

CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
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<https://www.citycenterwestmd.live/>

NOTICE OF REGULAR MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Otis C. Moore, III	President	2023/May 2023
Andrew R. Klein	Treasurer	2023/May 2023
Michael J. Schroeder	Asst. Secretary	2023/May 2023
Paige Langley	Asst. Secretary	2025/May 2023
VACANT		2025/May 2025
Ann E. Finn	Secretary	

DATE: November 7, 2022

TIME: 1:00 P.M.

PLACE: VIA Conference Call

Telephone Number: 1 669-900-6833

Meeting ID: 434 948 0582

Passcode: 355867

One tap mobile: +16699006833,,4349480582#,,, *355867#

I. ADMINISTRATIVE MATTERS

- A. Confirm quorum. Present Disclosures of Potential Conflicts of Interest.

- B. Approve agenda; confirm location of the meeting and posting of meeting notices.

- C. Acknowledge the resignation of Kevin Smith, effective August 13, 2022 (enclosure).

- D. Discuss vacancies on the Board and consider appointment of Mike Sandene to the Board of Directors (enclosure – Notice of Vacancy published October 22, 2022). Administer Oath.

E. Consider appointment of Officers:

President _____
Treasurer _____
Secretary _____
Asst. Secretary _____
Asst. Secretary _____
Asst. Secretary _____

F. **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 in the Regular Agenda.

- Approve Minutes from the August 9, 2022 Regular Meeting (enclosure).
 - Ratify approval of Change Order No. 1 to the Service Agreement between the District and All Terrain Ponds and Sprinklers, LLC d/b/a All Terrain Landscaping for snow removal services (enclosure).
-

G. Discuss business to be conducted in 2023 and location (**virtual and/or physical**) or meetings. Consider regular meeting dates for 2023 (suggested dates are June 5, 2023 and November 6, 2023 at 1:00 p.m. via conference call). Review and consider approval of Resolution No. 2022-11-__ Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices (enclosure).

H. Discuss §32-1-809, C.R.S., Transparency Notice reporting requirements and mode of eligible elector notification (2023 Transparency Notice).

II. PUBLIC COMMENT

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

III. FINANCIAL MATTERS

- A. Review and ratify approval of payment of claims for the following periods (enclosures):

Fund	Period Ending August 31, 2022	Period Ending Sept. 30, 2022	Period Ending Oct. 31, 2022
General	\$ 5,257.78	\$ 4,776.89	\$ 4,391.35
Debt	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$	\$
Total	\$ 5,257.78	\$ 4,776.89	\$ 4,391.35

- B. Review and accept unaudited financial statements through the period ending September 30, 2022 and updated cash position statement dated September 30, 2022 (enclosure).

- C. Discuss statutory requirements for an audit. Consider appointment of District Accountant to prepare Application for Exemption for Audit for 2022.

- D. Conduct Public Hearing to consider Amendment to 2022 Budget (if necessary) and consider adoption of Resolution to Amend the 2022 Budget and Appropriate Expenditures.

- E. Conduct Public Hearing on the proposed 2023 Budget and consider adoption of Resolution to Adopt the 2023 Budget and Appropriate Sums of Money and Set Mill Levies for General Fund _____, Debt Service Fund _____, and Other Fund(s) _____ for a total mill levy of _____ (enclosures – preliminary AV, draft 2023 Budget, and Resolutions).

- F. Discuss and consider adoption of Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan, if necessary (enclosure).

- G. Consider authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

- H. Consider appointment of District Accountant to prepare 2024 Budget.

IV. LEGAL MATTERS

- A. Discuss May 2, 2023 Regular Director Election and consider adoption of Resolution No. 2022-11-__ Calling a Regular Election for Directors on May 2, 2023, appointing the Designated Election Official (“DEO”), and authorizing the DEO to perform all tasks required for the conduct of mail ballot election (enclosure). Self-Nomination forms are due by February 24, 2023. Discuss the need for ballot issues and/or questions.
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- B. Review and consider approval of Second Amendment to Operation Funding Agreement by and between City Center West Residential Metropolitan District and City Center West, LP.
-

V. CAPITAL MATTERS

- A. Discuss status of construction.
-

VI. OPERATIONS

- A. Discuss 2023 landscape maintenance services for the District.
-

VII. OTHER BUSINESS

- A. _____
-

ADJOURNMENT

THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2022.

Additional Enclosures:

- Notice of rate increase from Special District Management Services, Inc.
- Notice of rate increase from McGeady Becher P.C.

Date: August 13, 2022

I, Kevin J. Smith, hereby resign from the following Boards of Directors, effective August 13, 2022:

- Aurora Regional Transportation Authority
- Sky Dance Metropolitan District Nos. 1 and 2
- Lake Bluff Metropolitan District Nos. 1, 2 and 3
- Loretto Heights Metropolitan Districts Nos. 1 through 5 and Loretto Heights Programming Metropolitan District
- Loretto Heights Community Authority Board
- Colorado International Center Metropolitan District Nos. 4, 5, 6, 8, 9, 10, 13 and 14
- Colorado Crossing Metropolitan District Nos. 1, 2 and 3
- Denver High Point at DIA Metropolitan District
- City Center West Commercial Metropolitan District
- City Center West Residential Metropolitan District
- Bristol Metropolitan District

Signed:



Kevin J. Smith

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT HELD AUGUST 9, 2022

A Special Meeting of the Board of Directors of the City Center West Residential Metropolitan District (referred to hereafter as “Board”) was convened on Tuesday, the 9th day of August, 2022, at 10:00 a.m. This District Board meeting was held via conference call. The meeting was open to the public via conference call.

ATTENDANCE

Directors in Attendance Were:

Otis C. Moore, III
Andrew R. Klein
Michael J. Schroeder

Following discussion, upon motion duly made by Director Moore and seconded by Director Klein, and upon vote, unanimously carried, the absence of Director Smith was excused.

Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq.; McGeady Becher P.C.

Paige Langley; Board Candidate

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board and to the Secretary of State. Attorney Becher noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. Attorney Becher noted that all Directors’ Disclosure Statements had been filed. No additional conflicts were disclosed at the meeting.

RECORD OF PROCEEDINGS

ADMINISTRATIVE MATTERS

Agenda: The Board reviewed a proposed Agenda for the District's Special Meeting.

