

RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF THE  
BROMLEY PARK METROPOLITAN DISTRICT NO. 2  
HELD JULY 21, 2020

A special meeting of the Board of Directors (“Board”) of the Bromley Park Metropolitan District No. 2 (“District”) was held on Tuesday, July 21, 2020 at 3:00 p.m. Due to concerns regarding the spread of the Coronavirus (COVID-19), the meeting was held via Conference Call. The meeting was open to the public.

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**Attendance**

In attendance were Directors:

Joel Farkas  
Toni Serra  
Douglas G. Hamilton  
Anthony Tucker

Also in attendance:

Matt Urkoski, Lisa Johnson & Paul Wilson; CliftonLarsonAllen LLP  
 (“CLA”)  
Drew Rippey; McGeady Becher P.C.

**Call to Order  
And Quorum**

Director Serra called the meeting to order at 3:03 p.m. There was a quorum of the Board present for the special meeting.

**Potential Conflict  
Of Interest**

Attorney Rippey discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board to the Secretary of State. The members of the Board were requested 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 statute. It was noted by Attorney Rippey that disclosures of potential conflicts of interest were filed with the Secretary of State by the statutory deadline for Directors Farkas, Serra and Hamilton.

**Agenda/Meeting  
Location/Posting  
of Meeting Notices**

The Board reviewed the proposed Agenda for the District’s special meeting.

Following discussion, upon a motion duly made by Director Tucker, seconded by Director Hamilton and, upon vote, unanimously carried, the Board approved the Agenda, as amended.

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

RECORD OF PROCEEDINGS

meeting. Following discussion, and upon motion duly made by Director Farkas, seconded by Director Tucker and, upon vote, unanimously carried, the Board determined that due to COVID-19 and the benefit to control the spread of the virus by limiting in-person contact, this meeting was conducted via conference call and encouraged public participation via telephone. The Board further noted that notice of this meeting and conference call-in information 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.

**Results  
Of May 5, 2020  
Cancelled Election**

Mr. Urkoski updated the Board on the May 5, 2020 Election, noting it was cancelled due to not having more candidates than seats available. Mr. Urkoski noted that Director Farkas was elected to a 2-year term to May 2022 and Directors Torgerson, Hamilton and Tucker were elected to 3-year terms to May 2023.

Mr. Urkoski informed the Board that Mr. Torgerson has resigned from the Board effective July 21, 2020. Following discussion, the Board acknowledged the resignation of Mr. Torgerson.

**Appointment of  
Officers  
Officers**

The Board considered the appointment of officers. Upon a motion duly made by Director Tucker, seconded by Director Serra and, upon vote, unanimously carried, the Board approved the following appointment of officers:

- President: Joel Farkas
- Secretary: Toni Serra
- Treasurer: Doug Hamilton
- Assistant Secretary: Tony Tucker

**Meeting Minutes**

**Minutes of the April 7, 2020 Special Meeting**

Following review, upon a motion duly made by Director Serra, seconded by Director Hamilton and, upon vote, unanimously carried, the Board approved the April 7, 2020 special meeting minutes, as presented.

**Public Comments**

None.

**Financial Matters**

**Claims**

Mr. Wilson reviewed the claims with the Board.

Following review, upon a motion duly made by Director Tucker, seconded by Director Hamilton and, upon vote, unanimously carried, the Board ratified prior claims in the amount of \$162,149.23 and approved the current claims in the amount of \$44,379.16.

RECORD OF PROCEEDINGS

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June 30, 2020 Unaudited Financial Statements

Mr. Wilson reviewed the June 30, 2020 unaudited financial statements with the Board.

Following discussion, upon a motion duly made by Director Hamilton, seconded by Director Tucker and, upon vote, unanimously carried, the Board accepted the June 30, 2020 unaudited financial statements, as presented.

Conduct Public hearing to consider Amendment to 2019 Budget. Consider Adoption of Resolution to Amend 2019 Budget

Upon a motion duly made by Director Serra, seconded by Director Tucker the public hearing to consider an Amendment to the 2019 Budget was opened. It was noted that publication of Notice stating the Board would consider amendment of the 2019 Budget and the date, time and conference call number for access to the public hearing was made in a newspaper having general circulation with the District. No written objections were received prior to the public hearing. No public comments were received, and the public hearing was closed.

Mr. Wilson presented the 2019 Budget Amendment to the Board.

Following review, upon a motion duly made by Director Hamilton, seconded by Director Serra and, upon vote, unanimously carried, the Board adopted Resolution No. 2020-07-01 to Amend the 2019 Budget.

Disposition of Series 2018D Bonds and status of advances under Advance and Reimbursement Agreement between the District and Kings CO LLC. Authorize necessary actions in connection with a draw on the District's Third Subordinate General Obligation Limited Tax Bonds, Series 2018D.

Mr. Wilson noted that there is nothing new to discuss at this time.

**Manager Items**

Proposals from BrightView Landscape Services, Inc. ("BrightView") for Homestead Farms Frontage Maintenance Improvements and change order(s) to the Service Agreement for Landscape Services with BrightView

- i. Breeze Path Refresh - \$1,611.96
- ii. Mulch Refresh - \$5,500.17
- iii. Turf Repair - \$1,576.67

The Board reviewed the above noted proposals from BrightView.

