

CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
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NOTICE OF SPECIAL MEETING AND AGENDA

Due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders issued by the Colorado Department of Health and Environment, and the threat posed by the COVID-19 coronavirus, this meeting will be held via teleconferencing and can be joined through the directions below:

Join Zoom Meeting

<https://us02web.zoom.us/j/87091644094?pwd=V091NUtaWWRJTlI2TDhrMEhtREc5QT09>

Meeting ID: 870 9164 4094

Passcode: 096214

Call In Number: 1-669-900-6833

Board of Directors:

Stan Martin

Della Thompson

Matthew Moeller

Gilbert Scott

VACANT

Office:

President

Secretary

Assistant Secretary

Assistant Secretary

Term/Expiration:

2022/May 2022

2023/May 2023

2022/May 2022

2022/May 2022

2023/May 2023

Peggy Ripko

Recording Secretary

DATE: November 5, 2020

TIME: 6:00 P.M.

LOCATION: DUE TO CONCERNS REGARDING THE SPREAD OF THE CORONAVIRUS (COVID-19) AND THE BENEFITS TO THE CONTROL OF THE SPREAD OF THE VIRUS BY LIMITING IN-PERSON CONTACT, THIS DISTRICT BOARD MEETING WILL BE HELD BY TELECONFERENCE WITHOUT ANY INDIVIDUALS (NEITHER DISTRICT REPRESENTATIVES NOR THE GENERAL PUBLIC) ATTENDING IN PERSON. IF YOU WOULD LIKE TO ATTEND THIS MEETING, PLEASE SEE THE FOLLOWING ZOOM INFORMATION ABOVE.

I. ADMINISTRATIVE MATTERS

A. Present Disclosures of Potential Conflicts of Interest and Confirm Quorum

B. Approve Agenda

- B. Consider Adoption of Resolution No. 2020-11-01: 2021 Annual Administrative Resolution (enclosure). (Determines meeting dates for 2021)
-

- C. Consider Appointment of Dave Deines to the Board of Directors and Administration of Oath of Office.
-

- D. Consider Election of Officer:
Dave Deines:
-

II. CONSENT AGENDA (These items are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless requested; in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda.)

- A. Approval of Minutes from the July 9, 2020 Special Meeting (enclosure).
B. Ratify / approve the payment of claims for the period ending October 31 in the amount of \$87,945.30 (enclosure).
C. Review and accept the unaudited financial statements and cash position statement through the period ending August 31, 2020 (enclosure).
-

III. PUBLIC COMMENT

- A. _____

IV. FINANCIAL MATTERS

- A. Conduct Public Hearing on the proposed 2021 Budget and consider adoption of Resolution No. 2020-11-02: Adopting 2021 Budget, Imposing Mill Levy and Appropriating Funds (for General Fund _____, and Other Fund(s) _____ for a total mill levy of _____) (enclosures – Preliminary AV, 2021 Draft Budget and Resolution).
-

V. LEGAL MATTERS

- A. Consider Approval of Second Addendum to Independent Contractor Agreement to MMI Water Engineers for Engineering Services (enclosure)
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- B. Consider Approval of First Addendum to Independent Contractor Agreement to Albert Water & Wasterwater Specialist, Inc. (enclosure)
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VI. WATER SYSTEM AND OPERATIONS MATTERS

- A. Discuss wells.
-

- 1. Discuss year-to-date expenses (enclosure).

- 2. Review and discuss summary of well repairs report and contracts (enclosure).

- B. Discuss status of signage on gates for access to homes off Havana with regards to locked gate.
-

VII. COVENANT ENFORCEMENT MATTERS

- A. Update on ACC regarding process and approvals.
-

- B. Consider adoption of Resolution of the Architectural Control Committee Regarding the Display of Political Signs (enclosure).
-

VIII. OTHER MATTERS

- A.