Following discussion, upon motion duly made by Director Moore seconded by Director Klein and, upon vote, unanimously carried, the Agenda was approved.

Approval of Meeting Location: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. This District Board meeting was held by conference call and the public was encouraged to participate via conference call.

Ms. Finn noted that notice of the time, date and manner was duly posted and that they have not received any objections to the manner or any requests that the meeting manner be changed by taxpaying electors within the District's boundaries.

Consent Agenda: The Board considered the following actions:

- Minutes from the June 6, 2022 Regular Meeting.

Following discussion and review, upon motion duly made by Director Moore, seconded by Director Klein and, upon vote, unanimously carried, the Board approved and/or ratified approval of, as appropriate, the above actions.

Board Resignation: The Board discussed the resignation of Patrick Schmitz from the Board of Directors of the District, effective July 22, 2022.

Following discussion and review, upon motion duly made by Director Moore, seconded by Director Klein and, upon vote, unanimously carried, the Board acknowledged the resignation of Patrick Schmitz from the Board of Directors of the District, effective July 22, 2022.

Board Appointment: The Board discussed the vacancy on the Board and considered the appointment of Paige C. Langley to the Board of Directors.

Following discussion, upon motion duly made by Director Moore, seconded by Director Klein and, upon vote, unanimously carried, the Board appointed Paige C. Langley to the Board of Directors. The Oath of Office was administered.

Appointment of Officers: The Board entered into discussion regarding appointment of officers.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Moore, seconded by Director Klein and, upon vote, unanimously carried, the following slate of officers were appointed:

President	Otis C. Moore, III
Treasurer	Andrew R. Klein
Secretary	Ann E. Finn (non-elected)
Assistant Secretary	Michael J. Schroeder
Assistant Secretary	Paige C. Langley

PUBLIC COMMENTS

There were no public comments.

FINANCIAL MATTERS

Claims: The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period Ending June 30, 2022	Period Ending July 31, 2022
General	\$ 2,675.25	\$ 10,688.33
Debt	\$ -0-	\$ -0-
Capital	\$ -0-	\$
Total	\$ 2,675.25	\$ 10,688.33

Following discussion, upon motion duly made by Director Moore, seconded by Director Klein and, upon vote, unanimously carried, the Board ratified approval of the payment of the claims.

Unaudited Financial Statements and Schedule of Cash Position: The Board reviewed the unaudited financial statements, dated June 30, 2022, and the schedule of cash position, dated June 30, 2022.

Following discussion, upon motion duly made by Director Moore, seconded by Director Klein and, upon vote, unanimously carried, the Board accepted the unaudited financial statements, dated June 30, 2022, and the schedule of cash position, dated June 30, 2022.

LEGAL MATTERS

There were no legal matters.

CAPITAL MATTERS

Status of Construction: There was no report at this time.

RECORD OF PROCEEDINGS

OPERATIONS

Operation and Maintenance Services for 2023: The Board directed the staff to obtain proposals for 2023 services.

OTHER BUSINESS

There was no other business for the Board's consideration.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Klein, seconded by Director Moore and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: _____
Secretary for the Meeting

FORM OF CHANGE ORDER

Change Order No: 1	Date Issued: October 1, 2022
Name of Agreement: Service Agreement for Snow Removal (the "Agreement")	
Date of Agreement: September 27, 2021	District(s): City Center West Residential Metropolitan District (the "District")
Other Party/Parties: All Terrain Ponds and Sprinklers, LLC d/b/a All Terrain Landscaping (the "Consultant")	

<p>CHANGE IN SCOPE OF SERVICES (describe):</p> <ul style="list-style-type: none"> • Exhibit B to the Agreement is hereby amended to provide for the 2022-2023 rates set forth in Exhibit B to this Change Order No. 1. • Exhibit C to the Agreement is hereby deleted in its entirety. • The term of the Agreement as set forth in Section 3.1 is hereby extended as set forth below.

CHANGE IN AGREEMENT PRICE:	CHANGE IN TERM OF AGREEMENT:
Original Price: \$[time and materials]	Original Term: Expires April 15, 2022
Increase of this Change Order: \$[time and materials]	New Term: Expires April 15, 2023
Price with all Approved Change Orders: \$[time and materials]	Agreement Time with all Approved Change Orders: October 1, 2021 – April 15, 2022; October 1, 2022 – April 15, 2023

APPROVED:
By: <u>Otis C. Moore III</u>
District

APPROVED:
By: <u>Heather Sarone - Office Manager</u>
Consultant

**EXHIBIT B
COMPENSATION AND RATES**

2022 – 2023 Rates

For the Services, the following fee schedule will apply, with a one-hour minimum charge per service:

<u>Description</u>	<u>Rate</u>
Hand Shovel	\$70 per hour
Plow Truck	\$130 per hour
Skid Loader w/ Snow Box	\$175 per hour
Mini Skid	\$135 per hour
4-yard Skid Bucket	\$60 per hour (in addition to hourly Skid rate)
ATV/MT55/MT85	\$90 per hour
Tandem Dump Truck	\$130 per hour
Backhoe w/ Snow Box	\$220 per hour
Ice Melt	\$22 per bag
Ice Slicer	\$0.30 per pound
Mag Chloride	\$3.50 per gallon
Ice Slicer/Mag Chloride Delivery Truck	\$115 per hour (one-hour minimum)
Loader—600	\$300 per hour
Loader—700	\$350 per hour
Loader—800	\$600 per hour

***Mobilization fees on equipment are additional per storm

***Holiday Rate: Management of snow in excess of 5 inches of fresh snow, or on Thanksgiving Day, Christmas Day, New Year's Day, and Easter Sunday will be at 1.5 times the rates identified above.

RESOLUTION NO. 2022-11-_____

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT
ESTABLISHING REGULAR MEETING DATES, TIME, AND LOCATION, AND
DESIGNATING LOCATION FOR POSTING OF 24-HOUR NOTICES**

A. Pursuant to Section 32-1-903(1.5), C.R.S., special districts are required to designate a schedule for regular meetings, indicating the dates, time and location of said meetings.

B. Pursuant to Section 32-1-903(5), C.R.S., “location” means the physical, telephonic, electronic, or virtual place, or a combination of such means where a meeting can be attended. “Meeting” has the same meaning as set forth in Section 24-6-402(1)(b), C.R.S., and means any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication.

