

MINUTES OF A JOINT SPECIAL MEETING OF THE  
BOARDS OF DIRECTORS

OF

THE CANYONS METROPOLITAN DISTRICT NOS. 1-5

Held: Monday, November 16, 2020 at 1:30 p.m. via  
teleconference.

Due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders issued by the Colorado Department of Health and Environment, and the threat posed by the COVID-19 coronavirus, this meeting was held via teleconference.

Attendance

The joint special meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve, were in attendance.

Jonathan Alpert  
Darren Everett

Director Scott Alpert was absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Shelby Clymer and Carrie Beacom, CliftonLarsonAllen, LLP, District Accountant; and Kaitlin Crandell, Alpert Corporation.

Call to Order

Director Jonathan Alpert called the meeting to order.

Declaration of  
Quorum/Director  
Qualifications/ Reaffirmation  
of Disclosures

Mr. Waldron reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Mr. Waldron inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. Director Everett noted his company continues to negotiate with the owner of property within District No. 3 for

the purchase of property for the construction of apartment units within District No. 3. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Combined Meetings

The Boards of Directors of the Districts have determined to hold joint meetings of the Districts and to prepare joint minutes of action taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes is the action of each of the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

Approval of Agenda

The Boards reviewed the proposed agenda. Following discussion, upon motion duly made and seconded, the Boards unanimously approved the agenda as amended.

Consider Election of Officers;  
President, Secretary, Treasurer  
(District Nos. 1 & 4)

The Boards of District Nos. 1 & 4 engaged in general discussion regarding the Election of Officers. Following discussion, upon a motion duly made and seconded, the Boards of District Nos. 1 & 4 unanimously elected Director Jonathan Alpert as President, Director Darren Everett as Treasurer, and Director Scott Alpert as Secretary.

Consider Adoption of Joint  
Resolution Establishing  
Emergency Procedures for  
Holding Regular and Special  
Meetings Telephonically  
(District Nos. 1 & 4)

Mr. Waldron reviewed the Joint Resolution Establishing Emergency Procedures for Holding Regular and Special Meetings Telephonically with the Boards of District Nos. 1 & 4. Following discussion, upon a motion duly made and seconded, the Boards of District Nos. 1 & 4 unanimously adopted the resolution.

Public Comment

None.

**Consent Agenda**

The Boards reviewed the items on the consent agenda. Mr. Waldron advised the Boards that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted:

- September 21, 2020 Special Meeting Minutes (District No. 3)
- August 17, 2020 Joint Special Meeting Minutes (District No. 2)
- November 11, 2019 Special Meeting Minutes (District

- Nos. 1, 2 & 4)
- September 28, 2020 Special Meeting Minutes (District No. 5)
- Claims Listing
- Resolution Establishing an Electronic Signature Policy (District Nos. 1 & 4)
- Amended and Restated Public Records Request Policy (District Nos. 1 & 4)
- Resolution Providing for the Defense and Indemnification of Directors and Employees of the District (District Nos. 1-4)
- Special District Disclosure Notices Pursuant to §32-1-809, C.R.S.
- 2020 Legislative Update
- Joint Resolution Designating Districts’ 24-Hour Posting Location (District Nos. 1-4)
- Resolution Designating District’s 24-Hour Posting Location (District No. 5)

**Legal Matters**

Consider Adoption of 2021 Joint Annual Administrative Resolution (District Nos. 1-4)

Mr. Waldron reviewed the 2021 Joint Annual Administrative Resolution with the Boards of District Nos. 1-4. Following discussion, upon a motion duly made and seconded, the Boards of District Nos. 1-4 unanimously adopted the 2021 Joint Annual Administrative Resolution.

Consider Adoption of 2021 Annual Administrative Resolution (District No. 5)

Mr. Waldron reviewed the 2021 Annual Administrative Resolution with the Board of District No. 5. Following discussion, upon a motion duly made and seconded, the Board of District No. 5 unanimously adopted the 2021 Annual Administrative Resolution.

Review Insurance Property and Liability Schedule and Limits

Mr. Waldron reviewed the Insurance Property and Liability Schedule and Limits with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the renewal of the insurance policy.

