

PEAK METROPOLITAN DISTRICT NO. 3 (“DISTRICT”)

450 E. 17th Avenue, Suite 400
Denver, Colorado 80203-1254

<https://peakmetropolitandistricts.specialdistrict.net/>

NOTICE OF A REGULAR MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Garrett Baum	President	2027/May 2027
William Branyan	Secretary/Treasurer	2027/May 2027
Bonner Gilmore	Assistant Secretary	2025/May 2025
Michelle McDonald	Assistant Secretary	2025/May 2025
Zachary Knight	Assistant Secretary	2025/May 2025

Ex Officio Board Member: Troy Stover, Director of Business Park Development at the Colorado Springs Airport

DATE: **October 24, 2024**

TIME: **9:00 A.M.**

LOCATION: **You can attend the meeting in any of the following ways:**

- 1. To attend via Zoom videoconference, use the link below.**

<https://us02web.zoom.us/j/85718363590?pwd=Zy9ibXM5ckJ3VlVlVUQTQ0cW9OVlJiQT09>

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

Meeting ID: 857 1836 3590

Passcode: 845139

I. ADMINISTRATIVE MATTERS

- A. Present Disclosures of Conflicts of Interest.
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- B. Confirm quorum, location of meeting and posting of meeting notices. Approve Agenda.
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- C. Public Comment. Matters not specifically included on the Agenda may be addressed. As a courtesy to others, comments shall be limited to three minutes per person.
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- D. Review and approve Minutes of the September 26, 2024 regular meeting of the District (enclosure).

- E. Discuss business to be conducted in 2025 and location (**virtual and/or physical**) of meetings. Schedule regular meeting dates and consider adoption of Resolution Establishing Regular Meeting Dates, Time, and Location, and Designating Location for Posting of 24-Hour Notices (enclosure).

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

- G. Website Accessibility Discussion

1. Discuss proposals from Generation Web, Inc., Streamline Software, Inc. and A360 Enterprises, LLC (dba Allyant) related to website accessibility matters and authorize engagement of selected provider (enclosure).

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

II. FINANCIAL MATTERS

- A. Review and accept the District's Schedule of Cash Position, dated June 30, 2024 and updated as of October 15, 2024 (enclosure).

- B. Review and ratify approval of payment of claims through the period ending October 16, 2024, in the amount of \$181,796.39 (enclosure).

- C. Conduct Public Hearing to consider amendment of the 2024 Budget. If necessary, consider adoption of Resolution to Amend the 2024 Budget.

- D. Discuss and consider approval of Third Amendment to Operation Funding Agreement between the District and UFCS Airport, LLC.

- E. Conduct Public Hearing on the proposed 2025 Budget and consider adoption of Resolution to Adopt the 2025 Budget and Appropriate Sums of Money and Resolution to Set Mill Levies (enclosures).

- F. Authorize District Accountant to prepare and sign the DLG-70 Certification of Tax Levies form and Certification of Mill Levy Public Information form (“Certification”), and direct District Accountant to file the Certification with the Board of County Commissioners and other interested parties.

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

- H. Consider engagement of Wipfli LLP for performance of the 2024 Audit.

- I. Consider appointment of District Accountant to prepare 2026 Budget.

- J. Review and consider approval of Special Districts Preparation Statement of Work between the District and CliftonLarsonAllen LLP for 2025 Accounting Services (enclosure).

III. LEGAL MATTERS

- A. Discuss status of Claim from Fountain Mutual Irrigation Company; Cygnet Land, LLC; and Michael S. Hassell. **Adjourn to Executive Session, if necessary, to receive legal advice relative to specific legal questions and matters that may be subject to negotiation, pursuant to Section 24-6-402(4)(b) and (e), C.R.S.**

1. Authorize any necessary actions in connection therewith.
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- B. Discuss May 6, 2025 Regular Director Election and consider adoption of Resolution Calling May 6, 2025 Election for Directors, appointing 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 28, 2025 (enclosure). Discuss the need for ballot issues and/or questions.
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- C. Discuss requirements of Section 32-1-809, C.R.S., and direct staff regarding compliance for 2025 (District Transparency Notice).
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IV. CONSTRUCTION MATTERS

- A. Ratify approval of Requisition No. 34 (under the District’s Series 2022 Bonds) and authorize reimbursement to the District, in the amount of \$14,535.55 (enclosure).
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- B. Review and consider acceptance of District Engineer’s Report and Verification of Costs Associated with Public Improvements (**PROJECT: Integration Loop Phase 3 and 4**), Engineer’s Report and Verification of Costs No. 21 prepared by Schedio Group LLC (enclosure).
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1. Review and consider approval of Requisition No. 35 (under the District’s Series 2022 Bonds) and authorize reimbursement to the District, in the amount of \$307,592.98, to W.E. O’Neill Construction Co. of Colorado, in the amount of \$524,920.08 and to Peak Metropolitan District No. 1, in the amount of \$10,782.66 (enclosure).
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- C. Ratify approval of Master Service Agreement for Lighting and Electrical Design Services between the District and Clanton Engineering, Incorporated dba Clanton & Associates, Inc.
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- D. Discuss matters relative to construction process and authorize necessary actions in connection therewith.
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V. OTHER BUSINESS

- A. Discuss rescheduling the next regular meeting (currently set to be held on the Thanksgiving holiday).
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VI. ADJOURNMENT

THE NEXT REGULAR MEETING IS SCHEDULED FOR NOVEMBER 28, 2024.