C. Pursuant to Section 24-6-402(2)(c)(I), C.R.S., special districts are required to designate annually at the board of directors of the district’s first regular meeting of each calendar year, the public place at which notice of the date, time and location of regular and special meetings (“**Notice of Meeting**”) will be physically posted at least 24 hours prior to each meeting (“**Designated Public Place**”). A special district is deemed to have given full and timely notice of a regular or special meeting if it posts its Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

D. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., special districts are relieved of the requirement to post the Notice of Meeting at the Designated Public Place, and are deemed to have given full and timely notice of a public meeting if a special district posts the Notice of Meeting online on a public website of the special district (“**District Website**”) at least 24 hours prior to each regular and special meeting.

E. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., if a special district is unable to post a Notice of Meeting on the District Website at least 24 hours prior to the meeting due to exigent or emergency circumstances, then it must physically post the Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

F. Pursuant to Section 32-1-903(1.5), C.R.S., all meetings of the board that are held solely at physical locations must be held at physical locations that are within the boundaries of the district or that are within the boundaries of any county in which the district is located, in whole or in part, or in any county so long as the physical location does not exceed twenty (20) miles from the district boundaries unless such provision is waived.

G. The provisions of Section 32-1-903(1.5), C.R.S., may be waived if: (1) the proposed change of the physical location of a meeting of the board appears on the agenda of a meeting; and (2) a resolution is adopted by the board stating the reason for which meetings of the board are to be held in a physical location other than under Section 32-1-903(1.5), C.R.S., and further stating the date, time and physical location of such meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City Center West Residential Metropolitan District (the “**District**”), Weld County, Colorado:

1. That the provisions of Section 32-1-903(1.5), C.R.S., be waived pursuant to the adoption of this Resolution.

That the Board of Directors (the “**District Board**”) has determined that conducting meetings at a physical location pursuant to Section 32-1-903(1.5), C.R.S., would be inconvenient and costly for the directors and consultants of the District in that they live and/or work outside of the twenty (20) mile radius requirement.

2. That regular meetings of the District Board for the year 2023 shall be held on June 5, 2023 and November 6, 2023 at 1:00 p.m., via conference call.

That special meetings of the District Board shall be held as often as the needs of the District require, upon notice to each director.

3. That, until circumstances change, and a future resolution of the District Board so designates, the physical location and/or method or procedure for attending meetings of the District Board virtually (including the conference number or link) shall appear on the agenda(s) of said meetings.

That the residents and taxpaying electors of the District shall be given an opportunity to object to the meeting(s) physical location(s), and any such objections shall be considered by the District Board in setting future meetings.

4. That the District has established the following District Website, <https://citycenterwestresidentialmd1-2.colorado.gov/>, and the Notice of Meeting of the District Board shall be posted on the District Website at least 24 hours prior to meetings pursuant to Section 24-6-402(2)(c)(III), C.R.S. and Section 32-1-903(2), C.R.S.

That, if the District is unable to post the Notice of Meeting on the District Website at least 24 hours prior to each meeting due to exigent or emergency circumstances, the Notice of Meeting shall be posted within the boundaries of the District at least 24 hours prior to each meeting, pursuant to Section 24-6-402(2)(c)(I) and (III), C.R.S., at the following Designated Public Place:

(a) On the chain-link fence at the southeast corner of the District boundary, approximately 540 feet east of 6623 West 10th Street

5. Otis Moore, or his/her designee, is hereby appointed to post the above-referenced notices.

[SIGNATURE PAGE TO RESOLUTION ESTABLISHING REGULAR MEETING DATES, TIME, AND LOCATION, AND DESIGNATING LOCATION FOR 24-HOUR NOTICES]

RESOLUTION APPROVED AND ADOPTED on November 7, 2022.

CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT

By: _____
President

Attest:

Secretary

City Center West Residential Metropolitan District
August-22

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
All Terrain Landscaping	74588	8/4/2022	9/3/2022	\$ 900.42	Landscape Maint & Repair	1696
All Terrain Landscaping	74482	8/1/2022	8/31/2022	\$ 392.93	Landscape Maint & Repair	1696
City of Greeley - Director of Finance	073-820913-01 7-2022	7/25/2022	7/25/2022	\$ 651.13	Utilities	1790
McGeady Becher P.C.	915B 6-2022	6/30/2022	6/30/2022	\$ 1,687.50	Legal	1675
Special District Management Services	Jul-22	7/31/2022	8/30/2022	\$ 856.20	Management	1680
Special District Management Services	Jul-22	7/31/2022	8/30/2022	\$ 754.80	Accounting	1614
Special District Management Services	Jul-22	7/31/2022	8/30/2022	\$ 14.80	Election	1635
				\$ 5,257.78		

City Center West Residential Metropolitan District
August-22

	General	Debt	Capital	Totals
Disbursements	\$ 5,257.78			\$ 5,257.78
Total Disbursements	\$ 5,257.78	\$ -	\$ -	\$ 5,257.78

City Center West Residential Metropolitan District
September-22

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
All Terrain Landscaping	74924	8/22/2022	9/21/2022	\$ 265.00	Landscape Maint & Repair	1696
All Terrain Landscaping	75265	9/1/2022	10/1/2022	\$ 392.93	Landscape Maint & Repair	1696
All Terrain Landscaping	74815	8/15/2022	9/14/2022	\$ 510.00	Landscape Maint & Repair	1696
City of Greeley - Director of Finance	073-820913-01	8/22/2022	8/22/2022	\$ 548.26	Utilities	1790
Colorado Special Districts Property and Liability Pool	23WC-61273-0746	8/26/2022	8/26/2022	\$ 450.00	Prepaid Expenses	1142
McGeady Becher P.C.	915B 7-2022	7/31/2022	7/31/2022	\$ 307.50	Legal	1675
Special District Management Services	Aug-22	8/31/2022	9/30/2022	\$ 1,874.00	Management	1680
Special District Management Services	Aug-22	8/31/2022	9/30/2022	\$ 429.20	Accounting	1614
				\$ 4,776.89		

City Center West Residential Metropolitan District
September-22

	General	Debt	Capital	Totals
Disbursements	\$ 4,776.89			\$ 4,776.89
Total Disbursements	\$ 4,776.89	\$ -	\$ -	\$ 4,776.89

