District and CTL/Thompson, Inc., for Hwy 72 & Hwy 93 Subgrade Investigation & Pavement Design, in the amount of \$2,502.00.

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

Warranty Issues:

Premier Earthworks & Infrastructure, Inc. ("PEI") Warranty Obligations: Mr. Back informed the Board that the District hired another consultant to complete the warranty work, and that the City of Arvada has accepted the work.

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CAPITAL IMPROVEMENTS

District Engineer's Cost Certification Report No. 19, prepared by Independent District Engineering Services, LLC, certifying District eligible expenditures relative to Trailstone Filing No.1 Public Improvements: There was no Report available.

Reimbursement to Cimarron Commercial, LLC under the Facilities Funding and Acquisition Agreement between the District and Cimarron Development Company (CDC), as amended, and pursuant to the Letter from CDC regarding Payment Directive Pertaining to Certified Costs for Trailstone Filing No. 1 Public Improvements: The Board deferred action.

Taylor Morrison of Colorado, Inc. ("Taylor Morrison") Request for Reimbursement of Certain Costs Related to Offsite Sanitary Sewer Improvements: The Board deferred action.


OTHER BUSINESS

There was no other business.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Bradbury, seconded by Director S. Nading and, upon vote, unanimously carried, the meeting was adjourned at 10:26 am.

Respectfully submitted,

By: 
Secretary for the Meeting