Public Hearing on Inclusion of Property (District No. 3)

Director Alpert opened the public hearing on the Petition for Inclusion of Property (Portion of Parcel 2, The Canyons Superblock Plat No. 2). Mr. Waldron noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of

Mr. Waldron reviewed the Petition and Resolution and Order

Resolution and Order for Inclusion of Property (District No. 3)

for Inclusion of Property (Portion of Parcel 2, The Canyons Superblock Plat No. 2) with the Board of District No. 3. Following discussion, upon a motion duly made and seconded, the Board of District No. 3 unanimously determined to grant the petition and adopted the Resolution and Order for Inclusion of Property.

Public Hearing on Inclusion of Property (District No. 3)

Director Alpert opened the public hearing on the Petition for Inclusion of Property (Portion of Parcel 4, The Canyons Superblock Plat No. 2). Mr. Waldron noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order for Inclusion of Property (District No. 3)

Mr. Waldron reviewed the Petition and Resolution and Order for Inclusion of Property (Portion of Parcel 4, The Canyons Superblock Plat No. 2) with the Board of District No. 3. Following discussion, upon a motion duly made and seconded, the Board of District No. 3 determined to grant the petition and adopted the Resolution and Order for Inclusion of Property.

Consider Approval of Independent Contractor Agreement with JR Engineering for Cost Certification Services (District No. 3)

Mr. Waldron reviewed the Independent Contractor Agreement with JR Engineering for Cost Certification Services with the Board of District 3. Following discussion, upon a motion duly made and seconded, the Board of District No. 3 unanimously approved the Independent Contractor Agreement with JR Engineering for Cost Certification Services.

Discuss and Consider Authorization of IGA with City of Castle Pines (District No. 4)

Deferred.

Other Legal Matters

None.

### **Financial Matters**

Consider Acceptance of Unaudited Financial Statements (District Nos. 1 & 5)

Ms. Clymer reviewed the September 30, 2020 unaudited financial statements with the Boards of District Nos. 1 & 5. Following discussion, upon a motion duly made and seconded, the Boards of District Nos. 1 & 5 unanimously accepted the financials.

Consider Approval and Adoption of Resolution Regarding Acceptance of Verified Costs (District No. 5)

Ms. Clymer reviewed the Resolution Regarding Acceptance of Verified Costs with the Board of District No. 5. Following discussion, upon a motion duly made and seconded, the Board of District No. 5 unanimously approved and adopted the

Resolution Regarding Acceptance of Verified Costs.

Consider Approval and Adoption of District Eligible Cost Acceptance Resolution (District No. 3)

Deferred.

Public Hearing on 2020 Budget Amendment (District No. 1)

Director Alpert opened the public hearing on the 2020 Budget Amendment. Mr. Waldron noted that the notice of public hearing was provided in accordance with Colorado Law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of Resolution Amending 2020 Budget (District No. 1)

Ms. Clymer reviewed the Resolution Amending the 2020 Budget with the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously adopted the resolution amending the general fund to \$66,000.

Public Hearing on 2021 Budget (District No. 1)

Director Alpert opened the public hearing on the proposed 2021 Budget. Mr. Waldron noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of 2021 Budget Resolution (District No. 1)

Ms. Clymer reviewed the 2021 Budget and Budget Resolution with the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously approved the resolution adopting the 2021 Budget, and appropriating funds therefor.

Public Hearing on 2021 Budget (District No. 2)

Director Alpert opened the public hearing on the proposed 2021 Budget. Mr. Waldron noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of 2021 Budget Resolution (District No. 2)

Ms. Clymer reviewed the 2021 Budget and Budget Resolution with the Board of District No. 2. Following discussion, upon a motion duly made and seconded, the Board of District No. 2 unanimously approved the resolution adopting the 2021 Budget, appropriating funds therefor, and certifying 69.000 mills for the general fund.