City Center West Residential Metropolitan District
October-22

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
All Terrain Landscaping	75485	9/14/2022	10/14/2022	\$ 121.08	Landscape	1696
All Terrain Landscaping	75875	10/1/2022	10/31/2022	\$ 392.93	Landscape	1696
City of Greeley - Director of Finance	073-820913-01 09-2022	9/23/2022	9/23/2022	\$ 544.44	Utilities	1790
McGeady Becher P.C.	915B 8-2022	8/31/2022	8/31/2022	\$ 1,789.50	Legal	1675
RLI Surety	LSM0936161	9/27/2022	9/28/2022	\$ 250.00	Prepaid	1142
Special District Management Services	Sep-22	9/30/2022	10/30/2022	\$ 612.60	Management	1680
Special District Management Services	Sep-22	9/30/2022	10/30/2022	\$ 680.80	Accounting	1614
				\$ 4,391.35		

City Center West Residential Metropolitan District
October-22

	General	Debt	Capital	Totals
Disbursements	\$ 4,391.35			\$ 4,391.35
Total Disbursements	\$ 4,391.35	\$ -	\$ -	\$ 4,391.35

CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT
Schedule of Cash Position
September 30, 2022

	<u>Rate</u>	<u>Operating</u>	<u>Debt Service</u>	<u>Capital Projects</u>	<u>Total</u>
Checking:					
Cash in Bank - First Bank	\$	-	\$ 31,302.48	\$ -	\$ 31,302.48
TOTAL FUNDS:	\$	-	\$ 31,302.48	\$ -	\$ 31,302.48

2022 Mill Levy Information

General Fund	11.133
Debt Service Fund	55.664
Total	66.797

Board of Directors

- * Otis C. Moore, III
- * Andrew R. Klein
- * Michael John Schroeder
- Paige Langley
- Kevin Smith

*authorized signer on checking account

CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT

FINANCIAL STATEMENTS

September 30, 2022

**CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT
 COMBINED BALANCE SHEET - ALL FUND TYPES AND ACCOUNT GROUPS
 September 30, 2022**

	<u>GENERAL</u>	<u>DEBT SERVICE</u>	<u>LONG-TERM DEBT</u>	<u>TOTAL MEMO ONLY</u>
Assets				
Cash in Bank - First Bank	\$ -	\$ 31,302	\$ -	\$ 31,302
Property Taxes Receivable	632	3,163	-	3,795
Prepaid Expenses	450	-	-	450
Total Current Assets	<u>1,082</u>	<u>34,465</u>	<u>-</u>	<u>35,547</u>
Other Debits				
Amount in Debt Service Fund	-	-	22,404	22,404
Amount to be Provided for Debt	-	-	351,700	351,700
Total Other Debits	<u>-</u>	<u>-</u>	<u>374,104</u>	<u>374,104</u>
Total Assets	<u>\$ 1,082</u>	<u>\$ 34,465</u>	<u>\$ 374,104</u>	<u>\$ 409,652</u>
Liabilities				
Accounts Payable	\$ 6,647	\$ -	\$ -	\$ 6,647
Due to Other District	2,013	8,899	-	10,912
Developer Advance Payable	-	-	299,230	299,230
Developer Advance Interest	-	-	74,874	74,874
Total Liabilities	<u>8,660</u>	<u>8,899</u>	<u>374,104</u>	<u>391,663</u>
Fund Balance				
Fund Balance	(2,347)	-	-	(2,347)
Current Year Earnings	(5,864)	22,404	-	16,540
Total Fund Balances	<u>(8,210)</u>	<u>22,404</u>	<u>-</u>	<u>14,193</u>
Total Liabilities, Deferred Inflows of Resources and Fund Balance	<u>\$ 1,082</u>	<u>\$ 34,465</u>	<u>\$ 374,104</u>	<u>\$ 409,652</u>

CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual
General Fund
For the 9 Months Ending
September 30, 2022

Account Description	Period Actual	YTD Actual	Budget	Favorable (Unfavorable) Variance	% of Budget
Revenues					
Property Tax Revenue	\$ -	\$ 5,361	\$ 5,989	\$ (628)	89.5%
Specific Ownership Taxes	93	238	359	(121)	66.2%
Developer Advance	13,364	34,383	65,000	(30,617)	52.9%
Total Revenues	<u>13,457</u>	<u>39,981</u>	<u>71,348</u>	<u>(31,367)</u>	<u>56.0%</u>
Expenditures					
Accounting	2,605	6,432	12,000	5,568	53.6%
Audit	6,300	6,300	6,500	200	96.9%
Election	30	790	2,000	1,210	39.5%
Insurance/SDA Dues	-	3,669	3,700	31	99.2%
Legal	3,050	4,400	10,000	5,601	44.0%
Management	3,681	7,061	10,000	2,939	70.6%
Miscellaneous	218	272	500	228	54.4%
Snow Removal	-	692	3,000	2,308	23.1%
Landscape Maint & Repair	3,027	7,993	8,000	7	99.9%
Treasurer's Fees	-	80	90	10	89.3%
Utilities	1,555	1,696	4,000	2,304	42.4%
Emergency Reserve	-	-	2,140	2,140	0.0%
Total Expenditures	<u>20,464</u>	<u>39,386</u>	<u>61,930</u>	<u>22,544</u>	<u>63.6%</u>
Excess (Deficiency) of Revenues Over Expenditures	(7,008)	595	9,418	(8,823)	
Transfers and Other Sources (Uses)					
Transfer to Capital Projects	(6,459)	(6,459)	-	(6,459)	
Total Transfers and Other Sources (Uses)	<u>(6,459)</u>	<u>(6,459)</u>	<u>-</u>	<u>(6,459)</u>	
Change in Fund Balance	(13,466)	(5,864)	9,418	(15,282)	
Beginning Fund Balance	5,256	(2,347)	(1,780)	(567)	
Ending Fund Balance	<u>\$ (8,210)</u>	<u>\$ (8,210)</u>	<u>\$ 7,638</u>	<u>\$ (15,848)</u>	

CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual
Debt Service Fund
For the 9 Months Ending
September 30, 2022