- IX. ADJOURNMENT: **THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2020.**

RESOLUTION NO. 2020-11-01

CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT ANNUAL ADMINISTRATIVE RESOLUTION (2021)

WHEREAS, Creekside South Estates Metropolitan District (the “**District**”), was organized as a special district pursuant to an Order and Decree of the District Court in and for the County of Adams Colorado (the “**County**”); and

WHEREAS, the Board of Directors (the “**Board**”) of the District, has a duty to perform certain obligations in order to assure the efficient operation of the District and hereby directs its consultants to take the following actions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. The Board directs the District Manager to cause an accurate map of the District’s boundaries to be prepared in accordance with the standards specified by the Division of Local Government (“**Division**”) and to be filed in accordance with § 32-1-306, C.R.S.

2. The Board directs the District Manager to notify the Board of County Commissioners, the County Assessor, the County Treasurer, the County Clerk and Recorder, the governing body of any municipality in which the District is located, and the Division of the name of the chairman of the Board, the contact person, telephone number and business address of the District, as required by § 32-1-104(2), C.R.S.

3. The Board directs the District Manager to prepare and file with the Division, within thirty (30) days of a written request from the Division, an informational listing of all contracts in effect with other political subdivisions, in accordance with § 29-1-205, C.R.S.

4. The Board directs the District’s accountant to cause the preparation of and to file with the Department of Local Affairs the annual public securities report for nonrated public securities issued by the District within sixty (60) days of the close of the fiscal year, as required by §§ 11-58-101, *et seq.*, C.R.S.

5. The Board directs the District’s accountant to: 1) obtain proposals for auditors to be presented to the Board; 2) to cause an audit of the annual financial statements of the District to be prepared and submitted to the Board on or before June 30; and 3) to cause the audit to be filed with the State Auditor by July 31st, or by the filing deadline permitted under any extension thereof, all in accordance with §§ 29-1-603(1) and 29-1-606, C.R.S. Alternatively, if warranted by § 29-1-604, C.R.S., the Board directs the District’s accountant to apply for and obtain an audit exemption from the State Auditor on or before March 31st in accordance with § 29-1-604, C.R.S.

6. The Board directs the District Manager, if the District has authorized but unissued general obligation debt as of the end of the fiscal year, to cause to be submitted to the Board of County Commissioners or the governing body of the municipality that adopted a resolution of

approval of the District, the District's audit report or a copy of its application for exemption from audit in accordance with § 29-1-606(7), C.R.S.

7. The Board directs the District's accountant to submit a proposed budget to the Board by October 15th, to prepare the final budget and budget message, including any amendments thereto, if necessary, and directs the District Manager to schedule a public hearing on the proposed budget and/or amendments, and to post or publish notices thereof, and directs legal counsel to prepare all budget resolutions and to file the budget, budget resolution and budget message with the Division on or before January 30th, all in accordance with §§ 29-1-101, *et seq.*, C.R.S.

8. The Board directs the District's accountant to monitor expenditures and contracted expenditures and, if necessary, to notify the District Manager, legal counsel and the Board when expenditures or contracted expenditures are expected to exceed appropriated amounts, and directs legal counsel to prepare all budget amendment resolutions and directs the District Manager to schedule a public hearing on a proposed budget amendment and to post or publish notices thereof and to file the amended budget with the Division on or before the date of making such expenditure or contracting for such expenditure, all in accordance with §§ 29-1-101, *et seq.*, C.R.S.

9. The Board directs legal counsel to cause the preparation of the Unclaimed Property Act report and submission of the same to the State Treasurer by November 1st if there is property presumed abandoned and subject to custody as unclaimed property, in accordance with § 38-13-110, C.R.S.

10. The Board directs the District's accountant to prepare the mill levy certification form and directs the District Manager to file the mill levy certification form with the Board of County Commissioners on or before December 15th, in accordance with § 39-5-128, C.R.S.

11. The Board designates the *Adams County Your Hub* as a newspaper of general circulation within the boundaries of the District and directs that all legal notices shall be published in accordance with § 32-1-103(15), C.R.S., in the *Adams County Your Hub*, unless otherwise designated by the Board or legal counsel.

12. The Board determines that each director shall not receive compensation for their services as directors subject to the limitations set forth in §§ 32-1-902(3)(a)(I) & (II), C.R.S.

