

# CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT

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<https://citycenterwestcommercialmd.colorado.gov/>

## NOTICE OF REGULAR MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Andrew R. Klein	Treasurer	2027/May 2027
Michael J. Schroeder	Asst. Secretary	2027/May 2027
Paige Langley	Asst. Secretary	2025/May 2025
Mike Sandene	Asst. Secretary	2025/May 2025
<i>VACANT</i>		2027/May 2027
David Solin	Secretary	

DATE: November 6, 2023 (Monday)

TIME: 1:00 P.M.

PLACE: Via Zoom

<https://us02web.zoom.us/j/5469119353?pwd=SmtlcHJETFhCQUZEcVBBOGZVU3Fqdz09>

Meeting ID: 546 911 9353

Passcode: 912873

Dial In: 1-253-215-8782

### I. ADMINISTRATIVE MATTERS

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

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- B. Approve agenda; confirm location of the meeting, posting of meeting notices, and designate 24-hour posting location.  

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- C. Review and consider approval of the Minutes of the June 5, 2023 Regular Meeting (enclosure).  

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- D. Acknowledge resignation of Ann Finn as District Secretary and consider appointment of David Solin as District Secretary.  

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- E. Acknowledge the resignation of Otis C. Moore, III, effective July 26, 2023.  

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F. Consider appointment of Officers:

President \_\_\_\_\_  
Treasurer \_\_\_\_\_  
Secretary \_\_\_\_\_  
Asst. Secretary \_\_\_\_\_  
Asst. Secretary \_\_\_\_\_

G. Discuss business to be conducted in 2024 and location (**virtual and/or physical**) or meetings. Consider regular meeting dates for 2024 (suggested dates are June 3, 2024 and November 4, 2024 at 1:00 p.m. via Zoom). Review and consider approval of Resolution No. 2023-11-01 Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices (enclosure).

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H. Insurance Discussion

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a. Cyber Security and Increased Crime Coverage.

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b. Establish Insurance Committee to make final determinations regarding insurance, if necessary.

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c. Authorize renewal of District's insurance and Special District Association (SDA) membership for 2024.

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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.

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III. FINANCIAL MATTERS

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

Fund	Period Ending Jun. 30, 2023	Period Ending Jul. 31, 2023	Period Ending Aug. 31, 2023
General	\$ 8,203.77	\$ 15,767.89	\$ 10,530.59
Debt	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-
<b>Total</b>	<b>\$ 8,203.77</b>	<b>\$ 15,767.89</b>	<b>\$ 10,530.59</b>

Fund	Period Ending Sept. 30, 2023	Period Ending October 31, 2023
General	\$ 7,011.87	\$ 9,446.86
Debt	\$ -0-	\$ -0-
Capital	\$ -0-	\$ 990.00
<b>Total</b>	<b>\$ 7,011.87</b>	<b>\$ 10,436.86</b>

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B. Review and accept unaudited financial statements through the period ending September 30, 2023 and updated cash position statement dated September 30, 2023 (enclosure).

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C. Consider engagement of \_\_\_\_\_ for preparation of 2023 Audit, in the amount of \$ \_\_\_\_\_ (to be distributed).

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D. Conduct Public Hearing to consider amendment of the 2023 Budget. If necessary, consider adoption of Resolution to Amend the 2023 Budget (enclosure).

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E. Conduct Public Hearing on the proposed 2024 Budget and consider adoption of Resolution to Adopt the 2024 Budget and Appropriate Sums of Money and Resolution to Set Mill Levies (enclosures).

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F. 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.

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

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H. Consider appointment of District Accountant to prepare 2025 Budget.

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I. Discuss and consider approval of Director Fees.

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IV. LEGAL MATTERS

A. Review and consider approval of Fourth Amendment to Operation Funding Agreement by and between City Center West Commercial Metropolitan District and City Center West, LP.

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B. Discuss Status of Inclusion Agreement Requirements.

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C. Discuss requirements of Section 32-1-809, C.R.S., and direct staff regarding compliance for 2024 (District Transparency Notice).

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D. Discuss and consider adoption of Resolution Amending Policy on Colorado Open Records Act Requests (enclosure).

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E. Discuss Senate Bill 23-108: Allowing Temporary Reductions in Property Taxes Due and potential impact on 2024 Budget process and strategy.

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F. Discuss legislative changes that may impact the District / Annual Meeting requirement.

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V. CAPITAL MATTERS

A. Discuss status of construction.

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VI. OPERATIONS

A. Discuss landscape maintenance and snow removal.

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VII. OTHER BUSINESS

A. \_\_\_\_\_

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ADJOURNMENT

**THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2023.**

Additional Enclosures:

- Notice of rate increase from Special District Management Services, Inc.

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT HELD JUNE 5, 2023

A Regular Meeting of the Board of Directors of the City Center West Commercial Metropolitan District (referred to hereafter as “Board”) was convened on Monday, the 5<sup>th</sup> day of June, 2023, at 1:00 p.m. This District Board meeting was held via video/conference call. The meeting was open to the public via video/conference call.

