

JEFFERSON CENTER METROPOLITAN DISTRICT NO. 1

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
Tel: 303-987-0835 . 800-741-3254
Fax: 303-987-2032

NOTICE OF REGULAR MEETING AND AGENDA

| <u>Board of Directors:</u> | <u>Office:</u> | <u>Term/Expiration:</u> |
|----------------------------|---------------------|-------------------------|
| Gregg Bradbury | President | 2023/May 2023 |
| Jeff L. Nading | Treasurer | 2025/May 2025 |
| Charles Church McKay | Assistant Secretary | 2023/May 2023 |
| Steve Nading | Assistant Secretary | 2025/May 2025 |
| Brandon Dooling | Assistant Secretary | 2023/May 2023 |
| James Ruthven | Secretary | |

DATE November 22, 2022 (Tuesday)

TIME: 9:30 A.M.

PLACE: **Zoom Meeting: 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://us02web.zoom.us/j/89087370143?pwd=QXRtR1NTbWlvcXBBR0c2TXFqMXBCQT09>

Meeting ID: 890 8737 0143

Passcode: 405141

Dial In: 1-719-359-4580

I. ADMINISTRATIVE MATTERS

A. Present Disclosures of Potential Conflicts of Interest.

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

C. Review and approve Minutes of the October 25, 2022 Regular Meeting and the November 7, 2022 Special Meeting (enclosures).

D. Discuss business to be conducted in 2023 and location (**virtual and/or physical**) of meetings. Schedule regular meeting dates and consider adoption of Resolution Establishing Regular Meeting Dates, Time, and Location and Designating Location for Posting of 24-Hour Notices (enclosure).

- E. Discuss Section 32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2023 (District website and Special District Association website).
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II. PUBLIC COMMENT

A.

III. CONSENT AGENDA – These items are considered to be routine and will be approved and/or ratified by one motion. There will be no separate discussion of these items unless a Board Member so requests, in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda.

- Ratify approval of Change Order No. 2 to the Contract between the District and Timco Blasting & Coatings, Inc., for Crew and Equipment Standby time, in the amount of \$20,810.25.
- Ratify approval of Change Order No. 1 to the Contract between the District and Wagner Construction, Inc., for Value Engineering Option and Phase 2, in the amount of \$2,192,305.10.
- Ratify approval of Change Order No. 9 to the Contract between the District and Wagner Construction, Inc., for Potholing for Highway 72 Water Main, in the amount of \$5,100.46.
- Ratify approval of Change Order No.10 to the Contract between the District and Wagner Construction, Inc., for Equipment Rental Time, in the amount of \$8,530.04.
- Ratify approval of Task Order No. 7-A11 to the Service Agreement between the District and Martin/Martin, Inc., for JCMD Parcel Coordination Amendment No. 11, in the amount of \$15,000.
- Ratify approval of Task Order No. 21-A3 to the Service Agreement between the District and Martin/Martin, Inc., for Grading/Earthwork/Taylor Morrison Parcels Amendment No. 3, in the amount of \$1,100.
- Ratify approval of Task Order No. 22-A9 to the Service Agreement between the District and Martin/Martin, Inc., for Indiana North Infrastructure Amendment No. 9, in the amount of \$40,000.
- Ratify approval of Task Order No. 24-A6 to the Service Agreement between the District and Martin/Martin, Inc., for Highway 72 Widening Amendment No. 6, in the amount of \$30,000.
- Ratify approval of Task Order No. 24-A7 to the Service Agreement between the District and Martin/Martin, Inc., for Highway 72 Widening Amendment No. 7, in the amount of \$40,000.

- Ratify approval of Task Order No. 25-A2 to the Service Agreement between the District and Martin/Martin, Inc., for Candelas Sanitary Sewer Outfall Amendment No. 2, in the amount of \$7,000.
 - Ratify approval of Task Order No. 26-A3 to the Service Agreement between the District and Martin/Martin, Inc., for Highway 72 Waterline Construction Documents Amendment No. 3, in the amount of \$4,500.
 - Ratify approval of Task Order No. 29-A2 to the Service Agreement between the District and Martin/Martin, Inc., for DU Coordination/Legal Descriptions/Exhibits Amendment No. 2, in the amount of \$10,000.
 - Ratify approval of Task Order No. 30-A2 to the Service Agreement between the District and Martin/Martin, Inc., for Arvada Water and Sanitary Sewer Study Analysis Amendment No. 2, in the amount of \$5,000.
 - Ratify approval of Task Order No. 2 to the Service Agreement between the District and Triax Engineering, LLC, for Materials Testing Services, Sanitary Interceptor, in the amount of \$33,620.
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IV. FINANCIAL MATTERS

- A. Review and consider approval of the payment of claims through the period ending November 10, 2022, in the amount of \$1,193,501.76 (enclosure).

