

SETTLER'S CROSSING METROPOLITAN DISTRICT
NOS. 1 AND 2

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NOTICE OF REGULAR MEETING AND AGENDA

DATE:	Wednesday, December 6, 2023
TIME:	10:00 a.m.
LOCATION & ACCESS	<p>This meeting will be held virtually, via Zoom video/telephone conference:</p> <p>1. To attend via Zoom videoconference, use the following link, or e-mail csorensen@specialdistrictlaw.com to have the link e-mailed to you: https://us02web.zoom.us/j/86805914375?pwd=MUIDSWdCckV1dEFHVkR5bFBMb0U3Zz09</p> <p>2. To attend via telephone, dial 1-719-359-4580 or 1-253-215-8782 and enter the following additional information:</p> <p>(a) Meeting ID: 868 0591 4375</p> <p>(b) Passcode: 954082</p>

<u>Board of Directors</u>	<u>Office</u>	<u>Term Expires</u>
Richard A. Frank	President	May 2025
Toni L. Serra	Treasurer	May 2025
Joel H. Farkas	Assistant Secretary	May 2027
Daniel E. Frank	Assistant Secretary	May 2027
Susan W. Frank	Assistant Secretary	May 2025
Craig Sorensen	Secretary	N/A

I. ADMINISTRATIVE MATTERS

A. Present disclosures of potential conflicts of interest.

B. Confirm quorum, location of meeting, and posting of meeting notices. Approve agenda.

C. Discuss results of cancelled May 2, 2023 Regular Directors' Election (enclosure – Notice of Cancellation of Election).

D. Consider appointment of officers:

President: _____

Secretary: _____

Treasurer: _____

Assistant Secretary _____

Assistant Secretary _____

Assistant Secretary _____

E. Discuss business to be conducted in 2024 and location (**virtual and/or physical**). Schedule regular meeting dates and consider adoption of Resolution No. 2023-12-____, Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices (enclosures).

F. **Insurance Discussion:**

1. Discuss Cyber Security and increased Crime Coverage.

2. Establish Insurance Committee to make final determinations regarding insurance, if necessary.

3. **[District No. 2 only]** Discuss insurance requirements (public officials' liability, general liability, comprehensive crime, cyber security, and workers' compensation). Consider adoption of Resolution No. 2023-12-____ to obtain insurance coverage through the Colorado Special Districts Property and Liability Pool (such resolution also approving the "Intergovernmental Agreement for the Colorado Special Districts Property and Liability Pool"), and authorize membership in the SDA (enclosures).

4. **[District No. 2 only]** Review and consider approval of Agency Services Agreement between the District and TCW Risk Management (enclosure).
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5. **[District No. 1 only]** Authorize renewal of the District’s insurance and Special District Association (“SDA”) membership for 2024.
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II. CONSENT AGENDA – These items are considered to be routine and will be approved and/or ratified by one motion. There will be no separate discussion of these items unless a Board Member so requests, in which event, the item will be removed from the Consent Agenda and considered on the Regular Agenda.

1. Review and approve the minutes of the December 2, 2022, December 14, 2022, December 28, 2022, January 20, 2023, and January 24, 2023 Special Meetings (enclosures).
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III. FINANCIAL MATTERS

- A. **[District No. 1 only]** Review and consider ratification/approval of payment of claims for the period of December 3, 2022 through December 6, 2023 in the amount of \$_____ (to be distributed).
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- B. Review and consider acceptance of unaudited financial statements for the period ending September 30, 2023 (to be distributed).
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- C. Conduct Public Hearing to consider amendment of the 2023 Budget. Consider adoption of Resolution No. 2023-12-____, Resolution of Settler’s Crossing Metropolitan District No. 1 to Amend the 2023 Budget, and (if necessary) Resolution No. 2023-12-____, Resolution of Settler’s Crossing Metropolitan District No. 2 to Amend the 2023 Budget (enclosure).
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- D. Conduct Public Hearing on the proposed 2024 Budget and consider adoption of Resolution No. 2023-12-____ to Adopt the 202 Budget and Appropriate Sums of Money, and Resolution No. 2023-12-____ to Set Mill Levies (enclosures: preliminary assessed valuations, draft budgets and resolutions).
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1. **[District No. 1 only]** Review and consider adoption of Resolution No. 2023-12-____, Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan (enclosure).

E. Authorize District Accountant to prepare and sign the DLG-70 Certification of Tax Levies form (“Certification”). Direct District Counsel to file the Certification with the Board of County Commissioners and other interested parties.

F. Consider appointment of District Accountant to prepare 2025 Budget.

G. **[District No. 1 only]** Review and consider approval of 2022 Audit, and authorize execution of Representations Letter (enclosure – draft audit).

H. **[District No. 2 only]** Ratify approval, execution and filing of Application for Exemption from Audit for 2022 (enclosure).

I. **[District Nos. 1 and 2]** Consider engagement of Hiratsuka & Associates, LLP to prepare 2023 Audit, for an amount not to exceed \$5,500 (enclosures).

IV. LEGAL MATTERS

A. **[District No. 1 only]** Review and consider approval of Fourth Amendment to 2011-2020 Operation Funding Agreement between Settler’s Crossing Metropolitan District No. 1 and 96 Tower Investors, LLC (enclosure).

B. **[District No. 2 only]** Review and consider approval of First Amendment to 2023 Operation Funding Agreement between Settler’s Crossing Metropolitan District No. 2 and 96 Tower Investors, LLC (enclosure).

C. **[District Nos. 1 and 2]** Review and consider approval of Intergovernmental Agreement Regarding the Reimbursement of Costs for Public Improvements by and between Settler’s Crossing Metropolitan District No. 1, Settler’s Crossing Metropolitan District No. 2 and Reunion Metropolitan District No. 4 (enclosure).

D. **[District No. 1 only]** Review and consider approval of Task Order No. 1 to the Master Service Agreement for District Engineering Services between Settler’s Crossing Metropolitan District No. 1 and Independent District Engineering Services, LLC, for District Oversight Services through 2024, for an increase in the contract amount of \$115,000 (enclosure).

E. **[District Nos. 1 and 2]** Discuss and consider adoption of Resolution No. 2023-12-_____, Resolution Amending Policy on Colorado Open Records Act Requests (enclosures).

F. **[District No. 2 only]** Review and consider adoption of Resolution No. 2023-12-_____, Resolution Regarding Continuing Disclosure Policies and Procedures (to be distributed).

G. Discuss requirements of Section 32-1-809, C.R.S. and direct staff regarding compliance for 2024 (District Transparency Notice).

V. OTHER BUSINESS

VI. ADJOURNMENT