#### ATTENDANCE

#### Directors in Attendance Were:

Michael J. Schroeder  
Paige Langley  
Mike Sandene

Following discussion, upon motion duly made by Director Sandene and seconded by Director Schroeder, and upon vote, unanimously carried, the absence of Directors Moore and Director Klein were excused.

#### Also In Attendance Were:

Larry Lofton; Special District Management Services, Inc.

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

Matthew Miller; McMahan and Associates, L.L.C.

Rob Stanley and Nick Francis; Boomerang Self storage LLC

#### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

**Quorum / Disclosure of Potential Conflicts of Interest:** Mr. Lofton confirmed the presence of a quorum. 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

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### **ADMINISTRATIVE MATTERS**

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

Following discussion, upon motion duly made by Director Sandene seconded by Director Schroeder and, upon vote, unanimously carried, the Agenda was approved as presented.

**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 video/conference call and the public was encouraged to participate via video/conference call.

Mr. Loften 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.

**Designation of 24-Hour Posting Location:** Following discussion, upon motion duly made by Director Sandene, seconded by Director Schroeder, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted at least 24 hours prior to each meeting on the District's website at: <https://citycenterwestcommercialmd.colorado.gov/> or if posting on the website is unavailable, notice will be posted at the following physical location within the District's boundaries on the traffic signal pole at the northwest corner 69<sup>TH</sup> Avenue and 10<sup>th</sup> Street.

**May 2, 2023 Election:** Mr. Loften advised the Board that the May 2, 2023 election was cancelled by the Designated Election Official, as allowed under Colorado law, because there were not more candidates than positions available on the Board of Directors. It was noted that Directors Klein, Moore, and Schroeder were each elected by acclamation to respective 3-year terms ending in May, 2027. It was also noted that Directors Langley and Sandene were each elected by acclamation to respective 2-year terms ending in May, 2025.

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

Following discussion, upon motion duly made by Director Sandene, seconded by Director Schroeder and, upon vote, unanimously carried, the following slate of officers was appointed:

## RECORD OF PROCEEDINGS

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President	Otis C. Moore
Treasurer	Andrew R. Klein
Secretary	Ann E. Finn
Assistant Secretary	Michael J. Schroeder
Assistant Secretary	Paige Langley
Assistant Secretary	Mike Sandene

**Consent Agenda:** The Board considered the following actions:

- Approve Minutes from the November 7, 2022 Regular Meeting (enclosure).
- Ratify approval of Service Agreement between the District and All Terrain Landscaping for 2023 landscape maintenance services.

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

**PUBLIC  
COMMENTS**

Mr. Stanley expressed concern with All Terrain Landscaping and their quality of work and pricing. Mr. Stanley and Mr. Francis asked that the Board consider changing companies for snow and landscaping. Director Sandene requested that Mr. Stanley email contact information for the other companies to be considered. Director Sandene will connect with Ms. Finn to seek proposals for the next cycle in August and September. Mr. Francis and Mr. Stanley also had questions regarding the mill levies and District debt. Attorney Becher provided an overview of the District Debt and Service Plan. Discussion ensued regarding refinancing once possible in 2025.

**FINANCIAL  
MATTERS**

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

Fund	Period Ending Nov. 30, 2022	Period Ending Dec. 31, 2022	Period Ending Jan. 31, 2023	Period Ending Feb. 28, 2023
General	\$ 7,644.97	\$ 11,272.82	\$ 6,827.26	\$ 5,505.62
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
<b>Total</b>	<b>\$ 7,644.97</b>	<b>\$ 11,272.82</b>	<b>\$ 6,827.26</b>	<b>\$ 5,505.62</b>

## RECORD OF PROCEEDINGS

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Fund	Period Ending Mar. 31, 2023	Period Ending Apr. 30, 2023	Period Ending May 31, 2023
General	\$ 7,048.99	\$ 8,231.47	\$ 9,383.74
Debt	\$ -0-	\$ -0-	\$ 7,000.00
Capital	\$ -0-	\$ -0-	\$ -0-
<b>Total</b>	<b>\$ 7,048.99</b>	<b>\$ 8,231.47</b>	<b>\$ 16,383.74</b>

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

**Unaudited Financial Statements and Schedule of Cash Position:** Mr. Ruthven reviewed with the Board the unaudited financial statements, dated March 31, 2023, and the schedule of cash position, dated March 31, 2023.

Following discussion, upon motion duly made by Director Sandene, seconded by Director Schroeder and, upon vote, unanimously carried, the Board accepted the unaudited financial statements, dated March 31, 2023, and the schedule of cash position, dated March 31, 2023.

**2022 Audit:** Mr. Matthew Miller reviewed the draft 2022 Audit with the Board.

Following review and discussion, upon motion duly made by Director Sandene, seconded by Director Schroeder, and upon vote, unanimously carried, the Board approved the 2022 Audited Financial Statements and authorized execution of the Representations Letter, subject to final legal review and receipt of an unmodified opinion letter by the Auditor.

