

**SKY DANCE METROPOLITAN DISTRICT NOS. 1 AND 2
("DISTRICT NO. 1", "DISTRICT NO. 2" AND COLLECTIVELY, THE "DISTRICTS")**

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
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<https://skydancemetrodistricts.specialdistrict.net>

NOTICE OF A SPECIAL MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Paige Langley	President	2027/May 2027
Andrew Klein	Assistant Secretary	2025/May 2025
Megan Waldschmidt	Assistant Secretary	2027/May 2027
Blake Amen	Treasurer	2027/May 2027
VACANT	Assistant Secretary	2025/May 2025
David Solin	Secretary	

DATE: October 16, 2024
TIME: 10:30 A.M.
PLACE: Via Zoom and In-Person

In-Person Location:
McGeady Becher Cortese Williams P.C.
450 E. 17th Avenue, Suite 400
Denver, Colorado 80203

(THERE WILL BE AT LEAST ONE PERSON PRESENT AT THE ABOVE-REFERENCED PHYSICAL LOCATION.)

Via Zoom:

<https://us02web.zoom.us/j/86267550643?pwd=V3RnRGRtWkRyUjZZc1VMWTJFZjFHdz09>

To attend via telephone, dial 1-719-359-4580 and enter the following additional information:

Meeting ID: 546 911 9353
Passcode: 912873

** Individuals requiring special accommodation to attend and/or participate in the meeting please advise the District Manager (dsolin@sdmsi.com or 303-987-0835) of their specific need(s) before the meeting.*

I. PUBLIC COMMENTS

- A. Members of the public may express their views to the Board on matters that affect the District. Comments will be limited to three (3) minutes.
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II. ADMINISTRATIVE MATTERS

A. Present Disclosures of Potential Conflicts of Interest.

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

C. Consider Regular Meeting dates for 2025 and location (virtual and/or physical) of meetings (suggested dates are 3rd Tuesday of May, August and November, 2025 at 10:00 a.m. via videoconference). Review and consider adoption of Resolutions Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices (enclosure).

D. **[District No. 1]** Review and consider approval of Minutes of the November 21, 2023 Regular Meeting and Statutory Annual Meeting (enclosures).

E. **[District No. 2]** Review and consider approval of the Minutes of the October 11, 2024 Special Meeting (enclosure).

F. Authorize renewal of Districts' insurance and Special District Association ("SDA") membership for 2025.

G. Discuss §32-1-809, C.R.S., Transparency Notice reporting requirements and mode of eligible elector notification (2024 SDA Website)

H. Website Accessibility Discussion.

1. Discuss and consider proposals from Streamline Software, Inc. and A360 Enterprises, LLC (dba Allyant) related to website accessibility matters.

2. Establish Website Accessibility committee to make final determinations regarding engagement and/or termination of service providers, if necessary.

III. FINANCIAL MATTERS

- A. **[District No. 1]** Review and ratify approval of the payment of claims (to be distributed).
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- B. **[District No. 1]** Review and accept the Unaudited Financial Statements for the period ending September 30, 2024 (to be distributed).
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- C. **[District No. 2]** Rescind adoption of Resolution authorizing the issuance by District No. 2 of its General Obligation (Limited Tax Convertible to Unlimited Tax) Bonds, Series 2023A, and its Subordinate General Obligation Limited Tax Bonds, Series 2023B (collectively, the “Bonds”), in a combined maximum principal amount of up to \$22,000,000, adopted on March 10, 2023.
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- D. Conduct Public Hearing to consider Amendments to 2024 Budgets and if necessary, consider adoption of Resolutions to Amend the 2024 Budgets.
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- E. **[District No. 2]** Discuss matters related to District No. 2’s 2024 Bond Issuance.
1. Review and consider approval of Engagement Letter between District No. 2 and Kutak Rock LLP for bond counsel services (enclosure).
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2. Review and consider approval of Engagement Letter between District No. 2 and Piper Sandler & Co. for underwriter services (enclosure).
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3. Review and consider approval of Engagement Letter between District No. 2 and Causey Public Finance, LLC for preparation of financial forecast (enclosure).
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4. Review and consider approval of Engagement Letter between District No. 2 and King & Associates, Inc. for preparation of market study (enclosure).
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5. Review and consider approval of an Inclusion Agreement by and among the Districts and ACM Moffitt VII CRE LLC and ACM Moffitt VII Resi LLC (enclosure).

6. Review and consider adoption of a Resolution Authorizing District No. 2's issuance of its General Obligation (Limited Tax Convertible to Unlimited Tax) Bonds, Series 2024A ("2024A Bonds") and its Subordinate General Obligation Limited Tax Bonds, Series 2024B ("2024B Bonds" and with the 2024A Bonds, the "Bonds"), in a combined maximum aggregate principal amount of up to \$20,000,000; and authorizing the execution and delivery of Indentures of Trust, a Bond Purchase Agreement, a Continuing Disclosure Agreement and other related financing documents and instruments; authorizing the execution and delivery thereof and performance by the District thereunder; appointing a District Representative to act on behalf of the District under such Indentures of Trust; appointing a Sale Delegate to make certain determinations relating to the Bonds as authorized under Section 11-57-205, C.R.S.; and authorizing the execution and delivery thereof and performance by the District thereunder; authorizing incidental action; establishing the effective date thereof; and repealing prior inconsistent actions (enclosures).

7. Authorize necessary actions in connection with issuance of the Bonds.

- F. Review and consider approval of Third Amendment to 2022 Operation Funding Agreement between District No. 1 and ACM Moffitt VII CRE LLC (enclosure).

- G. Conduct Public Hearing on the proposed 2025 Budgets and consider adoption of Resolutions to Adopt the 2025 Budget and Appropriate Sums of Money and Resolution to Set Mill Levies (enclosures – preliminary AV, draft 2025 Budgets, and Resolutions). Appoint Budget Committee and authorize Committee to work with Accountant regarding finalization of 2025 Budgets.

- H. Consider authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification forms ("Certifications"). Direct District Accountant to file the Certifications with the Board of County Commissioners and other interested parties.

- I. Discuss and consider adoption of Resolutions Authorizing Adjustment of the Districts' Mill Levies in Accordance with the Service Plan, if necessary.

- J. Consider appointment of District Accountant to prepare the 2026 Budgets and set the date for the Budget Hearings to be November 18, 2025.

- K. Consider appointment of District Accountant to prepare and file 2024 Application for Exemption from Audit for District No. 1.

- L. Discuss statutory requirements for an Audit. Authorize District Accountant to prepare and file 2024 Application for Exemption from Audit or obtain proposals for preparation of a 2024 Audit for District No. 2. Appoint an Audit Committee to approve engagement of auditor, if necessary.

V. LEGAL MATTERS

- A. Consider adoption of Resolutions Calling Regular Elections for Directors on May 6, 2025, appointing the Designated Election Official ("DEO"), and authorizing the DEO to perform all tasks required for the conduct of mail ballot elections (enclosures). Self-Nomination forms are due by February 28, 2025.

VI. CONSTRUCTION MATTERS

- A. Discuss status of District Projects.

VII. OTHER BUSINESS

- A. Consider cancellation of the November 19, 2024 regular meetings.

VIII. ADJOURNMENT **THE NEXT REGULAR MEETINGS ARE SCHEDULED FOR NOVEMBER 19, 2024.**

Informational Enclosure:
Memo regarding New Rate Structure from Special District Management Services, Inc.