

SECOND CREEK FARM METROPOLITAN DISTRICT NOS. 1, 3 AND 4

450 E. 17th Avenue, Suite 400
Denver, Colorado 80203
Phone: 303-592-4380

<https://secondcreekfarmmd.colorado.gov/>

NOTICE OF SPECIAL MEETING AND AGENDA

<u>Board of Directors</u>	<u>Office</u>	<u>District No. 1</u> <u>Term Expires</u>	<u>District No. 3</u> <u>Term Expires</u>	<u>District No. 4</u> <u>Term Expires</u>
Joel H. Farkas	President	May 2027	May 2027	May 2027
Toni Serra	Treasurer	May 2025	May 2027	May 2027
Jean Gold (only District Nos. 1 and 3)	Assistant Secretary	May 2027	May 2025	May 2025
Davinder Sandhu (only District No. 4)	Assistant Secretary	May 2025	May 2025	May 2025
Vacancy (District Nos. 1, 3 and 4)		May 2025	May 2025	May 2025
Vacancy (District Nos. 1, 3 and 4)		May 2025	May 2025	May 2025
Jennifer S. Henry	Secretary			

DATE: April 22, 2024 (Monday)

TIME: 2:00 P.M.

LOCATION: McGeady Becher P.C.
450 E. 17th Avenue, Suite 400
Denver, CO 80203

the meeting will also be held via video/telephonic means, access information below:

<https://us02web.zoom.us/j/85722173967?pwd=d2RtN05HaWhEN3d0TEhCMjVrUHdOUT09>

Dial In: 1-719-359-4580

Meeting ID: 857 2217 3967

Passcode: 788712

I. ADMINISTRATIVE MATTERS

A. Confirm quorum and present disclosures of potential conflicts of interest.

B. Approve agenda; confirm location of meeting and posting of meeting notice.

C. Public comment.

- D. **District No. 1** - Review and consider approval of minutes from the November 15, 2023 Statutory Annual Meeting and the November 27, 2023 regular meeting (enclosures).
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- E. **District No. 3** - Review and consider approval of minutes from the November 7, 2023 Statutory Annual Meeting and the November 27, 2023 regular meeting (enclosures).
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- F. **District No. 4** - Review and consider approval of minutes from the November 13, 2023 regular meeting (enclosures).
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II. FINANCIAL MATTERS

- A. Review Schedules of Cash Position and discuss remaining Project Funds and status of capital improvements (enclosures).
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- B. **District No. 1** - Ratify / approve the payment of claims (enclosure).
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- C. **District No. 4** - Ratify approval of the 2023 Audit Exemption Application (enclosure).
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- D. Review, discuss and acknowledge the Second Creek Farm Metropolitan District Nos. 1, 3 and 4 April 2024 Cost Share Reallocation Memorandum prepared by Independent District Engineering Services, LLC (“IDES”) and authorize necessary actions in connection therewith (enclosure).
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- E. Review revised Cost Certification Reports listed below prepared by IDES, consider acceptance of certified eligible costs for reimbursement thereunder, and authorize necessary actions in connection therewith (enclosures):

1. Cost Certification Report #1, Revision #1
 2. Cost Certification Report #3, Revision #1
 3. Cost Certification Report #4, Revision #1
 4. Cost Certification Report #5, Revision #1
 5. Cost Certification Report #6, Revision #3
 6. Cost Certification Report #13, Revision #1
 7. Cost Certification Report #14, Revision #3
 8. Cost Certification Report #16, Revision #2
 9. Cost Certification Report #20, Revision #1
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F. Review Cost Certification Report #22 prepared by IDES, consider acceptance of certified eligible costs for reimbursement, and authorize necessary actions associated therewith (enclosure).

1. Acknowledge completion of the Telluride Street improvements and authorize the release of funds to Meritage Homes of Colorado, Inc. pursuant to the Escrow Agreement among Second Creek Farm Metropolitan District No. 1, First American Title Insurance Company Nation Commercial Services, and Stratus Buffalo Highlands, LLC, as assigned to Meritage Homes of Colorado, Inc., and the Cooperation and Reimbursement Agreement by and among Second Creek Holdings, LLC, Second Creek Farm Metropolitan District Nos. 1 and 3, Status Buffalo Highlands, LLC, Meritage Homes of Colorado, Inc., Lennar Colorado, LLC and LGI Homes – Colorado, LLC, as amended.
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G. Conduct public hearing to consider Amendment to 2024 Budget. Consider adoption of Resolution to Amend 2024 Budge, if necessary.

H. **District No. 4** - Review and consider adoption of a resolution authorizing an amendment to the Indenture of Trust relating to the Second Creek Farm Metropolitan District No. 4's Limited Tax General Obligation Draw Down Bonds Series 2021A; approve the form of such amendment; authorize the execution and delivery thereof and performance by District No. 4 thereunder; authorize such other actions and such other documents, certificates, and instruments as may be necessary or required to effect the transactions contemplated thereunder; authorize incidental actions; and repeal prior inconsistent actions (to be distributed).

- I. Discuss balance on District No. 4's Series 2021A Bonds, consider adoption of Joint Resolution of Second Creek Farm Metropolitan District No. 1, No. 3 and No. 4 (the "Districts") Regarding Allocations and Acceptance of Project Costs Pursuant to the Cost Sharing Intergovernmental Agreement among the Districts, as amended, and Facilities Funding and Acquisition Agreement, authorize execution of District No. 4 Draw Request related to same and authorize necessary actions in connection therewith (enclosure).
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- J. Discuss and consider approval of the First Amendment to Cost Sharing Intergovernmental Agreement among the Districts and authorize necessary actions in connection therewith (enclosure).
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III. LEGAL MATTERS

Discuss potential acquisition of Tract B, Second Creek Farm, Filing No. 3, Commerce City, Adams County, Colorado from the City of Commerce City, Colorado.

IV. OTHER BUSINESS

V. ADJOURNMENT

**The next regular meetings are scheduled via conference call on
July 22, 2024 at 2:00 p.m. for District No. 4 and 3:00 p.m. for District Nos. 1 and 3.**