13. The District hereby acknowledges, in accordance with § 32-1-902, C.R.S., the following officers for the District:

President:	Stan Martin
Secretary:	Della Thompson
Assistant Secretary:	Matthew Moeller
Assistant Secretary:	Gilbert Scott
Recording Secretary:	District Manager

14. The Board hereby determines that each member of the Board shall, for any potential or actual conflicts of interest, complete conflicts of interest disclosures and directs legal counsel to file the conflicts of interest disclosures with the Board and with the Colorado Secretary of State at least seventy-two (72) hours prior to every regular and special meeting of the Board, in accordance with §§ 32-1-902(3)(b) and 18-8-308, C.R.S. Written disclosures provided by Board members required to be filed with the governing body in accordance with § 18-8-308, C.R.S. shall be deemed filed with the Board when filed with the Secretary of State. Additionally, at the beginning of each year, each Board member shall submit information to legal counsel regarding any actual or potential conflicts of interest and, throughout the year, each Board member shall provide legal counsel with any revisions, additions, corrections or deletions to said conflicts of interest disclosures.

15. The Board confirms its obligations under § 24-10-110(1), C.R.S., with regards to the defense and indemnification of its public employees, which, by definition, includes elected and appointed officers.

16. The Board hereby appoints the District Manager as the official custodian for the maintenance, care and keeping of all public records of the District, in accordance with §§ 24-72-202, *et seq.*, C.R.S. The Board hereby directs its legal counsel, accountant, manager and all other consultants to adhere to the Colorado Special District Records Retention Schedule as adopted by the District.

17. The Board hereby designates southwest corner of E. 159th Place and Lima Street as the location where the District will post physical notice of meetings at least twenty-four (24) hours prior to the meeting and directs the District Manager to make physical meeting postings within the boundaries of the District in accordance with § 32-1-903(2) and § 24-6-402(2)(c), C.R.S. If possible, the physical posting shall include specific agenda information.

18. The Board determines to hold regular meetings on March 4, 2021, July 8, 20201 and November 4, 2021, at 6:00 p.m. at Brighton Fire Department, Station No. 55, 15801 Havana Street, Brighton, Colorado. Notice of the time and place for all regular meetings shall be posted in accordance with § 24-6-402, C.R.S.

19. In the event of an emergency, the Board may conduct a meeting outside of the limitations prescribed in § 24-6-402(2)(c), C.R.S., provided that any actions taken at such emergency meeting are ratified at the next regular meeting of the Board or at a special meeting conducted after proper notice has been given to the public.

20. For the convenience of the electors of the District, and pursuant to its authority set forth in § 1-13.5-1101, C.R.S., the Board hereby deems that all regular and special elections of the District shall be conducted as independent mail ballot elections in accordance with §§ 1-13.5-1101, *et seq.*, C.R.S., unless otherwise deemed necessary and expressed in a separate election resolution adopted by the Board.

21. Pursuant to the authority set forth in § 1-1-111, C.R.S., the Board hereby appoints Ashley B. Frisbie, of the law firm of WHITE BEAR ANKELE TANAKA & WALDRON, Attorneys at Law, as the Designated Election Official (the “**DEO**”) of the District for any elections called by

the Board, or called on behalf of the Board by the DEO, and hereby authorizes and directs the DEO to take all actions necessary for the proper conduct of the election, including, if applicable, cancellation of the election in accordance with § 1-13.5-513, C.R.S.

22. In accordance with § 1-11-103(3), C.R.S., the Board hereby directs the DEO to certify to the Division the results of any elections held by the District and, pursuant to § 32-1-1101.5(1), C.R.S., to certify results of any ballot issue election to incur general obligation indebtedness to the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the district and file a copy of such certification with the Division of Securities.

23. The Board directs legal counsel to cause a notice of authorization of or notice to incur general obligation debt to be recorded with the County Clerk and Recorder within thirty (30) days of authorizing or incurring any indebtedness, in accordance with § 32-1-1604, C.R.S.

24. Pursuant to the authority set forth in § 24-12-103, C.R.S., the Board hereby designates, in addition to any officer of the District, Peggy Ripko of Special District Management Services, Inc. as a person with the power to administer all oaths or affirmations of office and other oaths or affirmations required to be taken by any person upon any lawful occasion.

