

**RECORD OF PROCEEDINGS**

**MINUTES OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF**

**COLORADO NEW ENERGY IMPROVEMENT DISTRICT**

**HELD:** Monday the 29<sup>th</sup> day of August, 2016, at 2:00 p.m. at 1580 Logan Street,  
Suite 100, Main Conference Room, Denver, Colorado 80203

**ATTENDANCE:**

A special meeting of the Board of Directors of the Colorado New Energy Improvement District was called and held as shown above and in accordance with Section 6.c. of the District's Bylaws, with the following directors present and acting:

Paul Scharfenberger, Chair  
Christopher Schulken, Vice-Chair (via conference call)  
Eric Blank, Secretary (via conference call)  
Ken Myers (via conference call)  
Drew Torbin (absent, absence excused)  
Jenifer Waller (via conference call)  
Emily Startz (absent, absence excused)

Others present included the following:

Jeffrey King, Colorado Energy Office  
Marcus McAskin, Michow Cox & McAskin LLP  
Lou Raders, Kutak Rock LLP  
Mark Job, Citywide Banks  
Mark Young, 5735 Arapahoe LLC

**CALL TO ORDER:**

Chair Scharfenberger noted that a quorum was present for the purpose of conducting a meeting of the Board of Directors of the Colorado New Energy Improvement District and called the meeting of the Board of Directors of the District to order at approximately 2:05 p.m.

**APPROVAL OF MINUTES:**

The Board considered the minutes from the special meeting of the Board held July 21, 2016. Chair Scharfenberger provided a summary of the meeting minutes.

Upon motion duly made, seconded, and unanimously approved, the Board approved the minutes.

## RECORD OF PROCEEDINGS

Colorado New Energy Improvement District

Special Meeting

August 29, 2016

Page 2

### **PUBLIC HEARING (FINAL ASSESSING RESOLUTION – 5735 ARAPAHOE AVENUE, UNITS C, D, F and I, BOULDER COUNTY, COLORADO):**

Chair Scharfenberger presented an overview of this action item and opened the public hearing at approximately 2:12 p.m. The proposed Resolution (Resolution 2016-R-06) is the final assessing resolution for the subject property and establishes a perpetual lien in the amount of the special assessment set forth in Exhibit C of the Resolution. Following approval by the Board, the Resolution and the Assessment and Financing Agreement by and between the District, the property owner and the capital provider (Citywide Banks) will be recorded in the real property records of Boulder County.

Chair Scharfenberger noted that notice of the public hearing had been provided in accordance with the requirements of the CoPACE Act, specifically C.R.S. § 32-20-106(3), and that no written complaints or objections to the special assessment had been received. Discussion ensued and the Board solicited input from Citywide Banks and their counsel (M. Lou Raders) regarding the project.

Chair Scharfenberger closed the public hearing at approximately 2:20 p.m. Upon motion duly made, seconded, and unanimously approved, the Board adopted Resolution 2016-R-06.

### **HOUSEKEEPING ITEMS:**

- (a) RESOLUTION 2016-R-07 – Resolution of the Board Establishing the Process for Approving Preliminary Assessment Resolutions and Final Assessing Resolutions and Delegating Authority to Authorized Officers of the District to Take Action on Resolutions. Chair Scharfenberger presented an overview of this action item and discussion ensued. Director Schulken inquired regarding the number of PACE projects currently in the pipeline. Further discussion ensued. Upon motion duly made, seconded, and unanimously approved, the Board adopted Resolution 2016-R-07.
- (b) RESOLUTION 2016-R-08 – Resolution of the Board Approving Professional Services Agreement (PSA) with JPMC Consulting for R-PACE Application Review Services and Authorizing Chair to Execute Agreement. Chair Scharfenberger presented an overview of this action item and discussion ensued. Chair Scharfenberger noted as a preliminary matter that the proposed PSA with McGuckin Equity Corporation (dba JPMC Consulting, Inc.) retains the consultant to assist the District will reviewing applications submitted to the District in July of 2016 in response to the request for applications (RFA) issued by the District to solicit applications from firms interested in performing third-party administrative duties for the District's R-PACE program (Residential PACE). The PSA with the

**RECORD OF PROCEEDINGS**

Colorado New Energy Improvement District

Special Meeting

August 29, 2016

Page 3

consultant establishes a not to exceed amount of \$24,960.00. Upon motion duly made, seconded, and unanimously approved, the Board adopted Resolution 2016-R-08.

- (c) DISCUSSION OF R-PACE UPDATES. Chair Scharfenberger provided a brief overview of residential PACE for the Board.

**DIRECTOR ITEMS:**

None.

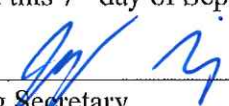
**NEW BUSINESS:**

None.

**ADJOURNMENT:**

There being no further business at said special meeting, and following a motion duly made, seconded, and unanimously approved, the Board adjourned the special meeting of the Board of Directors of the Colorado New Energy Improvement District at approximately 3:02 p.m.

Approved this 7<sup>th</sup> day of September, 2018.

  
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Recording Secretary