

## 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 JULY 2, 2019

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 Tuesday, the 2nd day of July, 2019, at 9:00 A.M., at the offices of McGeady Becher P.C., 450 E. 17<sup>th</sup> Avenue, Suite 400, Denver, Colorado. The meeting was open to the public.

#### ATTENDANCE

##### Directors In Attendance Were:

James A. Brzostowicz  
Terry Willis

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the absence of Director Hulsebus was excused.

##### Also In Attendance Were:

Lisa A. Johnson; Special District Management Services, Inc. (“SDMS”)

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

Dean Northey; Simmons & Wheeler, P.C.

Bill Jencks, Sonia Chin, and Jessica Sergi; Ranch Capital, LLC (via speakerphone)

Dave Andrews; Edifice, 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. Johnson 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. Johnson 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 Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Agenda was approved, as amended.

**Confirm Location of Meeting, Posting of Meeting Notices and Quorum:** Ms. Johnson confirmed the presence of a quorum. 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.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board determined that because there was not a suitable or convenient location within the District's boundaries, within the County which the District is located, or within 20 miles of its boundaries to conduct this meeting, the meeting would be conducted at the above-stated location. The Board further noted that the notice of the time, date and location of the meeting was duly posted and that no objections to the location or any requests that the meeting place be changed were received from taxpaying electors within the District's boundaries.

**Mr. Merritt's Decision to Serve:** Mr. Merritt determined to withdraw his interest to serve on the Board of Directors at this time. His Oath of Office was never administered.

### CONSENT AGENDA

The Board considered the following actions:

- Approve Minutes of the June 5, 2019 Regular Meeting.
- Ratification of approval of Change Order No. 2 to Service Agreement with Summit Services Group, for updating Stormwater Management Plan in an amount not to exceed \$1,500.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board approved and/or ratified approval of, as appropriate, the above actions, as presented.

### FINANCIAL MATTERS

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



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Fund	Period Ending June 26, 2019
General	\$ 17,125.33
Debt	\$ -0-
Capital	\$ 4,676.65
<b>Total</b>	<b>\$ 21,801.98</b>

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

**Unaudited Financial Statements:** Mr. Northey introduced himself as the new accountant replacing Mark Chambers. Due to the change in accountants, there were no unaudited financial statements presented at this time and discussion was deferred.

**2018 Audit:** Mr. Northey noted that extension paperwork for the 2018 Audit is in process.

**Operation and Maintenance Budget Forecast:** The Board deferred discussion at this time.

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### **LEGAL MATTERS**

**2019 Refunding and Improvement Bonds:** Attorney Becher presented the Board with an update of the 2019 Refunding and Improvement Bonds. It was noted that the schedule anticipates a fourth quarter issuance of the Bonds.

**New Legislation Concerning Posting of Meeting Notices:** Attorney Becher presented to the Board the new legislation concerning posting of meeting notices. The Board directed Attorney Becher to draft a Resolution and the Board will approve at the August Meeting.

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### **OPERATIONS / MAINTENANCE**

**Additional Pet Waste Stations:** Ms. Johnson presented to the Board an update on the additional pet waste stations. She noted that installations are now complete.

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### **COMMUNITY MANAGEMENT/ COVENANT CONTROL**

**Community Management Report:** Ms. Johnson presented to the Board the Community Manager's Report.

**Proposal from Animal & Pest Control Specialist, Inc.:** The Board discussed a proposal from Animal & Pest Control Specialist, Inc. for vole mitigation around the detention pond.

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Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board approved the proposal from Animal & Pest Control Specialist, Inc. for an initial treatment in the amount of \$150.00 and monthly treatments in the amount of \$120.00.

### CAPITAL PROJECTS

**Final Engineer's Report and Certification #49 dated June 24, 2019:** Ms. Johnson reviewed with the Board the improvement costs in the amount of \$2,986,639.50 under the Final Engineer's Report and Certification #49, dated June 24, 2019, prepared by Ranger Engineering, LLC.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board accepted the improvement costs in the amount of \$2,986,639.50 under that certain Final Engineer's Report and Certification #49, dated June 24, 2019, prepared by Ranger Engineering, LLC.

**Change Order No. 004, Superior Town Center Block 25 Phase 2 under the Construction Contract between the District and SAMORA Construction for Permit Plans:** The Board discussed and reviewed Change Order No. 004, Superior Town Center Block 25 Phase 2 under the Construction Contract between the District and SAMORA Construction for Permit Plans in the amount of \$111,772.87.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board approved Change Order No. 004, Superior Town Center Block 25 Phase 2 under the Construction Contract between the District and SAMORA Construction for Permit Plans in the amount of \$111,772.87.

**Change Order No. 005, Superior Town Center Block 25 Phase 2 and Block 26 under the Construction Contract between the District and SAMORA Construction for an Extension of Time:** The Board discussed and reviewed Change Order No. 005, Superior Town Center Block 25 Phase 2 and Block 26 under the Construction Contract between the District and SAMORA Construction for an extension of time for one day to complete work due to weather delay.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board approved Change Order No. 005, Superior Town Center Block 25 Phase 2 and Block 26 under the Construction Contract between the District and SAMORA Construction for an extension of time for one day to complete work due to weather delay.



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**Change Order No. 006, Superior Town Center Block 25 Phase 2 under the Construction Contract between the District and SAMORA Construction for Excavating Pipeline Relocation:** The Board discussed and reviewed Change Order No. 006, Superior Town Center Block 25 Phase 2 under the Construction Contract between the District and SAMORA Construction for Excavating Pipeline Relocation for an increase in the contract amount o \$81,363.42.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board approved Change Order No. 006, Superior Town Center Block 25 Phase 2 under the Construction Contract between the District and SAMORA Construction for Excavating Pipeline Relocation in the amount of \$81,363.42.

**Change Order No. 007, Superior Town Center Block 25 Phase 2 under the Construction Contract between the District and SAMORA Construction for an Extension of Time:** The Board discussed and reviewed Change Order No. 007, Superior Town Center Block 25 Phase 2 under the Construction Contract between the District and SAMORA Construction for an extension of time for multiple days to complete work due to weather delay.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board approved Change Order No. 007, Superior Town Center Block 25 Phase 2 under the Construction Contract between the District and SAMORA Construction for an extension of time for multiple days to complete work due to weather delay.

**Change Order No. 008, Superior Town Center Block 25 Phase 2 under the Construction Contract between the District and SAMORA Construction for Excavating:** The Board discussed and reviewed Change Order No. 008, Superior Town Center Block 25 Phase 2 under the Construction Contract between the District and SAMORA Construction for Excavating for an increase of \$167,415.28.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board approved Change Order No. 008, Superior Town Center Block 25 Phase 2 under the Construction Contract between the District and SAMORA Construction for Excavating in the amount of \$167,415.28.

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### **DEVELOPER UPDATE**

**Lot and Home Sales:** Mr. Jencks provided an update to the Board on lot and home sales, noting the sale has closed for Block 25.

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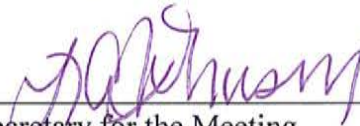
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**OTHER MATTERS**      There were no other matters for discussion at this time.  
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**ADJOURNMENT**      There being no further business to come before the Board at this time, upon a motion duly made, seconded, and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By   
Secretary for the Meeting