

CHERRY CREEK SOUTH METROPOLITAN DISTRICT NOS. 4-11
JOINT SPECIAL MEETING
via Teleconference and at 2154 E. Commons Avenue, Suite 2000, Centennial, CO 80122
Tuesday, November 9th, 2021 at 10:00 AM
<https://cherrycreekmetrodistrict.com/>

CHERRY CREEK SOUTH METROPOLITAN DISTRICT NOS. 4-6

Kurt Wolter, President/Treasurer	Term to May 2022
Kim Jensen, Secretary	Term to May 2022
Brian Trybus, Director	Term to May 2023
Christopher Elliott, Director	Term to May 2023
Sarah Hunsche, Director	Term to May 2023

CHERRY CREEK SOUTH METROPOLITAN DISTRICT NOS. 7-11

Kurt Wolter, President/Treasurer	Term to May 2022
Kim Jensen, Secretary	Term to May 2022
VACANT	Term to May 2023
VACANT	Term to May 2023
VACANT	Term to May 2023

This meeting will be held via teleconferencing and can be joined through the directions below:

Link:

<https://us06web.zoom.us/j/85674614392?pwd=dTMzd1BCQ1czZmh5QXpMSmFsVVZZQT09>

Meeting ID: 856 7461 4392

Passcode: 070456

Call-In Number: 1-720-707-2699

NOTICE OF SPECIAL MEETING & AGENDA

1. Call to Order/Declaration of Quorum
2. Director Conflict of Interest Disclosures
3. Approval of Agenda
4. Public Comment – 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 per person. Comments will be taken in the order reflected on the sign in sheet.
5. Consider Appointment of Officers
6. Financial Matters
 - a. 2021 Bond Issuance
 1. Consider and make a final determination concerning the issuance of general obligation indebtedness consisting of a Capital Pledge Agreement, pursuant to which District No. 6 will be obligated to impose ad valorem property

taxes for the payment of obligations issued by Cherry Creek South Metropolitan District No. 5, Town of Parker, Douglas County, Colorado, including its Limited Tax General Obligation Bonds, Series 2021⁽³⁾ in an approximate aggregate principal amount of \$85,000,000 which amount is subject to increase or decrease as determined by the Board of District No. 6, or as otherwise permitted by any resolution adopted by the Board of District No. 6 at such meeting, and, in connection therewith, the Board of District No. 6 will consider a resolution: approving, ratifying and confirming the execution of certain documents including the Capital Pledge Agreement and Continuing Disclosure Agreement; making determinations and findings as to other matters related to such financing transaction; authorizing incidental action; and repealing prior inconsistent actions. (District No. 6) **(enclosure)**

2. Consider and make a final determination concerning the issuance of general obligation indebtedness consisting of its Limited Tax General Obligation Bonds, Series 2021⁽³⁾ in an approximate aggregate principal amount of \$85,000,000, which amount is subject to increase or decrease as determined by the Board of District No. 5, or as otherwise permitted by any resolution adopted by the Board of District No. 5 and in connection therewith the Board of District No. 5 will consider a resolution: authorizing the issuance of such indebtedness; authorizing an Indenture of Trust, a Capital Pledge Agreement, a Bond Purchase Agreement, a Continuing Disclosure Agreement, the form of Limited Offering Memorandum, and other related documents; approving, ratifying and confirming the execution of certain documents; making determinations and findings as to other matters related to such financing transaction; authorizing incidental action; and repealing prior inconsistent actions (District No. 5) **(enclosure)**

- b. Conduct 2021 Budget Amendment Hearing and Consider Adoption of Resolutions to Amend 2021 Budget **(enclosure)**
- c. Conduct 2022 Budget Hearing and Consider Adoption of Resolutions to Adopt 2022 Budget and Set Mill Levies **(enclosure)**
- d. Consider Approval of Payment of Claims (District No. 11) **(enclosure)**