\_\_\_\_\_

### **LEGAL MATTERS**

**Status of Inclusion Agreement Requirements:** There was no update at this time.

\_\_\_\_\_

### **CAPITAL MATTERS**

**Status of Construction:** There was no update at this time.

\_\_\_\_\_

### **OPERATIONS**

**Landscaping and Snow removal:** It was noted that Director Sandene would contact Ms. Finn to request proposals for landscaping and snow removal in August or September.

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### **OTHER BUSINESS**

**Hotel:** The Board discussed the planned hotel located within the boundaries of the District. No action was necessary.

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## RECORD OF PROCEEDINGS

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### ADJOURNMENT

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

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

**RESOLUTION NO. 2023-11-\_\_\_\_**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE CITY CENTER WEST COMMERCIAL 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 Commercial 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 2024 shall be held on June 3, 2024 and November 4, 2024 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://citycenterwestcommercialmd.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 traffic signal pole at the northwest corner 69<sup>th</sup> Avenue and 10<sup>th</sup> 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 6, 2023.

**CITY CENTER WEST COMMERCIAL  
METROPOLITAN DISTRICT**

By: \_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary



City Center West Commercial Metropolitan District  
June-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
All Terrain Landscaping	80709	5/18/2023	6/17/2023	\$ 174.00	Landscape Maint & Repair	1696
All Terrain Landscaping	81346	6/1/2023	7/1/2023	\$ 1,932.14	Landscape Maint & Repair	1696
City of Greeley - Director of Finance	073-819658-01 5-2023	5/22/2023	5/22/2023	\$ 2,319.34	Utilities	1705
McGeady Becher P.C.	914B 4-2023	4/30/2023	4/30/2023	\$ 853.63	Legal	1675
Special District Management Services	May-23	5/31/2023	5/31/2023	\$ 993.20	Management	1680
Special District Management Services	May-23	5/31/2023	5/31/2023	\$ 1,689.40	Accounting	1614
Special District Management Services	May-23	5/31/2023	5/31/2023	\$ 201.20	Election	1635
Xcel Energy	827646529	5/9/2023	5/30/2023	\$ 40.86	Utilities	1705
				\$ 8,203.77		

City Center West Commercial Metropolitan District  
June-23

	General	Debt	Capital	Totals
Disbursements	\$ 8,203.77	-	-	\$ 8,203.77
<b>Total Disbursements</b>	<b>\$ 8,203.77</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 8,203.77</b>

City Center West Commercial Metropolitan District

July-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
All Terrain Landscaping	82261	7/5/2023	8/4/2023	\$ 1,932.14	Landscape Maint & Repair	1696
All Terrain Landscaping	81660	6/19/2023	7/19/2023	\$ 288.09	Landscape Maint & Repair	1696
City of Greeley - Director of Finance	073-819658-01	6/30/2023	7/13/2023	\$ 1,981.87	Utilities	1705
City of Greeley - Director of Finance	073-820913-01 6-2023	6/30/2023	6/30/2023	\$ 49.98	Utilities	1705
McGeady Becher P.C.	914B 05-2023	5/31/2023	5/31/2023	\$ 2,483.44	Legal	1675
McMahan And Associates L.L.C.	18363	5/31/2023	5/31/2023	\$ 7,600.00	Audit	1615
Special District Management Services	Jun-23	6/30/2023	6/30/2023	\$ 443.20	Management	1680
Special District Management Services	Jun-23	6/30/2023	6/30/2023	\$ 944.00	Accounting	1614
Xcel Energy	831685492	6/8/2023	6/29/2023	\$ 45.17	Utilities	1705
				\$ 15,767.89		



City Center West Commercial Metropolitan District  
July-23

	General	Debt	Capital	Totals
Disbursements	\$ 15,767.89			\$ 15,767.89
<b>Total Disbursements</b>	<b>\$ 15,767.89</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 15,767.89</b>

City Center West Commercial Metropolitan District  
August-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
All Terrain Landscaping	83126	8/1/2023	8/31/2023	\$ 1,932.14	Landscape Maint & Repair	1696
All Terrain Landscaping	83190	8/4/2023	9/3/2023	\$ 174.92	Landscape Maint & Repair	1696
All Terrain Landscaping	83149	8/4/2023	9/3/2023	\$ 613.00	Landscape Maint & Repair	1696
All Terrain Landscaping	83260	8/10/2023	9/9/2023	\$ 540.00	Landscape Maint & Repair	1696
City of Greeley - Director of Finance	073-819658-01 7-2023	7/25/2023	8/4/2023	\$ 2,289.87	Utilities	1705
City of Greeley - Director of Finance	073-820913-01 7-2023	7/25/2023	8/4/2023	\$ 312.66	Utilities	1705
Diversified Underground, Inc.	28145	7/31/2023	8/30/2023	\$ 25.00	Miscellaneous	1685
McGeady Becher P.C.	914B 69-2023	6/30/2023	6/30/2023	\$ 2,581.96	Legal	1675
Ranger Engineering, LLC	1706	7/18/2023	7/18/2023	\$ 742.50	Engineering	3784
Special District Management Services	Jul-23	7/31/2023	7/31/2023	\$ 382.80	Management	1680
Special District Management Services	Jul-23	7/31/2023	7/31/2023	\$ 880.00	Accounting	1614
Utility Notification Center of Colorado	223070231	7/31/2023	7/31/2023	\$ 6.45	Miscellaneous	1685
Xcel Energy	835822697	7/10/2023	7/28/2023	\$ 49.29	Utilities	1705
				\$ 10,530.59		