Public Hearing on 2021 Budget (District No. 3)

Director Alpert opened the public hearing on the proposed 2021 Budget. Mr. Waldron noted that the notice of public hearing

was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of 2021 Budget Resolution (District No. 3)

Ms. Clymer reviewed the 2021 Budget and Budget Resolution with the Board of District No. 3. Following discussion, upon a motion duly made and seconded, the Board of District No. 3 unanimously approved the resolution adopting the 2021 Budget, appropriating funds therefor, and certifying 9.000 mills for the general fund and 45.000 mills for the debt service fund.

Public Hearing on 2021 Budget (District No. 4)

Director Alpert opened the public hearing on the proposed 2021 Budget. Mr. Waldron noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of 2021 Budget Resolution (District No. 4)

Ms. Clymer reviewed the 2021 Budget and Budget Resolution with the Board of District No. 4. Following discussion, upon a motion duly made and seconded, the Board of District No. 4 unanimously approved the resolution adopting the 2021 Budget, appropriating funds therefor, and certifying 69.000 mills for the general fund.

Public Hearing on 2021 Budget (District No. 5)

Director Alpert opened the public hearing on the proposed 2021 Budget. Mr. Waldron noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of 2021 Budget Resolution (District No. 5)

Ms. Clymer reviewed the 2021 Budget and Budget Resolution with the Board of District No. 5. Following discussion, upon a motion duly made and seconded, the Board of District No. 5 unanimously approved the resolution adopting the 2021 Budget, appropriating funds therefor and certifying 1.112 mills for the general fund and 44.531 mills for the debt service fund.

Consider Approval of Auditor Proposals for 2020 Audit (District No. 5)

Ms. Clymer reviewed the Proposal for 2020 Audit from Dazzio & Associates with the Board of District No. 5. Following discussion, upon a motion duly made and seconded, the Board of District No. 5 unanimously approved the 2020 auditor proposal not to exceed \$4,700.

Consider Approval of Application for Exemption from Audit for Fiscal Year

The Boards of District Nos. 1-4 engaged in general discussion regarding Applications for Exemption from Audit for Fiscal Year 2020. Following discussion, upon a motion duly made and

2020 (District Nos. 1-4)

seconded, the Boards of District Nos. 1-4 unanimously authorized the Application for Exemption from Audit for Fiscal Year 2020.

Consider Approval of Credit PIF Collection Services Agreement (District Nos. 1 & 5)

Ms. Clymer reviewed the concerns from Shea and the City regarding the current PIF collection and remittance process with the Boards of District Nos. 1 & 5. She noted that the process would be revised to allow the City to collect PIF revenues, and remit the funds to a District held and maintained account. Following discussion, upon a motion duly made and seconded, the Boards of District Nos. 1 & 5 unanimously approved the agreement subject to final legal and accounting review.

Consider Approval of Agreement Regarding Remittance of Public Improvement Fees Relating to Construction Activities (District Nos. 1 & 5)

Ms. Clymer reviewed the Agreement Regarding Remittance of Public Improvement Fees Relating to Construction Activities with the Boards of District Nos. 1 & 5. Following discussion, upon a motion duly made and seconded, the Boards of District Nos. 1 & 5 unanimously approved the agreement subject to final legal and accounting review.

Other Financial Matters

None.

**Other Business**

None.

**Adjourn**

There being no further business to come before the Boards, and following discussion and upon motion duly made, seconded and unanimously carried, the Boards determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

The foregoing minutes were approved by District No. 1 on this 11th day of February, 2021.

DocuSigned by:

*Scott Alpert*

District No. 1 Secretary for the Meeting

The foregoing minutes were approved by District No.2 on this 11th day of February, 2021.

DocuSigned by:

*Scott Alpert*

District No. 2 Secretary for the Meeting

The foregoing minutes were approved by District No. 3 on this  
11th day of February, 2021.

DocuSigned by:

*Scott Alpert*

District No. 3 Secretary for the Meeting

The foregoing minutes were approved by District No.4 on this  
11th day of February, 2021.

DocuSigned by:

*Scott Alpert*

District No. 4 Secretary for the Meeting

The foregoing minutes were approved by District No. 5 on this  
11th day of February, 2021.

DocuSigned by:

*Scott Alpert*

District No. 5 Secretary for the Meeting