7. Consent Agenda

- a. Approval of Minutes from October 25, 2021 Special Meeting **(enclosure)**
- b. Approval of Minutes from August 26, 2021 Special Meeting **(enclosure)**
- c. Ratification of Engagement Letter with CliftonLarsonAllen LLP to Prepare Financial Forecast **(enclosure)**
- d. Ratification of Engagement Letter with Piper Sandler for Underwriter Services (District Nos. 4-6) **(enclosure)**
- e. Ratification of Engagement Letter with Icenogle Seaver Pogue for Legal Services (District Nos. 5-6) **(enclosure)**

- f. Renewal of Property and Liability Coverage and Workers Compensation Coverage and SDA Membership (**enclosure**)
 - g. Engagement of Haynie & Company to Prepare 2021 Audit (District No. 5) (**enclosure**)
 - h. Ratification of Intergovernmental Agreement for the Colorado Special Districts Property and Liability Pool (**enclosures**)
 - i. Approval of Master Service Agreement, Special Districts Preparation Scope of Work, and Payroll Services Scope of Work with Clifton Larson Allen LLP for District Accounting Services (**enclosures**)
 - j. Ratification of Engagement Letter with King & Associates to Prepare Residential Appreciation Analysis (District No. 5) (**enclosure**)
 - k. Adoption of Joint 2022 Annual Administrative Resolution (District Nos. 4-6) (**enclosure**)
 - l. Adoption of Joint 2022 Annual Administrative Resolution (District Nos. 7-11) (**enclosure**)
 - m. Approval of Designation of Website as Second Method for Providing Notice of Call for Nominations
 - n. Approval of Engagement Letter with Ranger Engineering for District Engineering and Cost Certification Services (District No. 5) (**enclosure**)
8. Legal Matters
- a. Consider Approval of Funding and Reimbursement Agreement with Tanterra Development, LLC (District No. 4) (**enclosure**)
 - b. Consider Approval of Infrastructure Acquisition and Project Fund Disbursement Agreement with Tanterra Development, LLC (District Nos. 4-6) (**enclosure**)
 - c. Consider Approval of Termination of Advance and Reimbursement Agreement with North Parker Investments, LLC (District Nos. 4-10) (**enclosure**)
 - d. Consider Approval of Funding and Reimbursement Agreement with North Parker Investments, LLC (District No. 11) (**enclosure**)
 - e. Consider Approval of Infrastructure Acquisition and Reimbursement Agreement with North Parker Investments, LLC (District No. 11) (**enclosure**)
 - f. Consider Approval of Transaction-Based Informed Consent to Representation for Intergovernmental Agreement Among the Districts (District Nos. 4-6) (**enclosure**)
 - g. Consider Approval of Intergovernmental Agreement Among the Districts (**enclosure**)
 - h. Consider Approval of Resolution Accepting District Eligible Costs pursuant to the Infrastructure Acquisition and Reimbursement Agreement with North Parker Investments, LLC (District No. 11) (**enclosure**)

- i. Conduct Public Hearing on Inclusion and Consider Adoption of Resolution and Order for Inclusion of Property owned by North Parker Investments, LLC (District No. 4) (**enclosure**)
 - j. Conduct Public Hearing on Inclusion and Consider Adoption of Resolution and Order for Inclusion of Property owned by North Parker Investments, LLC (District No. 6) (**enclosure**)
9. Other Business
- a. Next Board Meeting
10. Adjourn

**NOTICE OF SPECIAL MEETING
RELATING TO THE AUTHORIZATION AND ISSUANCE OF INDEBTEDNESS**

**CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 5
IN THE TOWN OF PARKER, DOUGLAS COUNTY, COLORADO**

NOTICE IS HEREBY GIVEN that the Board of Directors (the “**Board**”) of the Cherry Creek South Metropolitan District No. 5 (the “**District**”), in the Town of Parker, Douglas County, Colorado, will hold a special meeting on Tuesday, November 9, 2021 at 10:00 a.m. at 2154 E. Commons Avenue, Suite 2000, Centennial, Colorado, 80122.

