

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4
HELD
AUGUST 8, 2022

A special meeting of the Board of Directors (“Board”) of the Second Creek Farm Metropolitan District No. 4 (“District”) was convened on Monday, August 8, 2022, at 10:30 a.m. via conference call. The meeting was open to the public via conference call.

ATTENDANCE

Directors In Attendance Were:

Joel H. Farkas, President
Thomas Kowalski, Secretary
Toni Serra, Treasurer
Davinder Sandhu, Assistant Secretary
Kristin Sullivan, Assistant Secretary

Also in Attendance Were:

Paula Williams, Jay Morse and Jennifer Henry, McGeady Becher P.C.
Jason Carroll, CliftonLarsonAllen LLP
Barrett Marrocco and Chase Hanusa, Independent District Engineering Services, Inc. (“IDES”)

ADMINISTRATIVE MATTERS

Disclosure of Potential Conflicts of Interest: Attorney Williams 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. Attorney Williams 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, Kowalski, Serra, and Sullivan had been filed by the statutory deadline.

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

Approval of 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 Serra, seconded by Director Sullivan, and upon vote unanimously carried, the Board determined to hold this meeting via conference call and encouraged public participation via telephone. The Board noted that notice of this meeting and conference call number was duly posted and that it had not received any objections to the telephonic meeting or any requests that the meeting be changed by taxpaying electors within the District's boundaries.

Public Comment: There were no public comments.

FINANCIAL MATTERS

Cost Verification Report #17-Revision #1: The Board reviewed Cost Certification Report #17-Revision #1 dated July 14, 2022 prepared by IDES certifying eligible costs. Following discussion, upon motion duly made by Director Serra, seconded by Director Sullivan, and upon vote unanimously carried, the Board acknowledged Cost Verification Report #17-Revision #1, with certified eligible costs for reimbursement attributable to the District in the amount of \$0.00.

Cost Verification Report #18: The Board reviewed Cost Certification Report #18 dated August 8, 2022 prepared by IDES certifying eligible costs. Following discussion, upon motion duly made by Director Serra, seconded by Director Farkas, and upon vote unanimously carried, the Board acknowledged Cost Verification Report #18, with certified eligible costs for reimbursement attributable to the District in the amount of \$0.00.

Cost Certification Report #19: The Board reviewed Cost Certification Report #19 dated August 8, 2022 prepared by IDES certifying eligible costs. Following discussion, upon motion duly made by Director Serra, seconded by Director Farkas, and upon vote unanimously carried, the Board acknowledged Cost Verification Report #19, with certified eligible costs for reimbursement attributable to the District in the amount of \$0.00.

Future Improvements Cost Share Memorandum: The Board reviewed the Future Improvements Cost Share Memorandum dated August 8, 2022 prepared by IDES. Following discussion, upon motion duly made by Director Kowalski, seconded by Director Serra, and upon vote unanimously carried, the Board acknowledged the Future Improvements Cost Share Memorandum, which recognizes that there may be additional improvements required by the City of Commerce City, Adams County, and/or South Adams County Water and Sanitation District ("SACWSD"), and if so, costs will be reviewed and allocated at such time additional improvement are constructed

Joint Resolution of Second Creek Farm Metropolitan District Nos. 1, 2, 3 and 4 Regarding Allocation and Acceptance of Project Costs: Attorney Williams reviewed the Joint Resolution of Second Creek Farm Metropolitan District Nos. 1, 2, 3 and 4 Regarding Allocation and Acceptance of Project Costs

Pursuant to Amended and Restated Facilities Funding, Construction and Operations Agreement, and Facilities Funding and Acquisition Agreement and Cost Sharing Intergovernmental Agreement (“**Joint Resolution**”) with the Board. Following discussion, upon motion duly made by Director Kowalski, seconded by Director Serra, and upon vote unanimously carried, the Board adopted and approved the Joint Resolution, accepting certified costs in the amount of \$922,177.75 and adding this amount to the District’s Limited Tax General Obligation Draw Down Bonds Series 2021A (the “Bonds”) (in addition to the initial cost of issuance draw on the bonds in the amount of \$184,500, for a total principal amount on the Bonds in the amount of \$1,106,677.75) and authorized all necessary actions in connection therewith.

LEGAL MATTERS

None.

OTHER BUSINESS

Director Farkas noted that SACWSD is requesting construction of a sanitary sewer line and he is working with them on the approved plans, but there will be no costs impacting the District at this time.

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 Thomas R. Kowalski
Secretary for the Meeting