City Center West Commercial Metropolitan District  
August-23

	General	Debt	Capital	Totals
Disbursements	\$ 10,530.59			\$ 10,530.59
<b>Total Disbursements</b>	<b>\$ 10,530.59</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 10,530.59</b>

City Center West Commercial Metropolitan District  
September-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
All Terrain Landscaping	83932	9/1/2023	10/1/2023	\$ 1,932.14	Landscape Maint & Repair	1696
All Terrain Landscaping	83520	8/24/2023	9/23/2023	\$ 409.25	Landscape Maint & Repair	1696
City of Greeley - Director of Finance	073-819658-01 08-2023	8/22/2023	9/11/2023	\$ 1,865.74	Utilities	1705
City of Greeley - Director of Finance	073-820913-01 08-2023	8/22/2023	9/11/2023	\$ 406.24	Utilities	1705
Diversified Underground, Inc.	28259	8/31/2023	9/30/2023	\$ 95.00	Miscellaneous	1685
McGeady Becher P.C.	914B 07-2023	7/31/2023	7/31/2023	\$ 337.84	Legal	1675
Special District Management Services	Aug-23	8/31/2023	8/31/2023	\$ 586.60	Management	1680
Special District Management Services	Aug-23	8/31/2023	8/31/2023	\$ 1,321.60	Accounting	1614
Utility Notification Center of Colorado	223080232	8/31/2023	8/31/2023	\$ 7.74	Miscellaneous	1685
Xcel Energy	839895374	8/8/2023	8/28/2023	\$ 49.72	Utilities	1705
				\$ 7,011.87		

City Center West Commercial Metropolitan District  
September-23

	General	Debt	Capital	Totals
Disbursements	\$ 7,011.87			\$ 7,011.87
<u>Total Disbursements</u>	<u>\$ 7,011.87</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 7,011.87</u>

City Center West Commercial Metropolitan District  
October-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
All Terrain Landscaping	84083	9/18/2023	10/18/2023	\$ 88.45	Landscape Maint & Repair	1696
All Terrain Landscaping	83971	9/11/2023	10/11/2023	\$ 94.20	Landscape Maint & Repair	1696
All Terrain Landscaping	84097	9/18/2023	10/18/2023	\$ 272.67	Landscape Maint & Repair	1696
All Terrain Landscaping	84551	10/2/2023	11/1/2023	\$ 1,932.14	Landscape Maint & Repair	1696
City of Greeley - Director of Finance	073-820913-01 09-2023	8/22/2023	10/15/2023	\$ 713.89	Utilities	1705
City of Greeley - Director of Finance	073-819658-01 09-2023	9/25/2023	10/15/2023	\$ 2,373.14	Utilities	1705
Colorado Special Districts Property and Liability Pool	24WC-61272-0628	8/14/2023	8/14/2023	\$ 450.00	Pre Paid Expense	1144
Diversified Underground, Inc.	28426	9/30/2023	10/30/2023	\$ 65.00	Miscellaneous	1685
McGeady Becher P.C.	914B 08-2023	8/31/2023	8/31/2023	\$ 1,365.25	Legal	1675
McGeady Becher P.C.	914B 09-2023	9/30/2023	9/30/2023	\$ 598.96	Legal	1675
Ranger Engineering, LLC	1760	10/11/2023	10/11/2023	\$ 990.00	Engineering	3784
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 586.00	Management	1680
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 772.60	Accounting	1614
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 16.00	Election	1635
Utility Notification Center of Colorado	223090232	9/30/2023	9/30/2023	\$ 18.06	Miscellaneous	1685
Xcel Energy	848036806	10/6/2023	10/27/2023	\$ 49.54	Utilities	1705
Xcel Energy	843951456	9/7/2023	9/27/2023	\$ 50.96	Utilities	1705
				\$ 10,436.86		

City Center West Commercial Metropolitan District  
October-23

	General	Debt	Capital	Totals
Disbursements	\$ 9,446.86		\$ 990.00	\$ 10,436.86
<b>Total Disbursements</b>	<b>\$ 9,446.86</b>	<b>\$ -</b>	<b>\$ 990.00</b>	<b>\$ 10,436.86</b>

**CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT**  
**Schedule of Cash Position**  
**September 30, 2023**

	<b>Rate</b>	<b>Operating</b>	<b>Debt Service</b>	<b>Total</b>
<b>Checking:</b>				
Cash in Bank - First Bank		\$ 4,123.95	\$ 60,463.10	\$ 63,844.55
<b>Trustee:</b>				
UMB Senior Bond Fund			389.68	389.68
UMB Debt Service Reserve Fund			771,028.80	771,028.80
UMB Surplus Fund			10.95	10.95
UMB Subordinate Project Fund			53,775.76	53,775.76
<b>TOTAL FUNDS:</b>		\$ 4,123.95	\$ 885,668.29	\$ 889,049.74