<u>Account Description</u>	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Budget</u>	<u>Favorable (Unfavorable) Variance</u>	<u>% of Budget</u>
Revenues					
Property Tax Revenue	\$ -	\$ 26,784	\$ 29,947	\$ (3,163)	89.4%
Specific Ownership Tax	465	1,188	1,797	(609)	66.1%
Total Revenues	<u>465</u>	<u>27,972</u>	<u>31,744</u>	<u>(3,772)</u>	<u>88.1%</u>
Expenditures					
Treasurer's Fees	-	402	449	47	89.5%
Total Expenditures	<u>-</u>	<u>402</u>	<u>449</u>	<u>47</u>	<u>89.5%</u>
Excess (Deficiency) of Revenues Over Expenditures	465	27,570	31,295	(3,725)	
Transfers and Other Sources (Uses)					
Transfer to Other District	-	(5,166)	(31,295)	26,129	
Total Transfers and Other Sources (Uses)	<u>-</u>	<u>(5,166)</u>	<u>(31,295)</u>	<u>26,129</u>	
Change in Fund Balance	465	22,404	-	22,404	
Beginning Fund Balance	21,939	-	-	-	
Ending Fund Balance	<u>\$ 22,404</u>	<u>\$ 22,404</u>	<u>\$ -</u>	<u>\$ 22,404</u>	



OFFICE OF THE WELD COUNTY ASSESSOR
PHONE (970) 400-3650
FAX (970) 304-6433
WEBSITE: www.weldgov.com
1400 N 17 AVE
GREELEY CO 80631

August 24, 2022

Dear Officials:

Re: PRELIMINARY CERTIFICATION OF VALUATION

The purpose of this letter is to certify assessed and actual values for your district for the assessment year of 2022. The 2022 values form the basis of the taxes which will be collected and distributed to you in 2023.

The top portion of the certification contains the assessed valuation for real and personal property for 2022. The bottom portion contains the actual valuation information on real property that is to be used by non-school taxing districts to calculate local growth in accordance with the 1992 Tabor Amendment to the Colorado Constitution.

Our office has not yet received all the state assessed distributions of value for taxing districts, so we relied on last year's proportions for this first certification.

Our office will send you a final certification of value on or before December 10, 2022. This final certification will contain changes that may occur to your district's values. Please be advised that your values may change as a result of normal, continuing operations that must occur in the Assessor's office during this period.

A detailed abstract of assessment for your authority may be found on our website at the following location: <https://weldgov.com/go/Abstract-Reports> The abstracts are in the middle of the screen in a section labeled Abstracts by Entity.

If you have any questions, please contact Dee Kayl at dkayl@weldgov.com or (970) 400-3655.

Sincerely,

A handwritten signature in blue ink that reads "Brenda Dones".

Brenda Dones
Weld County Assessor
bdones@weldgov.com
(970) 400-3699

CERTIFICATION OF VALUATION BY WELD COUNTY ASSESSOR

Name of Jurisdiction: 1451 - CITY CENTER WEST RESIDENTIAL METRO

IN WELD COUNTY ON 8/18/2022

New Entity: No

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATIONS (5.5% LIMIT) ONLY
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IN ACCORDANCE WITH 39-5-121(2)(a) AND 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR 2022 IN WELD COUNTY, COLORADO

1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$537,990
2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: *	\$518,680
3. LESS TIF DISTRICT INCREMENT, IF ANY:	\$0
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$518,680
5. NEW CONSTRUCTION: **	\$0
6. INCREASED PRODUCTION OF PRODUCING MINES: #	\$0
7. ANNEXATIONS/INCLUSIONS:	\$0
8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: #	\$0
9. NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD ## OR LAND (29-1-301(1)(b) C.R.S.):	\$0
10. TAXES COLLECTED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1))(a) C.R.S.):	\$0.00
11. TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a) C.R.S.) and (39-10-114(1)(a)(I)(B) C.R.S.):	\$0.00

* This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec.20(8)(b), Colo.

** New construction is defined as: Taxable real property structures and the personal property connected with the structure.

Jurisdiction must submit respective certifications (Forms DLG 52 AND 52A) to the Division of Local Government in order for the values to be treated as growth in the limit calculation.

Jurisdiction must apply (Forms DLG 52B) to the Division of Local Government before the value can be treated as growth in the limit calculation.

USE FOR 'TABOR' LOCAL GROWTH CALCULATIONS ONLY

IN ACCORDANCE WITH THE PROVISION OF ARTICLE X, SECTION 20, COLO CONST, AND 39-5-121(2)(b), C.R.S. THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2022 IN WELD COUNTY, COLORADO ON AUGUST 25, 2022

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: @	\$6,714,200
ADDITIONS TO TAXABLE REAL PROPERTY:	
2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: !	\$0
3. ANNEXATIONS/INCLUSIONS:	\$0
4. INCREASED MINING PRODUCTION: %	\$0
5. PREVIOUSLY EXEMPT PROPERTY:	\$0
6. OIL OR GAS PRODUCTION FROM A NEW WELL:	\$0
7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT:	\$0
(If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.)	
DELETIONS FROM TAXABLE REAL PROPERTY:	
8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	\$0
9. DISCONNECTIONS/EXCLUSION:	\$0
10. PREVIOUSLY TAXABLE PROPERTY:	\$0

@ This includes the actual value of all taxable real property plus the actual value of religious, private schools, and charitable real property.

! Construction is defined as newly constructed taxable real property structures.

% Includes production from new mines and increases in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS : 1. TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY:----->	\$0
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NOTE: All levies must be Certified to the Board of County Commissioners NO LATER THAN DECEMBER 15, 2022

IN ACCORDANCE WITH 39-5-128(1.5) C.R.S. THE ASSESSOR PROVIDES: HB21-1312 ASSESSED VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): **	\$59
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** The tax revenue lost due to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119 f(3). C.R.S.

CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT
Assessed Value, Property Tax and Mill Levy Information

	2021 Actual	2022 Adopted Budget	2023 Preliminary Budget
Assessed Valuation	\$ 494,720	\$ 537,990	\$ 518,680
Mill Levy			
General Fund	11.133	11.133	11.133
Debt Service Fund	55.664	55.664	55.664
Total Mill Levy	<u>66.797</u>	<u>66.797</u>	<u>66.797</u>
Property Taxes			
General Fund	\$ 5,508	\$ 5,989	\$ 5,774
Debt Service Fund	27,538	29,947	28,872
Actual/Budgeted Property Taxes	<u>\$ 33,046</u>	<u>\$ 35,936</u>	<u>\$ 34,646</u>

CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT

**GENERAL FUND
2023 Preliminary Budget
with 2021 Actual and 2022 Estimated**

	2021 Actual	01/22-07/22 YTD Actual	2022 Adopted Budget	2022 Estimated	2023 Preliminary Budget
BEGINNING FUND BALANCE	\$ (17,038)	\$ (2,348)	\$ 1,780	\$ (2,348)	\$ 8,414
REVENUE					
Property Tax Revenue	5,508	5,361	5,989	5,989	5,774
Specific Ownership Taxes	276	171	359	359	346
Miscellaneous Income	1,688	-	-	-	-
Total Revenue	7,472	5,532	6,348	6,348	6,120
Total Funds Available	(9,566)	3,184	8,128	4,000	14,534
EXPENDITURES					
Accounting	9,660	5,248	12,000	12,000	13,000
Audit	6,100	6,300	6,500	6,300	6,700
Election	-	776	2,000	776	1,000
Insurance/SDA Dues	3,277	3,669	3,700	3,920	4,250
Legal	8,783	2,405	10,000	10,000	12,000
Management	7,245	4,331	10,000	10,000	12,000
Miscellaneous	135	147	500	500	500
Landscape Maint & Repair	3,348	5,532	8,000	10,000	15,000
Snow Removal	289	692	3,000	3,000	3,000
Treasurer's Fees	83	80	90	90	87
Utilities	2,586	497	4,000	4,000	4,000
Total Expenditures	41,504	29,676	59,790	60,586	71,537
TRANSFERS AND OTHER SOURCES (USES)					
Emergency Reserve	-	-	(2,140)	-	(184)
Developer Advance	48,722	21,019	65,000	65,000	65,000
Transfer to Capital Projects	-	-	-	-	-
Total Expenditures Requiring Appropriation	\$ 41,504	\$ 29,676	\$ 61,930	\$ 60,586	\$ 71,720
ENDING FUND BALANCE	\$ (2,348)	\$ (5,473)	\$ 11,198	\$ 8,414	\$ 7,814

CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT

**DEBT SERVICE FUND
2023 Preliminary Budget
with 2021 Actual and 2022 Estimated**

	2021 Actual	01/22-07/22 YTD Actual	2022 Adopted Budget	2022 Estimated	2023 Preliminary Budget
BEGINNING FUND BALANCE	\$ -	\$ -	\$ -	\$ -	\$ -
REVENUE					
Property Tax Revenue	27,538	26,784	29,947	29,947	28,872
Specific Ownership Tax	1,384	857	1,797	1,797	1,732
Interest Income	2	-	-	-	-
Total Revenue	28,923	27,640	31,744	31,744	30,604
Total Funds Available	28,923	27,640	31,744	31,744	30,604
EXPENDITURES					
Treasurer's Fees	413	402	449	449	433
Total Expenditures	413	402	449	449	433
TRANSFERS AND OTHER SOURCES (USES)					
Transfer to Other District	(28,510)	(5,166)	(31,295)	(31,295)	(30,171)
Total Expenditures Requiring Appropriation	28,923	5,568	31,744	31,744	30,604
ENDING FUND BALANCE	\$ -	\$ 22,073	\$ -	\$ -	\$ -

CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT

**CAPITAL PROJECTS FUND
2023 Preliminary Budget
with 2021 Actual and 2022 Estimated**

	2021 Actual	01/22-07/22 YTD Actual	2022 Adopted Budget	2022 Estimated	2023 Preliminary Budget
BEGINNING FUND BALANCE	\$ (6,459)	\$ (6,459)	\$ -	\$ (6,459)	\$ (6,459)
REVENUE					
Total Revenue	-	-	-	-	-
Total Funds Available	(6,459)	(6,459)	-	(6,459)	(6,459)
EXPENDITURES					
Accounting	-	-	-	-	-
Legal	-	-	-	-	-
Management	-	-	-	-	-
Developer Reimbursement	-	-	-	-	-
Developer Reimb - Interest	-	-	-	-	-
Total Expenditures	-	-	-	-	-
Total Expenditures Requiring Appropriation	-	-	-	-	-
ENDING FUND BALANCE	\$ (6,459)	\$ (6,459)	\$ -	\$ (6,459)	\$ (6,459)

RESOLUTION NO. 2022-11-__
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT
TO ADOPT THE 2023 BUDGET AND APPROPRIATE SUMS OF MONEY

WHEREAS, the Board of Directors of the City Center West Residential Metropolitan District (“District”) has appointed the District Accountant to prepare and submit a proposed 2023 budget to the Board at the proper time; and

WHEREAS, the District Accountant has submitted a proposed budget to this Board on or before October 15, 2022, for its consideration; and

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 7, 2022, and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution ("TABOR") and other laws or obligations which are applicable to or binding upon the District; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

WHEREAS, the Board of Directors of the District has made provisions therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, as more fully set forth in the budget, including any interfund transfers listed therein, so as not to impair the operations of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City Center West Residential Metropolitan District:

1. That the budget as submitted, amended, and summarized by fund, hereby is approved and adopted as the budget of the City Center West Residential Metropolitan District for the 2023 fiscal year.
2. That the budget, as hereby approved and adopted, shall be certified by the Secretary of the District to all appropriate agencies and is made a part of the public records of the District.

3. That the sums set forth as the total expenditures of each fund in the budget attached hereto as **EXHIBIT A** and incorporated herein by reference are hereby appropriated from the revenues of each fund, within each fund, for the purposes stated.

ADOPTED this 7th day of November, 2022.

Secretary

EXHIBIT A
(Budget)

I, Ann Finn, hereby certify that I am the duly appointed Secretary of the City Center West Residential Metropolitan District, and that the foregoing is a true and correct copy of the budget for the budget year 2023, duly adopted at a meeting of the Board of Directors of the City Center West Residential Metropolitan District held on November 7, 2022.