- B. Review and accept unaudited financial statements for the period ending September 30, 2022 (enclosure).

- C. Review forecast of General Fund Revenues and Expenditures (enclosure).

- D. Review Expense Tracking Report (to be distributed) and consider approval of District Expenditures Verification Report (to be distributed).

- E. Consider engagement of Fiscal Focus Partners LLC for preparation of 2022 Audit for an amount not to exceed \$_____.

- F. Discuss future operation and maintenance obligations and related budget matters.

- G. Conduct Public Hearing to consider Amendment to 2022 Budget and (if necessary) consider adoption of Resolution to Amend the 2022 Budget and appropriate expenditures.

- H. Conduct Public Hearing on the proposed 2023 Budget and consider adoption of Resolution to Adopt the 2023 Budget and Appropriate Sums of Money and Resolution to Set Mill Levies (for General Fund _____, Debt Service Fund _____ and Other Fund(s) _____ for a total mill levy of _____) (enclosures – preliminary assessed valuation, 2023 draft budget and resolutions).
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1. Consider adoption of Resolution No. 2022-11-____, Resolution of the Board of Directors of Jefferson Center Metropolitan District No. 1 Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan (enclosure).
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- I. Consider authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form (“Certification”), and direct District Manager to file the Certification with the Board of County Commissioners and other interested parties.
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- I. Consider appointment of District Accountant to prepare the 2024 Budget and set the date for public hearing to adopt the 2024 Budget (_____, 2023).
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V. MANAGEMENT MATTERS

- A. Discuss status of Water Allocations and Facilities Fees Collections (enclosure).
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VI. LEGAL MATTERS

- A. Discuss City of Arvada’s System Development Charges. **Adjourn to executive session pursuant to Section 24-6-402(4)(b), C.R.S., to receive legal advice regarding the System Development Charges (if necessary).**
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1. Discuss and ratify approval of Joint Cooperation and Common Interest Agreement between Jefferson Center Metropolitan District No. 1, Jefferson Center Metropolitan District No. 2, Cimarron Development Company, Cimarron Holding Company LLC, Cimarron Commercial LLC, Cimarron Residential LLC, Candelas Point LLC, and Jeffrey L. Nading Trust (to be distributed).
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2. Authorize any necessary action in connection therewith.
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- B. Discuss status of retaining wall and slope easements for the benefit of RangeWater Residential, LLC.

- C. Discuss status of the District’s General Obligation Refunding and Improvement Bonds, Series 2023 (the “Refunding Bonds”).

- D. Discuss and consider approval of Facilities Acquisition Agreement (Trailstone Development) by and between the District, Taylor Morrison of Colorado, Inc., Cimarron Development Company, and Cimarron Commercial, LLC.

- E. Discuss potential agreement between the District and a future homeowners’ association relative to the operation and maintenance of Trailstone Improvements.

- F. Discuss May 2, 2023 Regular Directors’ Election and consider adoption of Resolution No. 2022-11-____; Resolution Calling a Regular Election for Directors on May 2, 2023, appointing the Designated Election Official (“DEO”), and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election (enclosure). Self-Nomination forms are due by February 24, 2023. Discuss the need for ballot issues and/or questions.

VII. CONSTRUCTION MATTERS

- A. Review Construction Status Report (to be distributed).

- B. Consider approval of contracts, task orders, work orders and change orders.

- C. **Warranty Issues:**
 - 1. Discuss Premier Earthworks & Infrastructure, Inc. warranty obligations. Authorize any necessary actions in connection therewith.

 - 2. Discuss GH Phipps Construction Companies warranty obligations. Authorize any necessary actions in connection therewith.

3. Discuss SEMA Construction, Inc. warranty obligations.
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- (a) Review and consider approval of Settlement and Release Agreement by and between the District and SEMA Construction, Inc. (to be distributed).
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VIII. CAPITAL IMPROVEMENTS

- A. Review and consider approval of Cost Certification Report No. 12 prepared by Independent District Engineering Services, LLC, certifying District eligible expenditures relative to Trailstone Filing No. 1 Public Improvements (“Report No. 12”), and accept certified costs (to be distributed).
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1. Discuss and consider authorizing reimbursement to Cimarron Commercial, LLC in the amount certified per Report No. 12, pursuant to 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.
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IX. OTHER BUSINESS

- A. Consider cancellation of the December 27, 2022 Board meeting.
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X. ADJOURNMENT **THE NEXT REGULAR MEETING IS SCHEDULED FOR DECEMBER 27, 2022.**

Informational Enclosure:

- Memo regarding New Rate Structure from Special District Management Services, Inc.
- Memo regarding New Rate Structure from McGeady Becher PC.