

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4
HELD
JULY 22, 2024

A regular meeting of the Board of Directors (“Board”) of the Second Creek Farm Metropolitan District No. 4 (“District”) was convened on Monday, July 22, 2024, at 3:00 p.m., via conference call. The meeting was open to the public.

ATTENDANCE

Directors in Attendance Were:

Joel H. Farkas
Toni Serra
Davinder Sandhu

Also in Attendance Were:

Paula Williams and Jennifer S. Henry; McGeady Becher P.C.
Margaret Henderson; CliftonLarsonAllen LLP
Michael Wolfersperger; Independent District Engineering Services, LLC
 (“IDES”)

ADMINISTRATIVE MATTERS

Disclosure of Potential Conflicts of Interest: Attorney Williams discussed the requirements pursuant to the Colorado Revised Statutes (“C.R.S.”) to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Ms. Henry noted that a quorum was present and requested members of the Board to 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. It was noted that Disclosure Statements for Directors Farkas and Serra had been filed by the statutory deadline.

Agenda: The Board reviewed the proposed Agenda for the District’s regular meeting. Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board approved the Agenda.

Meeting Location: 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, and upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board determined to hold this meeting at the above stated location and via Zoom. The Board noted that notice of this meeting, location

and Zoom access information was duly posted and that no taxpaying electors within the District's boundaries objected to the location of the meeting or requested that the meeting location be changed.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, 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 on the District's website at least 24-hours prior to each meeting. If posting on the website is unavailable, notice will be posted at the following physical location: at the corner of E. 96th Avenue and Tower Rd., Commerce City.

Public Comment: There were no public comments.

Meeting Minutes: The Board reviewed the minutes from the April 22, 2024 Special Meeting. Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board approved the minutes from the April 22, 2024 Special Meeting.

District Website Accessibility: Attorney Williams discussed the legislation requiring the District's website be ADA compliant by July 2025. Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board authorized staff to take necessary actions to bring the website into ADA compliance within the required time period.

FINANCIAL MATTERS

Cost Certification Report #23: Mr. Wolfersperger discussed Cost Certification Report #23 dated July 22, 2024 certifying eligible costs prepared by IDES, with the Board. Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board accepted Cost Certification Report #23 and the certified eligible costs for reimbursement attributable to the District (\$0.00) and authorized necessary actions in connection therewith.

Unaudited Financial Statements and Schedule of Cash Position: Ms. Henderson reviewed the June 30, 2024 unaudited financial statements and schedule of cash position with the Board. Upon motion duly made by Director Serra, seconded by Director Farkas, and upon vote unanimously carried, the Board accepted the June 30, 2024 unaudited financial statements and schedule of cash position.

Potential 2024 Bond Issuance: The Board discussed a potential 2024 bond issuance and directed District Counsel to provide projected development information to Mr. Lund for financial analysis and bonding feasibility.

Facilities Funding and Acquisition Agreement: Attorney Williams discussed the proposed Facilities Funding and Acquisition Agreement

between the District and 96th and Tower Road Inc. The Board deferred action.

OTHER BUSINESS

There was no other business to come before the Board.

ADJOURNMENT

Upon motion duly made and seconded, and, upon vote, unanimously carried, the meeting was adjourned.

The foregoing record constitutes a true and correct copy of the Minutes of the above-referenced meetings.

Respectfully submitted,

By Jennifer S. Henry
Secretary for the Meeting