By: _____
Secretary

RESOLUTION NO. 2022-11-___
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT
TO SET MILL LEVIES

WHEREAS, the Board of Directors of the City Center West Residential Metropolitan District (“District”) has adopted the 2023 annual budget in accordance with the Local Government Budget Law on November 7, 2022; and

WHEREAS, the adopted budget is attached to the Resolution of the Board of Directors to Adopt the 2023 Budget and Appropriate Sums of Money, and such budget is incorporated herein by this reference; and

WHEREAS, the amount of money necessary to balance the budget for general fund expenses from property tax revenue is identified in the budget; and

WHEREAS, the amount of money necessary to balance the budget for debt service fund expenses from property tax revenue is identified in the budget; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of City Center West Residential Metropolitan District:

1. That for the purposes of meeting all general fund expenses of the District during the 2023 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

2. That for the purposes of meeting all debt service fund expenses of the District during the 2023 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

3. That the District Accountant of the District is hereby authorized and directed to immediately certify to the County Commissioners of Weld County, Colorado, the mill levies for the District as set forth in the District’s Certification of Tax Levies (attached hereto as **EXHIBIT A** and incorporated herein by reference), recalculated as needed upon receipt of the final certification of valuation from the County Assessor in order to comply with any applicable revenue and other budgetary limits.

ADOPTED this 7th day of November, 2022.

Secretary

EXHIBIT A
(Certification of Tax Levies)

RESOLUTION NO. 2022-11-____

**RESOLUTION OF THE BOARD OF DIRECTORS OF CITY CENTER WEST
RESIDENTIAL METROPOLITAN DISTRICT AUTHORIZING ADJUSTMENT OF
THE DISTRICT MILL LEVY IN ACCORDANCE WITH THE SERVICE PLAN**

A. City Center West Residential Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado pursuant to Title 32, Colorado Revised Statutes.

B. The District operates pursuant to its Second Amended and Restated Consolidated Service Plan for the District, City Center West Commercial Metropolitan District, and City Center West Residential Metropolitan District No. 2, as approved by the City of Greeley on August 16, 2016, as it may be amended from time to time (the “**Service Plan**”), which provides the District with the authority to impose mill levies on taxable property. Such mill levies will be the primary source of revenue for repayment of debt service, public improvements, and operations and maintenance costs of the District.

C. The Service Plan authorizes a maximum mill levy of 10 mills for operations and maintenance (the “**Maximum Operations Mill Levy**”); and a maximum of 50 mills for debt service (the “**Maximum Debt Mill Levy**,” and together with the Maximum Operations Mill Levy, the “**Maximum Mill Levy**”).

D. Sections V.A.1 and VI.C.1 of the Service Plan authorize adjustment of the Maximum Mill Levy in the event that the method of calculating assessed valuation is changed after January 1, 2007 (the “**Baseline Year**”), by any change in law, change in method of calculation, or in the event of any legislation or constitutionally mandated tax credit, cut, or abatement. The Maximum Mill Levy may be increased or decreased to reflect such changes. Such increases or decreases shall be determined by the Board of Directors (the “**Board**”) in good faith (such determination to be binding and final) so that, to the extent possible, the actual tax revenues generated by the mill levy, as adjusted, are neither diminished nor enhanced as a result of such changes.

E. The Service Plan provides that, for purposes of the foregoing, a change in the ratio of actual valuation to assessed valuation shall be deemed to be a change in the method of calculating assessed valuation.

F. At the time of the Baseline Year, the residential assessment ratio set by the Colorado General Assembly was 7.96%. See Document No. 905578 in Firm Resources for residential assessment ratio chart by tax collection year).

G. In 2017, the Colorado General Assembly (the “**General Assembly**”) passed House Bill 17-1349, which amended Section 39-1-104.2, C.R.S. by setting the ratio of valuation for assessment for real residential property at 7.2% (decreased from 7.96%) for property tax years commencing on and after January 1, 2017, until the next property tax year that the General Assembly determined to adjust the ratio of valuation for assessment for residential real property.

H. In 2019, the General Assembly passed Senate Bill 19-255, further amending Section 39-1-104.2, C.R.S. by setting the ratio of valuation for assessment for real residential property at 7.15% (decreased from 7.2%) for property tax years commencing on or after January 1, 2019, until the next property tax year that the General Assembly determines to adjust the ratio of valuation for assessment for residential real property.

I. In 2020, the voters of the State of Colorado passed Amendment B (“**Amendment B**”), which repealed Article X, Section 3 of the Colorado Constitution such that the ratio of valuation for assessment of real property for 2021 and thereafter, unless further amended by the General Assembly or voters of the State, is 7.15%.

J. In 2021, the General Assembly passed Senate Bill 21-293, further amending Section 39-1-104.2, C.R.S., by setting the ratio of valuation for assessment for all residential real property other than multi-family residential real property at 6.95% (decreased from 7.15%) for property tax years commencing on January 1, 2022, and January 1, 2023.

K. In compliance with the Service Plan, in order to mitigate the effect of the reduction in the ratio of valuation for residential real property as set by the General Assembly for property tax year 2022, the Board determines it to be in the best interest of the District, its residents, users, property owners, and the public, to adjust the Maximum Mill Levy, so that the actual tax revenues to be received by the District are neither diminished nor enhanced as a result of the change in the ratio of valuation for assessment since the Baseline Year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of City Center West Residential Metropolitan District, City of Greeley, Weld County, Colorado:

1. The Board hereby authorizes the adjustment of the Maximum Mill Levy, to reflect that Senate Bill 21-293 set the ratio of valuation for assessment for residential real property other than multi-family residential real property to 6.95%, which is a change from the 7.96% ratio of valuation for assessment of residential property as of the Baseline Year.

2. The Service Plan allows for a total mill levy imposition of up to 66.797 mills (11.133 mills for Operation and Maintenance, and 55.664 mills for debt service) (collectively, the “**Adjusted Mill Levy**”), so that District revenues shall be neither diminished nor enhanced as a result of the ratio of valuation for assessment being set at 6.95% for all residential real property other than multi-family residential real property for collection year 2023.

3. The Adjusted Mill Levy shall be reflected in the District’s Certification of Tax Levies to be submitted to the Board of County Commissioners on or before December 15, 2022, for collection in 2023.

[SIGNATURE PAGE FOLLOWS]

**[SIGNATURE PAGE TO RESOLUTION AUTHORIZING ADJUSTMENT OF THE
DISTRICT MILL LEVY IN ACCORDANCE WITH THE SERVICE PLAN]**

RESOLUTION APPROVED AND ADOPTED ON November 7, 2022.

