

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE STC METROPOLITAN DISTRICT NO. 2 HELD APRIL 7, 2021

A Special Meeting of the Board of Directors (referred to hereafter as the "Board") of the STC Metropolitan District No. 2 (referred to hereafter as the "District") was convened on Wednesday, the 7th day of April, 2021, at 9:00 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, this District Board meeting was held by Zoom at: <https://us02web.zoom.us/j/89797364658?pwd=SHJkTkdyUmVxYjBYUDcvcHmN3I0dz09>; Meeting ID: 897 9736 4658, Passcode: 115782. The meeting was open to the public.

#### **ATTENDANCE**

##### **Directors In Attendance Were:**

James A. Brzostowicz  
Angie Hulsebus  
Terry Willis

##### **Also In Attendance Were:**

Peggy Ripko; Special District Management Services, Inc. ("SDMS")

Megan Becher, Esq. and Kate Olson, Esq.; McGeady Becher P.C.

Jennifer Ivey, Esq.; Icenogle Seaver Pogue, P.C.

Bill Flynn; Simmons & Wheeler, P.C.

Bill Jenks, Sonia Chin and Jessica Sergi; Ranch Capital, LLC

David Andrews; Edifice North, LLC

#### **DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST**

**Disclosure of Potential Conflicts of Interest:** The Board noted it was in receipt of disclosures of potential conflicts of interest statements for each of the Directors and that the statements had been filed with the Secretary of State at least seventy-two hours in advance of the meeting. Ms. Ripko requested that the Directors review the Agenda for the meeting and advised the Board to disclose any new conflicts of interest which had not been previously disclosed. No further disclosures were made by Directors present at the meeting.

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### **ADMINISTRATIVE MATTERS**

**Agenda:** Ms. Ripko noted a quorum was present. The Board reviewed the proposed Agenda for the District's Special Meeting. Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board approved the Agenda, as amended.

**Location of Meeting and Posting of Meeting 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 recognized 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 was being held by virtual/telephonic means, and that the meeting was open to the public by such virtual/telephonic means. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted and that that no objections to the virtual/telephonic manner of the meeting have been received.

**Minutes:** The Board reviewed the Minutes of the March 3, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Brzostowicz seconded by Director Willis and, upon vote, unanimously carried, the Board approved the Minutes of the March 3, 2021 Special Meeting.

### **PUBLIC COMMENTS**

There were no public comments.

### **MCCASLIN BOULEVARD ROUNDAABOUT REPAIRS**

**McCasin Boulevard Roundabout Repairs:** The Board entered into discussion regarding the McCasin Boulevard Roundabout Repairs. It was noted warranty repairs are needed. A request for proposal was published on March 9, 2021, but no proposals were received by the deadline set forth therein or to date. The Board directed the staff to solicit proposals from potential contractors for approval during the May 5, 2021 meeting.

### **FINANCIAL MATTERS**

**Claims:** The Board considered the ratification of approval of the payment of claims as follows:

Fund	Period Ending March 26, 2021
General	\$ 40,068.80
Debt	\$ -0-

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Capital	\$ 1,275.00
Payroll	\$ 831.15
<b>Total</b>	<b>\$ 42,174.95</b>

Following review and discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board ratified approval of payment of claims, as presented.

**Unaudited Financial Statements:** Mr. Flynn presented to the Board the unaudited financial statements and cash position for the period ending February 28, 2021 and schedule of cash position, dated February 28, 2021.

Following review and discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and cash position for the period ending February 28, 2021 and schedule of cash position, dated February 28, 2021.

### **LEGAL MATTERS**

There were no legal matters.

### **OPERATIONS AND MAINTENANCE**

**Operating Projections:** Ms. Ripko presented to the Board the operating projections for the District.

### **COVENANT CONTROL**

**Community Manager's Update:** The Board reviewed the Community Manager's Report presented by Ms. Ripko.

**Proposal from Vargas Property Services, Inc. for services to take place adjacent to 432 Promenade, in the amount of \$4,260:** The Board deferred discussion.

**Proposal from DoodyCalls, LLC. for Pet Waste Removal and Pet Station Services:** The Board deferred discussion.

### **CAPITAL PROJECTS**

**Final Engineers Report and Certification #70 prepared by Ranger Engineering, LLC, dated March 26, 2021:** Following review and discussion by the Board, upon motion duly made by Director Brzostowicz, seconded by Director Hulsebus and, upon vote, unanimously carried, the Board approved and accepted improvement costs in the amount of \$1,271,679.72, under that certain Final Engineers Report and Certification #70 prepared by Ranger Engineering, LLC, dated March 26, 2021.

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**Reimbursement to RC Superior, LLC Under the Facilities Funding and Acquisition Agreement:** The Board discussed reimbursement to RC Superior, LLC under the Facilities Funding and Acquisition Agreement in the amount of costs verified by Ranger Engineering, LLC.

Following review and discussion by the Board, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board authorized reimbursement to RC Superior, LLC under the Facilities Funding and Acquisition Agreement in the amount of costs verified by Ranger Engineering, LLC, subject to approval from the City of Boulder.

**Requisition of Funds Pursuant to the 2020 Bonds:** The Board discussed the requisition of funds pursuant to the 2020 Bonds.

Following review and discussion by the Board, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board authorized and approved all necessary actions in connection with the requisition of funds pursuant to the 2020 Bonds.

**City Issues:** The Board entered into discussion regarding issues with the City of Boulder. No action was taken at this time.

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### **DEVELOPER UPDATE**

**Status of Lot and Home Sales:** Mr. Jenks provided an update to the Board on the status of the lot and home sales.

### **OTHER MATTERS**

**Tract Conveyance:** The Board discussed the process to convey completed tracts to the District.

### **ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By Peggy Ripko  
Secretary for the Meeting