## RECORD OF PROCEEDINGS

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Following discussion, upon a motion duly made by Director Serra, seconded by Director Hamilton and, upon vote, unanimously carried, the Board approved the three proposals from BrightView, subject to the removal of the weeds from the medians in the development. The Board directed Mr. Urkoski to contact Brightview to discuss BrightView's obligations to remove median weeds prior to acceptance of the proposals.

### Update on 50<sup>th</sup> and Long Peak St. Sinkhole Repair Resolution and authorize and/or ratify necessary actions in connection therewith

Mr. Urkoski provided an update on 50<sup>th</sup> and Long Peak St. sinkhole repair to the Board. The Board requested that if ongoing stormwater facilities maintenance is required by the District, monies be budgeted accordingly.

### Other

None.

### **Attorney Items**

### Acquisition of Property via Eminent Domain - Right of Way for Construction of North 60<sup>th</sup> Avenue and Sanitary Sewer Easement, Real Estate Appraisal Proposal with Clayton and Company, Inc., Notice of Intent to Acquire; acquisition and/or easement documents and consider approval of necessary document and/or actions in connection therewith

Mr. Rippey noted that this item has been resolved and can be removed from future agendas.

### Status of Conveyance of Brighton East Farms Filing No. 3, Amendment No. 1 Tracts B, I, J, K and L (the "Tracts") to the District

Mr. Rippey provided a status update to the Board. Director Serra will follow-up on this item.

### Escrow Agreement (Homestead Phase II and Phase III Public Improvements Surety) between the District, City of Brighton, and Fidelity National Title Company

Mr. Rippey provided a status update to the Board, noting that Kings CO LLC is reviewing terms within the agreement and has not yet provided a response.

### Discuss Storm Drainage Improvements

The Board discussed the agreement and possible storm drainage improvements. Action deferred.

RECORD OF PROCEEDINGS

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Other

None.

**Construction Matters**

Status of Oil and Gas Well Drilling for BEF and Homestead Well Pads

Director Farkas provided an update on oil and gas well production and drilling activities, noting pipeline between pads has been completed. Director Farkas informed the Board that production ceased for a bit but began again in early July. Wells have been drilled on both pads and drilling is expected on nine wells on the BEF pad. Director Farkas noted the drilling of an additional 12 pads on the Homestead pad and expects the production from all of this activity will be a positive one for the District, with respect to future revenue.

Status Update on Tract E Park Construction

No update provided at this time.

Other

None.

**Board Member Items**

Other

None.

**Other Business**

Confirm Quorum for November 3, 2020 Regular Meeting

CLA will coordinate rescheduling this meeting, due to conflicting calendars.

**Adjournment**

There being no further business to come before the Board, the meeting adjourned at 3:56 p.m.

Respectfully submitted,

DocuSigned by:

*Toni Serra*

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Secretary for the Meeting

## Certificate Of Completion

Envelope Id: EF3EF692D8F648D18A91DEF085BDE43A	Status: Completed
Subject: Please DocuSign: BPMD 2 - Minutes - 7-21-2020 - Special Meeting.pdf	
Client Name: Bromley Park MD 2	
Client Number: 011-030088-OS02-2021	
Source Envelope:	
Document Pages: 5	Signatures: 1
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Enabled	Cindy Jenkins
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 South 6th Street
	Suite 300
	Minneapolis, MN 55402
	Cindy.Jenkins@claconnect.com
	IP Address: 73.169.83.196

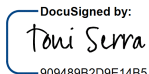
## Record Tracking

Status: Original	Holder: Cindy Jenkins	Location: DocuSign
2/24/2021 6:20:37 PM	Cindy.Jenkins@claconnect.com	

## Signer Events

Toni Serra  
toni@garnow.com  
Office Manager  
Security Level: Email, Account Authentication (None)

## Signature

DocuSigned by:  
  
909489B2D9E14B5...  
Signature Adoption: Pre-selected Style  
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Sent: 2/24/2021 6:21:50 PM  
Viewed: 2/25/2021 9:46:30 AM  
Signed: 2/25/2021 9:47:17 AM

**Electronic Record and Signature Disclosure:**  
Accepted: 2/25/2021 9:46:30 AM  
ID: ecc26ef3-bc5f-4b95-8453-34ee838d5a08

## In Person Signer Events

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## Editor Delivery Events

## Status

## Timestamp

## Agent Delivery Events

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## Intermediary Delivery Events

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## Timestamp

## Witness Events

## Signature

## Timestamp

## Notary Events

## Signature

## Timestamp

## Envelope Summary Events

## Status

## Timestamps

Envelope Sent	Hashed/Encrypted	2/24/2021 6:21:50 PM
Certified Delivered	Security Checked	2/25/2021 9:46:30 AM
Signing Complete	Security Checked	2/25/2021 9:47:17 AM
Completed	Security Checked	2/25/2021 9:47:17 AM

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## Status

## Timestamps

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