**CITY CENTER WEST RESIDENTIAL
METROPOLITAN DISTRICT**

President

Attest:

Secretary

RESOLUTION NO. 2022-11-____

A RESOLUTION OF THE BOARD OF DIRECTORS OF
CITY CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT
CALLING A REGULAR ELECTION FOR DIRECTORS
MAY 2, 2023

A. The terms of the offices of Directors Moore, Klein, and Schroeder shall expire upon the election of their successors at the regular election, to be held on May 2, 2023 (“**Election**”), and upon such successors taking office.

B. The terms of the offices to which Directors Langley and Sandene have previously been appointed expire upon their re-election, or the election of their successors at the Election, and upon such successor taking office.

C. In accordance with the provisions of the Special District Act (“**Act**”) and the Uniform Election Code (“**Code**”), the Election must be conducted to elect two (2) Directors to serve until the next regular election, to occur May 6, 2025, and three (3) Directors to serve until the second regular election, to occur May 4, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City Center West Residential Metropolitan District (the “**District**”) of the County of Weld, Colorado:

1. Date and Time of Election. The Election shall be held on May 2, 2023, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, and other applicable laws. At that time, two (2) Directors shall be elected to serve until the next regular election, to occur May 6, 2025, and three (3) Directors shall be elected to serve until the second regular election, to occur May 4, 2027.

2. Precinct. The District shall consist of one (1) election precinct for the convenience of the eligible electors of the District.

3. Conduct of Election. The Election shall be conducted as an independent mail ballot election in accordance with all relevant provisions of the Code. The Designated Election Official shall have on file, no later than fifty-five (55) days prior to the Election, a plan for conducting the independent mail ballot Election.

4. Designated Election Official. Ann Finn shall be the Designated Election Official and is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, Code or other applicable laws. The Election shall be conducted in accordance with the Act, Code and other applicable laws. Among other matters, the Designated Election Official shall appoint election judges as necessary, arrange for the required notices of election (either by mail or publication) and printing of ballots, and direct that all other appropriate actions be accomplished.

5. Call for Nominations. The Designated Election Official shall provide Call for Nominations as required under Section 1-13.5-501, C.R.S., as applicable.

6. Absentee Ballot Applications. NOTICE IS FURTHER GIVEN, pursuant to Section 1-13.5-1002, C.R.S., that applications for and return of absentee ballots may be filed with Ann Finn, the Designated Election Official of the District, c/o Special District Management Servies, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, between the hours of 8:00 a.m. and 5:00 p.m., until the close of business on the Tuesday immediately preceding the Election (April 25, 2023).

7. Self-Nomination and Acceptance Forms. Self-Nomination and Acceptance Forms are available and can be obtained from Ann Finn, the Designated Election Official for the District, c/o Special District Management Servies, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, (303) 987-0835 and on the District's website at <https://www.citycenterwestmd.live/>.

8. Cancellation of Election. If the only matter before the electors is the election of Directors of the District and if, at 5:00 P.M. on February 28, 2023, the sixty-third day prior to the regular election, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent, the Designated Election Official shall cancel the Election and declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with law.

9. Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board of Director's intention that the various provisions hereof are severable.

10. Repealer. All acts, orders and resolutions, or parts thereof, of the Board of Directors which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

11. Effective Date. The provisions of this Resolution shall take effect as of the date adopted and approved by the Board of Directors of the District.

[SIGNATURE PAGE FOLLOWS]

**[SIGNATURE PAGE TO RESOLUTION
CALLING A REGULAR ELECTION FOR DIRECTORS
MAY 2, 2023]**

RESOLUTION APPROVED AND ADOPTED on November 7, 2022.

**CITY CENTER WEST RESIDENTIAL
METROPOLITAN DISTRICT**

By: _____
President

Attest:

Secretary



141 Union Boulevard, Suite 150
Lakewood, CO 80228-1898
303-987-0835 • Fax: 303-987-2032

MEMORANDUM

TO: Board of Directors

FROM: Christel Gemski
Executive Vice-President

DATE: September 2, 2022

RE: Notice of 2023 Rate Increase

A rectangular box containing a handwritten signature in blue ink that reads "Christel Gemski".

In accordance with the Management Agreement (“Agreement”) between the District and Special District Management Services, Inc. (“SDMS”), at the time of the annual renewal of the Agreement, the hourly rate described in Article III for management and all services shall increase by the CPI (8.5%) per hour.

We hope you will understand that it is necessary to increase our rates due to increasing gas and operating costs along with new laws and rules implemented by our legislature.



October 15, 2022

Dear Client:

Our Firm prides itself on providing the highest level of service in the most efficient manner. In the current economic environment, we are facing increased costs in all areas of the business. In order to continue to provide consistent high-level service we have found it necessary to implement a rate increase.

In accordance with the Firm's fee engagement letter, this letter is to advise you that effective January 1, 2023, the hourly rates of selected attorneys and staff will be adjusted. Hourly rates will be as follows: Shareholders \$425 - \$550; Of Counsel \$380 - \$425; Associates \$275 - \$375; Paralegals and Directors \$225 - \$240; Law Clerks \$150; File Clerks \$30.

Commencing on January 1, 2023, we will begin charging most costs incurred on your behalf as an administrative fee equal to 1% of the legal fees charged in a given month. This fee includes such costs as long-distance telephone calls, research requiring a subscription database, in-office photocopies and faxes, ordinary postage, and messenger and delivery services, and includes a small overhead component. This fee may be adjusted with notice.

This fee is based on our historic experience, as well as client feedback, that invoices that itemize every photocopy, fax, and delivery charge are confusing. Any advances made on behalf of the client as well as major costs, such as major travel expenses, application/submittal/recording fees, election expenses, court costs, publication costs, express delivery, and conference calls and videoconferencing where a third-party provider is used, will be separately invoiced at our actual cost. If you have any questions or concerns about this change, please let us know.

We appreciate your continued trust and confidence in our Firm and look forward to representing your interests in 2023 and beyond.

Very truly yours,

McGEADY BECHER P.C.

A handwritten signature in blue ink that reads "Cheryl L. Matlosz". The signature is written in a cursive, flowing style.

Cheryl L. Matlosz
Firm Administrator