NOTICE IS FURTHER GIVEN THAT at such meeting the Board of the District intends to make a final determination to issue general obligation indebtedness consisting of its Limited Tax General Obligation Bonds, Series 2021⁽³⁾, in an approximate principal amount of \$85,000,000, which amount is subject to increase or decrease as determined by the Board, or as otherwise permitted by any resolution adopted by the Board at such meeting, and, in connection therewith, the Board will consider a resolution: authorizing the issuance of such indebtedness; authorizing an Indenture of Trust, a Capital Pledge Agreement, a Bond Purchase Agreement, a Continuing Disclosure Agreement, the form of Limited Offering Memorandum, and other related documents; approving, ratifying and confirming the execution of certain documents; making determinations and findings as to other matters related to such financing transaction; authorizing incidental action; and repealing prior inconsistent actions.

NOTICE IS FURTHER GIVEN THAT pursuant to the Supplemental Public Securities Act, no legal or equitable action brought with respect to any legislative acts or proceedings in connection with the authorization or issuance of such bonds may be commenced more than thirty days after the authorization of such bonds pursuant to the aforementioned resolution.

The Board will also take up such other business as may come before the Board. The meeting is open to the public.

Pursuant to the provisions of the Supplemental Public Securities Act, one or more members of the Board may participate in this meeting and may vote on the foregoing matters through the use of a conference telephone or other telecommunications device. There will be at least one person present at the physical location posted on this notice.

This notice is given by order of the Board of the District, and shall be posted on the District’s website not less than 24 hours prior to the meeting.

/s/ **BOARD OF DIRECTORS
CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 5
IN THE TOWN OF PARKER, DOUGLAS COUNTY, COLORADO**

**NOTICE OF SPECIAL MEETING
RELATING TO THE AUTHORIZATION AND ISSUANCE OF INDEBTEDNESS**

**CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 6
IN THE TOWN OF PARKER, DOUGLAS COUNTY, COLORADO**

NOTICE IS HEREBY GIVEN that the Board of Directors (the “**Board**”) of the Cherry Creek South Metropolitan District No. 6 (the “**District**”), in the Town of Parker, Douglas County, Colorado, will hold a special meeting on Tuesday, November 9, 2021 at 10:00 a.m. at 2154 E. Commons Avenue, Suite 2000, Centennial, Colorado, 80122.

NOTICE IS FURTHER GIVEN THAT at such meeting the Board of the District intends to make a final determination to issue general obligation indebtedness consisting of a Capital Pledge Agreement, pursuant to which the District will be obligated to impose ad valorem property taxes for the payment of obligations issued by Cherry Creek South Metropolitan District No. 5, Town of Parker, Douglas County, Colorado, including its Limited Tax General Obligation Bonds, Series 2021⁽³⁾, in an approximate principal amount of \$85,000,000, which amount is subject to increase or decrease as determined by the Board, or as otherwise permitted by any resolution adopted by the Board at such meeting, and, in connection therewith, the Board will consider a resolution: authorizing the issuance of such indebtedness; authorizing the Capital Pledge Agreement, a Continuing Disclosure Agreement, and other related documents; approving, ratifying and confirming the execution of certain documents; making determinations and findings as to other matters related to such financing transaction; authorizing incidental action; and repealing prior inconsistent actions.

NOTICE IS FURTHER GIVEN THAT pursuant to the Supplemental Public Securities Act, no legal or equitable action brought with respect to any legislative acts or proceedings in connection with the authorization or issuance of such obligations may be commenced more than thirty days after the authorization of such obligations pursuant to the aforementioned resolution.

The Board will also take up such other business as may come before the Board. The meeting is open to the public.

Pursuant to the provisions of the Supplemental Public Securities Act, one or more members of the Board may participate in this meeting and may vote on the foregoing matters through the use of a conference telephone or other telecommunications device. There will be at least one person present at the physical location posted on this notice.

This notice is given by order of the Board of the District, and shall be posted on the District’s website not less than 24 hours prior to the meeting.

/s/ **BOARD OF DIRECTORS
CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 6
IN THE TOWN OF PARKER, DOUGLAS COUNTY, COLORADO**