**2023 Mill Levy Information**

General Fund	10.000
Debt Service Fund	50.000
Abatement	0.445
Total	60.445

**Board of Directors**

\* Andrew R. Klein  
Michael John Schroeder  
Paige Langley  
Mike Sandene

\*authorized signer on checking account



**CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT**

**FINANCIAL STATEMENTS**

**September 30, 2023**

CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT  
 COMBINED BALANCE SHEET - ALL FUND TYPES AND ACCOUNT GROUPS  
 September 30, 2023

	GENERAL	DEBT SERVICE	LONG-TERM DEBT	TOTAL MEMO ONLY
<b>Assets</b>				
Cash in Bank - First Bank	\$ 4,124	\$ 60,463	\$ -	\$ 63,845
UMB Senior Bond Fund	-	390	-	390
UMB Debt Service Reserve Fund	-	771,029	-	771,029
UMB Subordinate Project Fund	-	53,776	-	53,776
UMB Surplus Fund	-	11	-	11
Property Taxes Receivable	1,072	2,362	-	3,434
Due from Other District	2,013	8,899	-	10,912
Total Current Assets	<u>7,209</u>	<u>896,929</u>	<u>-</u>	<u>903,396</u>
<b>Other Debits</b>				
Amount in Debt Service Fund	-	-	894,567	894,567
Amount to be Provided for Debt	-	-	8,445,558	8,445,558
Total Other Debits	<u>-</u>	<u>-</u>	<u>9,340,125</u>	<u>9,340,125</u>
<b>Total Assets</b>	<u>\$ 7,209</u>	<u>\$ 896,929</u>	<u>\$ 9,340,125</u>	<u>\$ 10,243,521</u>
<b>Liabilities</b>				
2020A Bonds Payable	\$ -	\$ -	\$ 7,995,000	\$ 7,995,000
2020B Bonds Payable	-	-	1,162,000	1,162,000
Developer Advance-Operations	-	-	163,940	163,940
Developer Advance - Oper Int	-	-	19,185	19,185
Total Liabilities	<u>-</u>	<u>-</u>	<u>9,340,125</u>	<u>9,340,125</u>
<b>Deferred Inflows of Resources</b>				
Deferred Property Taxes	1,072	2,362	-	3,434
Total Deferred Inflows of Resources	<u>1,072</u>	<u>2,362</u>	<u>-</u>	<u>3,434</u>
<b>Fund Balance</b>				
Fund Balance	(15,956)	873,029	-	857,073
Current Year Earnings	22,093	21,538	-	42,888
Total fund balances	<u>6,137</u>	<u>894,567</u>	<u>-</u>	<u>899,962</u>
<b>Total Liabilities, Deferred Inflows of Resources and Fund Balance</b>	<u>\$ 7,209</u>	<u>\$ 896,929</u>	<u>\$ 9,340,125</u>	<u>\$ 10,243,521</u>

**CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT**  
**Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual**  
**General Fund**  
**For the 9 Months Ending**  
**September 30, 2023**

Account Description	Period Actual	YTD Actual	Budget	Favorable (Unfavorable) Variance	% of Budget
<b>Revenues</b>					
Property Tax Revenue	\$ 12,509	\$ 56,998	\$ 58,070	\$ (1,072)	98.2%
Specific Ownership Taxes	647	1,625	3,484	(1,859)	46.6%
Developer Advance	7,012	40,621	80,000	(39,379)	50.8%
Interest Income	72	72	20	52	361.3%
<b>Total Revenues</b>	<b>20,240</b>	<b>99,316</b>	<b>141,574</b>	<b>(42,258)</b>	<b>70.2%</b>
<b>Expenditures</b>					
Accounting	3,146	11,071	13,000	1,929	85.2%
Audit	7,600	7,600	7,600	-	100.0%
Election	-	839	1,000	161	83.9%
Insurance/SDA Dues	-	5,041	4,500	(541)	112.0%
Legal	5,403	11,451	17,000	5,549	67.4%
Management	1,413	5,385	14,000	8,615	38.5%
Miscellaneous	404	972	500	(472)	194.3%
Snow Removal	-	4,284	5,000	716	85.7%
Landscape Maint & Repair	7,822	16,283	33,000	16,717	49.3%
Treasurer's Fees	190	844	871	27	96.9%
Utilities	7,051	13,453	23,000	9,547	58.5%
Emergency Reserve	-	-	1,847	1,847	0.0%
<b>Total Expenditures</b>	<b>33,027</b>	<b>77,223</b>	<b>121,318</b>	<b>44,095</b>	<b>63.7%</b>
Excess (Deficiency) of Revenues Over Expenditures	(12,787)	22,093	20,256	1,837	
Beginning Fund Balance	18,925	(15,956)	(15,314)	(642)	
<b>Ending Fund Balance</b>	<b>\$ 6,137</b>	<b>\$ 6,137</b>	<b>\$ 4,942</b>	<b>\$ 1,195</b>	

**CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT**  
**Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual**  
**Debt Service Fund**  
**For the 9 Months Ending**  
**September 30, 2023**

<u>Account Description</u>	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Budget</u>	<u>Favorable (Unfavorable) Variance</u>	<u>% of Budget</u>
<b>Revenues</b>					
Property Tax Revenue	\$ 62,545	\$ 275,616	\$ 277,978	\$ (2,362)	99.2%
Specific Ownership Taxes	3,233	7,979	16,679	(8,700)	47.8%
Interest Income	10,378	29,062	5,000	24,062	581.2%
<b>Total Revenues</b>	<u>76,156</u>	<u>312,657</u>	<u>299,657</u>	<u>13,000</u>	<u>104.3%</u>
<b>Expenditures</b>					
Bond Interest	-	279,825	664,230	384,405	42.1%
Bond Principal	-	-	35,000	35,000	0.0%
Paying Agent Fees	33	7,162	3,000	(4,162)	238.7%
Treasurer's Fees	948	4,133	4,170	37	99.1%
<b>Total Expenditures</b>	<u>981</u>	<u>291,119</u>	<u>706,400</u>	<u>415,281</u>	<u>41.2%</u>
Excess (Deficiency) of Revenues Over Expenditures	75,175	21,538	(406,743)	428,281	
<b>Transfers and Other Sources (Uses)</b>					
Transfer from Other District	-	-	30,171	(30,171)	
<b>Total Transfers and Other Sources (Uses)</b>	<u>-</u>	<u>-</u>	<u>30,171</u>	<u>(30,171)</u>	
Change in Fund Balance	75,175	21,538	(376,572)	398,110	
Beginning Fund Balance	819,392	873,029	865,949	7,080	
<b>Ending Fund Balance</b>	<u>\$ 894,567</u>	<u>\$ 894,567</u>	<u>\$ 489,377</u>	<u>\$ 405,190</u>	

# CERTIFICATION OF VALUATION BY WELD COUNTY ASSESSOR

Name of Jurisdiction: 1452 - CITY CENTER WEST COMMERCIAL METRO

IN WELD COUNTY ON 8/18/2023

New Entity: No

<b>USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATIONS (5.5% LIMIT) ONLY</b>
--

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 2023 IN WELD COUNTY, COLORADO

1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$5,559,550
2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: *	\$6,200,270
3. LESS TIF DISTRICT INCREMENT, IF ANY:	\$0
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$6,200,270
5. NEW CONSTRUCTION: **	\$0
6. INCREASED PRODUCTION OF PRODUCING MINES: #	\$0
7. ANNEXATIONS/INCLUSIONS:	\$115,130
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.):	\$6,647.65

\* 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.

<b>USE FOR 'TABOR' LOCAL GROWTH CALCULATIONS ONLY</b>
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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 2023 IN WELD COUNTY, COLORADO ON AUGUST 25, 2023

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: @	\$28,298,868
ADDITIONS TO TAXABLE REAL PROPERTY:	
2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: !	\$0
3. ANNEXATIONS/INCLUSIONS:	\$412,668
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, 2023

IN ACCORDANCE WITH 39-5-128(1.5)C.R.S. THE ASSESSOR PROVIDES: HB21-1312 ASSESSED VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): **	\$27,330
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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 COMMERCIAL METROPOLITAN DISTRICT**  
**Assessed Value, Property Tax and Mill Levy Information**

	<b>2022 Actual</b>	<b>2023 Adopted Budget</b>	<b>2024 Preliminary Budget</b>
<b>Assessed Valuation</b>	\$ 5,830,390	\$ 5,559,550	\$ 6,200,270
<b>Mill Levy</b>			
General Fund	10.000	10.000	10.000
Debt Service Fund	50.000	50.000	50.000
Refunds and Abatements	-	0.445	-
<b>Total Mill Levy</b>	<u>60.000</u>	<u>60.445</u>	<u>60.000</u>
<b>Property Taxes</b>			
General Fund	\$ 58,304	\$ 55,596	\$ 62,003
Debt Service Fund	291,520	277,978	310,014
Refunds and Abatements	-	2,474	-
<b>Actual/Budgeted Property Taxes</b>	<u>\$ 349,824</u>	<u>\$ 336,048</u>	<u>\$ 372,017</u>

**CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT**

**GENERAL FUND  
2024 Preliminary Budget  
with 2022 Actual, 2023 Adopted Budget and 2023 Estimated**

	<b>2022 Actual</b>	<b>01/23-06/23 YTD Actual</b>	<b>2023 Adopted Budget</b>	<b>2023 Estimated</b>	<b>2024 Preliminary Budget</b>
<b>BEGINNING FUND BALANCE</b>	\$ (10,755)	\$ (15,956)	(15,314)	(15,956)	\$ 1,852
<b>REVENUE</b>					
Property Tax Revenue	60,011	44,489	58,070	58,070	62,003
Specific Ownership Taxes	3,451	978	3,484	1,750	1,900
Interest Income	119	-	20	-	10
<b>Total Revenue</b>	<b>63,581</b>	<b>45,467</b>	<b>61,574</b>	<b>59,820</b>	<b>63,913</b>
<b>Total Funds Available</b>	<b>52,826</b>	<b>29,511</b>	<b>46,260</b>	<b>43,864</b>	<b>65,765</b>
<b>EXPENDITURES</b>					
Accounting	13,276	7,925	13,000	16,000	16,000
Audit	7,100	-	7,600	7,600	7,600
Election	746	839	1,000	1,000	-
Insurance/SDA Dues	4,000	5,041	4,500	5,041	5,500
Legal	22,860	6,048	17,000	17,000	17,000
Management	15,012	3,972	14,000	14,000	14,000
Miscellaneous	925	568	500	1,000	1,000
Treasurer's Fees	877	654	871	871	930
Utilities	33,335	6,403	23,000	23,000	23,000
Landscape Maintenance & Repair	27,862	8,461	33,000	33,000	33,000
Snow Removal	4,883	4,284	5,000	7,500	7,500
<b>Total Expenditures</b>	<b>130,877</b>	<b>44,196</b>	<b>119,471</b>	<b>126,012</b>	<b>125,530</b>
<b>Transfers and Other Sources (Uses)</b>					
Emergency Reserve	-	-	(1,847)	-	1,917
Developer Advance	62,094	33,609	80,000	84,000	80,000
<b>Total Expenditures Requiring Appropriation</b>	<b>130,877</b>	<b>44,196</b>	<b>121,318</b>	<b>126,012</b>	<b>127,447</b>
<b>ENDING FUND BALANCE</b>	<b>\$ (15,956)</b>	<b>\$ 18,925</b>	<b>\$ 4,942</b>	<b>\$ 1,852</b>	<b>\$ 18,318</b>

**CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT**

**DEBT SERVICE FUND  
2024 Preliminary Budget  
with 2022 Actual, 2023 Adopted Budget and 2023 Estimated**

	<b>2022 Actual</b>	<b>01/23-06/23 YTD Actual</b>	<b>2023 Adopted Budget</b>	<b>2023 Estimated</b>	<b>2024 Preliminary Budget</b>
BEGINNING FUND BALANCE	\$ 1,117,341	\$ 873,028	865,949	\$ 873,028	\$ 509,621
<b>REVENUE</b>					
Property Tax Revenue	291,885	213,071	277,978	277,978	310,014
Specific Ownership Taxes	17,254	4,746	16,679	8,000	9,500
Interest Income	12,637	18,684	5,000	30,000	17,500
<b>Total Revenue</b>	<b>321,776</b>	<b>236,501</b>	<b>299,657</b>	<b>315,978</b>	<b>337,014</b>
<b>Total Funds Available</b>	<b>1,439,117</b>	<b>1,109,529</b>	<b>1,165,606</b>	<b>1,189,006</b>	<b>846,635</b>
<b>EXPENDITURES</b>					
Bond Principal	-	-	35,000	35,000	50,000
Bond Interest	559,650	279,825	664,230	664,230	661,780
Paying Agent Fees	7,218	7,128	3,000	7,128	7,500
Treasurer's Fees	4,387	3,185	4,170	4,170	4,650
<b>Total Expenditures</b>	<b>571,255</b>	<b>290,138</b>	<b>706,400</b>	<b>710,528</b>	<b>723,930</b>
<b>Transfers and Other Sources (Uses)</b>					
Transfer from Other District	5,166	-	30,171	31,143	58,978
Developer Advance Repayment	-	-	-	-	-
Transfer to Capital Projects	-	-	-	-	-
<b>Total Expenditures Requiring Appropriation</b>	<b>571,255</b>	<b>290,138</b>	<b>706,400</b>	<b>710,528</b>	<b>723,930</b>
ENDING FUND BALANCE	\$ 873,028	\$ 819,391	\$ 489,377	\$ 509,621	\$ 181,683



**CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT**

**CAPITAL PROJECTS FUND  
2024 Preliminary Budget  
with 2022 Actual and 2023 Estimated**

	<b>2022 Actual</b>	<b>01/23-06/23 YTD Actual</b>	<b>2023 Adopted Budget</b>	<b>2023 Estimated</b>	<b>2024 Preliminary Budget</b>
BEGINNING FUND BALANCE	\$ -	\$ -	\$ -	\$ -	\$ -
<b>REVENUE</b>					
<b>Total Revenue</b>	-	-	-	-	-
<b>Total Funds Available</b>	-	-	-	-	-
<b>EXPENDITURES</b>					
Legal	-	-	-	-	-
Developer Reimbursement	-	-	-	-	-
Developer Reimb - Interest	-	-	-	-	-
Capital Outlay	-	-	-	-	-
Engineering	-	-	-	-	-
<b>Total Expenditures</b>	-	-	-	-	-
<b>Transfers and Other Sources (Uses)</b>					
Transfer from Debt Service	-	-	-	-	-
Transfer from General Fund	-	-	-	-	-
<b>Total Expenditures Requiring Appropriation</b>	-	-	-	-	-
<b>ENDING FUND BALANCE</b>	\$ -	\$ -	\$ -	\$ -	\$ -

