

HM METROPOLITAN DISTRICT NO. 1
("District")

8390 E. Crescent Parkway, Suite 300
Greenwood Village, CO 80111
Phone: 303-779-5710

www.hmmetrodistricts.com

NOTICE OF SPECIAL MEETING AND AGENDA

DATE:	December 1, 2021
TIME:	2:00 p.m.
LOCATION:	<u>THIS MEETING WILL BE HELD BY VIDEO/TELEPHONIC MEANS WITHOUT ANY INDIVIDUALS (NEITHER DISTRICT REPRESENTATIVES NOR THE GENERAL PUBLIC) ATTENDING IN PERSON.</u>
ACCESS:	You can attend the meeting in any of the following ways: <ol style="list-style-type: none">1. To attend via Microsoft Teams Videoconference, e-mail Kathy.suazo@claconnect.com to obtain a link to the videoconference.2. To attend via telephone, dial 720-547-5281 and enter the following additional information:<ol style="list-style-type: none">a. Meeting ID: 481 849 384#

<u>Board of Directors</u>	<u>Office</u>	<u>Term Expires</u>
Rick Wells	President	May, 2023
Mark Throckmorton	Secretary	May, 2022
Marcia Lujan	Treasurer	May, 2022
Ferdinand Belz	Assistant Secretary	May, 2023
Blake Fulenwider	Assistant Secretary	May, 2022

I. ADMINISTRATIVE MATTERS

- A. Present disclosures of potential conflicts of interest.
- B. Confirm quorum, location of meeting and posting of meeting notice. Approve agenda.
- C. Public Comment.

Members of the public may express their views to the Board on matters that affect the District that are otherwise not on the agenda. Comments will be limited to three (3) minutes per person.

- D. Review and consider approval of minutes of the October 18, 2021 Special Board Meeting (enclosure).
- E. Discuss business to be conducted in 2022 and location (**virtual and/or physical**) of meetings. Schedule regular meetings (proposed date/time: First Wednesday of March, June, September and December 2022 at 2:00 p.m.) and consider adoption of Resolution Establishing Regular Meeting Dates, Times and Location, and Designating Location for Posting 24-Hour Notices (enclosure).
- F. Discuss and confirm renewal of 2022 Property and Liability Policies and Special District Association Membership (enclosure).
- G. Discuss Section 32-1-809, C.R.S., reporting requirements (Transparency Notice) and mode of eligible elector notification (post on SDA website).

II. FINANCIAL MATTERS

- A. Approval and/or ratify approval of payment of claims in the amount of \$329,743.89 (enclosure).
- B. Review and consider acceptance of October 31, 2021 Unaudited Financial Statements (enclosure).
- C. Conduct Public Hearing to consider amendment of the 2021 Budget. If necessary, consider adoption of Resolution to Amend the 2021 Budget (enclosure).
- D. Conduct Public Hearing on the proposed 2022 Budget and consider adoption of Resolution to Adopt the 2022 Budget and Appropriate Sums of Money and Resolution to Set Mill Levies (enclosures – preliminary assessed valuations, draft budgets and resolutions).
- E. Consider approval of CliftonLarsonAllen LLP Master Service Agreement and related statement(s) of work (enclosure).
- F. Authorize District Accountant to prepare and sign the DLG-70 Certification of Tax Levies form for certification to the Board of County Commissioners and other interested parties.
- G. Consider appointment of District Accountant to prepare 2023 Budget.
- H. Discuss statutory requirements for an audit. Consider appointment of District Accountant to prepare Applications for Exemption from Audit for

2021 and/or consider authorization for engagement of auditor to perform 2021 Audit for HM Metropolitan District No. 1 (if necessary).

III. LEGAL MATTERS

- A. Discuss May 3, 2022 Regular Director Election regarding new legislative requirements and related expenses for same.
 - 1. Consider adoption of Resolution Calling May 3, 2022 Election for Directors, appointing the Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election. Self-Nomination Forms are due by February 25, 2022. Discuss need for ballot issues and/or questions (enclosure).
 - 2. Discuss DEO services and authorize District President to obtain proposals and select provider.
- B. Discuss and consider approval of Facilities Funding, Construction and Operations Agreement (enclosure).
- C. Review and approve Real Estate Purchase Agreement by and between the District and DIBC Cargo, LLC (enclosure).
- D. Review and accept appraisal prepared by Newmark Knight Frank Valuation & Advisory, LLC, dated November 5, 2021 (enclosure).
- E. Review and approve Operation Funding Agreement by and between the District and L.C. Fulenwider, Inc. for 2021-2022 (enclosure).
- F. Review and consider approval of the Project Management Agreement by and between the District and L.C. Fulenwider, Inc. (enclosure).

IV. MANAGER MATTERS

- A. Ratify approval of Change Order No. 11 to Service Agreement for Phase I Infrastructure Improvements between the District and Martin/Martin, Inc. for design services for Harvest Road between 64th Ave. and 68th Ave and removal of full design Gopher Gulch channel in the deductive amount of (-\$132,500.00) (enclosure).
- B. Ratify approval of Change Order No. 12 to Service Agreement for Phase I Infrastructure Improvements between the District and Martin/Martin, Inc. for design addition of Denali St. between 56^t Ave and 60th Ave. in the amount of \$102,625.00 (enclosure).
- C. Ratify approval of Change Order No. 13 to Service Agreement for Phase I Infrastructure Improvements between the District and Martin/Martin, Inc. for

design addition of construction documents, SWMP and drainage report to support mass grading for infrastructure projects in the amount of \$62,000.00 (enclosure).

- D. Ratify approval of Change Order No. 15 to Service Agreement for Phase I Infrastructure Improvements between the District and Martin/Martin, Inc. for Denali Street between 56th and 60th Avenue in the deductive amount of (-\$99,925.00) (enclosure).
- E. Ratify approval of Change Order No. 16 to Service Agreement for Phase I Infrastructure Improvements between the District and Martin/Martin, Inc. for Gopher Gulch storm water crossing at 68th Avenue and Harvest in the amount of \$90,000.00 (enclosure).
- F. Ratify approval of Change Order No. 17 to Service Agreement for Phase I Infrastructure Improvements between the District and Martin/Martin, Inc. for project manager for Second Creek in the amount of \$4,000.00 (enclosure).
- G. Ratify approval of Change Order No. 18 to Service Agreement for Phase I Infrastructure Improvements between the District and Martin/Martin, Inc. for geotechnical consulting for temporary and permanent dewatering for Second Creek sanitary sewer in the amount of \$15,500.00 (enclosure).
- H. Other.

V. CAPITAL IMPROVMENTS

- A. Other.

VI. CONSTRUCTION MATTERS

- A. Discuss 2021 development/construction outlook.

VII. OTHER BUSINESS

- A. Other.

VIII. ADJOURNMENT

There are no further meetings scheduled for 2021.