

SECOND CREEK FARM METROPOLITAN DISTRICT NOS. 1 AND 3

450 E. 17th Avenue, Suite 400

Denver, Colorado 80203

Phone: 303-592-4380

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

NOTICE OF REGULAR MEETING AND AGENDA

<u>Board of Directors</u>	<u>Office</u>	<u>Term Expires – No. 1</u>	<u>Term Expires – No. 3</u>
Joel H. Farkas	President	May 2027	May 2027
Toni Serra	Treasurer	May 2025	May 2027
Jean Gold	Assistant Secretary	May 2027	May 2025
Vacancy		May 2025	May 2025
Vacancy		May 2025	May 2025
Jennifer S. Henry	Secretary		

DATE: November 27, 2023

TIME: 3:00 P.M.

CONFERENCE CALL: 720-931-2462; Code: 2462

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. Review and consider approval of minutes from the August 22, 2023 special meeting (enclosures).

E. Discuss business to be conducted in 2024 and location (**virtual and/or physical**) of meetings. Schedule regular meeting dates and consider adoption of Resolution Establishing Regular Meeting Dates, Time, and Location, and Designating Posting Location for 24-Hour Notices (enclosures). [Suggested dates are July 22, 2024 and November 25, 2024 at 2:00 p.m.].

F. Insurance Discussion (enclosures)

1. Cyber Security and Increased Crime Coverage.
 2. Establish Insurance Committee to make final determinations regarding insurance, if necessary.
 3. Authorize obtaining workers' compensation coverage and renewal of District's insurance and Special District Association (SDA) membership for 2024.
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II. FINANCIAL MATTERS

- A. Review unaudited financial statements and Schedules of Cash Position (enclosures). Discuss remaining Project Funds and status of capital improvements.
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- B. **District No. 1** - Ratify / approve the payment of claims (enclosure).
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- C. **District No. 3** – Discuss and consider making a final determination regarding the inability to make a scheduled debt service payment (Section 32-1-903(3), C.R.S.).
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- D. **District No. 3** – Discuss remaining balance on the District's Junior Subordinate Lien Limited Tax General Obligation Draw Down Bonds, Series 2022D₍₃₎, consider adoption of Resolution Recognizing Draw on the District's Junior Subordinate Lien Limited Tax General Obligation Draw Down Bonds, Series 2022D₍₃₎ and authorize necessary actions in connection therewith.
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- E. Review Cost Certification Report #21 prepared by Independent District Engineering Services, LLC ("IDES"), consider acceptance of certified eligible costs for reimbursement, and authorize necessary actions in connection therewith (enclosure).
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- F. Conduct Public Hearing to consider amendment of the 2023 Budget. If necessary, consider adoption of Resolution to Amend the 2023 Budget.
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- G. Conduct Public Hearing on the proposed 2024 Budget and consider adoption of Resolution to Adopt the 2024 Budget and Appropriate Sums of Money and Resolution to Set Mill Levies (enclosures: draft budgets and resolutions).
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- H. **District No. 3** – Discuss and consider adoption of Resolution Authorizing Adjustment of District Mill Levy in Accordance with the Service Plan (enclosure).
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- I. Authorize District Accountant to prepare and sign the DLG-70 Certification of Tax Levies form (“Certification”). Direct District Accountant to file the Certification with the Board of County Commissioners and other interested parties.
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- J. Discuss audit requirements for 2023 and consider the engagement of Fiscal Focus Partners, LLC to perform 2023 Audit (enclosures).
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- K. Review and consider approval of Master Service Agreement and Special Districts Preparation Statement of Work with CliftonLarsonAllen LLP (“CLA”) for 2024 Accounting Services and appoint CLA to prepare the 2025 Budget (enclosures).
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III. LEGAL MATTERS

- A. Discuss and consider approval of Termination of Amended and Restated Facilities Funding, Construction and Operations Agreement, as amended, among Second Creek Farm Metropolitan District No. 1, No. 2, No. 3 and No. 4, as to Second Creek Farm Metropolitan District No. 2 (to be distributed).
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- B. **District No. 1** - Review and consider approval of Service Agreement for 2023/2024 Snow Removal Services between District No. 1 and Keesen Landscape Management, Inc. (enclosure).
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- C. **District No. 1** - Review and consider approval of Third Amendment to Amended and Restated Operation Funding Agreement between Second Creek Farm Metropolitan District No. 1 and Second Creek Holdings, LLC (to be distributed).
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- D. **District No. 1** – Review and consider approval of Task Order No. 5 to the Master Service Agreement for Cost Verification Services between District No. 1 and IDES in the amount of \$50,000 (enclosure).
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- E. Review and consider adoption of Resolution Amending Policy Regarding Colorado Open Records Act Requests (enclosures).
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- F. Discuss Transparency Notice and mode of eligible elector notification for 2024 (post on SDA website and District website).
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- G. Discuss District services for 2024 and consider approval of necessary service agreements for related services.
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IV. CAPITAL IMPROVEMENT MATTERS

- A. Discuss transfer of tracts and acceptance procedures for improvements to be owned and operated by the District and cost estimates for operations and maintenance of same.
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V. OTHER BUSINESS

VI. ADJOURNMENT

There are no more regular meetings scheduled for 2023.