**RESOLUTION NO. 2023-11-\_\_**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF THE CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT**  
**TO ADOPT THE 2024 BUDGET AND APPROPRIATE SUMS OF MONEY**

WHEREAS, the Board of Directors of the City Center West Commercial Metropolitan District (“District”) has appointed the District Accountant to prepare and submit a proposed 2024 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, 2023, 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 6, 2023, 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 Commercial 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 Commercial Metropolitan District for the 2024 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 6th day of November, 2023.

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Secretary

EXHIBIT A  
(Budget)

I, David Solin, hereby certify that I am the duly appointed Secretary of the City Center West Commercial Metropolitan District, and that the foregoing is a true and correct copy of the budget for the budget year 2024, duly adopted at a meeting of the Board of Directors of the City Center West Commercial Metropolitan District held on November 6, 2023.

By: \_\_\_\_\_  
Secretary

**RESOLUTION NO. 2023-11-\_\_\_**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF THE CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT**  
**TO SET MILL LEVIES**

WHEREAS, the Board of Directors of the City Center West Commercial Metropolitan District (“District”) has adopted the 2024 annual budget in accordance with the Local Government Budget Law on November 6, 2023; and

WHEREAS, the adopted budget is attached to the Resolution of the Board of Directors to Adopt the 2024 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 Commercial Metropolitan District:

1. That for the purposes of meeting all general fund expenses of the District during the 2024 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 2024 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 6th day of November, 2023.

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Secretary

**EXHIBIT A**  
(Certification of Tax Levies)

I, David Solin, hereby certify that I am the duly appointed Secretary of the City Center West Commercial Metropolitan District, and that the foregoing is a true and correct copy of the Certification of Mill Levies for the budget year 2024, duly adopted at a meeting of the Board of Directors of the City Center West Commercial Metropolitan District held on November 6, 2023.

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Secretary



**RESOLUTION NO. 2023-11- [REDACTED]**  
**CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT**  
**AMENDING POLICY ON COLORADO OPEN RECORDS ACT REQUESTS**

A. On June 2, 2014, City Center West Commercial Metropolitan District (the “**District**”) adopted Resolution No. 2014-06-04 Regarding Colorado Open Records Act Requests, as amended (the “**Resolution**”), in which the District adopted a policy related to Colorado Open Records Act Requests (the “**Policy**”).

B. In 2023, the Colorado General Assembly enacted Senate Bill 23-286, which provided for certain changes in the law related to Colorado Open Records Act Requests

C. The District desires to amend the Policy due to the legislative changes set forth in Senate Bill 23-286.

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

1. Defined Terms. Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Resolution.

2. Amendments to Policy. The Policy is hereby amended as follows:

(a) Amendment to Section 3 of the Resolution. Section 3 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“3. Within the period specified in Section 24-72-203(3)(a), C.R.S., as amended from time to time, the Official Custodian shall notify the record requester that a copy of the record is available, but will only be sent to the requester once the custodian either receives payment or makes arrangements for receiving payment for all costs associated with records transmission and for all other fees lawfully allowed, unless recovery of all or any portion of such costs or fees has been waived by the Official Custodian, or where prohibited or limited by law. Upon either receiving such payment or making arrangements to receive such payment at a later date, the Official Custodian shall provide the record(s) to the requester as soon as practicable, but no more than three (3) business days after receipt of, or making arrangements to receive, such payment.”

(b) Amendment to Section 5 of the Resolution. Section 5 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“5. The Official Custodian shall not charge a per-page fee for providing records in a digital or electronic format.”

(c) Amendment to Section 7 of the Resolution. Section 7 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“7. All requests for copies or inspection of public records of the District shall be submitted to the Official Custodian in writing. Such requests shall be delivered by the Official Custodian to the District’s legal counsel for review and legal advice regarding the lawful availability of records requested and related matters, including without limitation, whether to deny inspection or production of certain records or information for reasons set forth in Sections 24-72-204(2) and (3), C.R.S., as amended from time to time. The District may, from time to time, designate specific records for which written requests are not required and with respect to which review by legal counsel is not required; i.e., service plans, rules and regulations, minutes, etc. Such designations shall occur in the minutes of the meetings of the District.”

3. Except as expressly set forth herein, the Resolution continues to be effective without modification.

**[SIGNATURE PAGE FOLLOWS]**

**[SIGNATURE PAGE TO RESOLUTION AMENDING POLICY ON COLORADO OPEN RECORDS ACT REQUESTS]**

RESOLUTION APPROVED AND ADOPTED ON November 6, 2023.

**CITY CENTER WEST COMMERCIAL 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: October 12, 2023

RE: Notice of 2024 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 (6.0%) 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.