25. The Board directs the District Manager to cause the preparation of and filing with the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the District, if requested, the application for quinquennial finding of reasonable diligence in accordance with §§ 32-1-1101.5(1.5) and (2), C.R.S.

26. The Board directs the District Manager to cause the preparation of and the filing with the Board of County Commissioners or the governing body of any municipality in which the District is located, the Division, the State Auditor, the County Clerk and Recorder and any interested parties entitled to notice pursuant to § 32-1-204(1), C.R.S., an annual report, if requested, in accordance with § 32-1-207(3)(c), C.R.S.

27. The Board directs the District Manager to obtain proposals and/or renewals for insurance, as applicable, to insure the District against all or any part of the District's liability, in accordance with §§ 24-10-115, *et seq.*, C.R.S. The Board directs the District's accountant to pay the annual SDA membership dues, agency fees and insurance premiums, as applicable, in a timely manner. The Board appoints the District Manager as its proxy for the SDA Annual meeting for voting and quorum purposes.

28. The Board hereby opts to exclude elected or appointed officials as employees within the meaning of § 8-40-202(1)(a)(I)(A), C.R.S., and hereby directs the District Manager to file a statement with the Division of Workers' Compensation in the Department of Labor and Employment not less than forty-five (45) days before the start of the policy year for which the option is to be exercised, in accordance with § 8-40-202(1)(a)(I)(B), C.R.S.

29. The Board hereby directs the District Manager to prepare the disclosure notice required by § 32-1-809, C.R.S., and to disseminate the information to the electors of the District accordingly.

30. The Board hereby directs the District Manager to prepare and record with the County Clerk and Recorder updates to the disclosure statement notice and map required by § 32-1-104.8, C.R.S., if additional property is included within the District's boundaries.

31. In accordance with § 38-35-109.5(2), C.R.S., the District hereby designates the President of the Board as the official who shall record any instrument conveying title of real property to the District within 30 days of any such conveyance.

32. The Board directs the District's accountant to prepare and submit the documentation required by any continuing disclosure obligation signed in conjunction with the issuance of debt by the District.

33. The Board directs legal counsel to monitor, and inform the Board of, any legislative changes that may occur throughout the year.

[Remainder of page intentionally left blank, signature page follows.]

ADOPTED this 5th day of November, 2020.

**CREEKSIDE SOUTH ESTATES
METROPOLITAN DISTRICT**

By: _____
Officer of the District

Attest:

By: _____

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

CERTIFICATION OF RESOLUTION

I hereby certify that the foregoing constitutes a true and correct copy of the resolution of the Board adopted at a meeting held on November 5, 2020 via teleconference.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 5th day of November, 2020.

Signature

Printed Name

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT (THE “DISTRICT”) HELD JULY 9, 2020

A special meeting of the Board of Directors of the Creekside South Estates Metropolitan District (referred to hereafter as the “Board”) was convened on Thursday, July 9, 2020, at 6:00 p.m. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was held by conference call. The meeting was open to the public via conference call.

Directors In Attendance Were:

Stan Martin
Della Thompson
Matthew Moeller
Gilbert Scott

Also, In Attendance Were:

Peggy Ripko; Special District Management Services, Inc.

**DISCLOSURE OF
POTENTIAL
CONFLICTS OF
INTEREST**

Disclosures of Potential Conflicts of Interest: Ms. Ripko advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Ripko reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State’s Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Ripko also noted that a quorum was present and inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No disclosures were noted.

**ADMINISTRATIVE
MATTERS**

Resolution No. 2020-07-01; Declaring Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings: The Board discussed Resolution No. 2020-07-01; Declaring Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Martin, seconded by Director Scott and, upon vote unanimously carried, the Board adopted Resolution No. 2020-07-01; Declaring Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings.

Agenda: Ms. Ripko distributed for the Board's review and approval a proposed Agenda for the District's special meeting.

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

Appointment of Director: The Board considered the appointment of Dave Deines to fill the vacancy on the Board of Directors.

Following discussion, upon motion duly made by Director Scott, seconded by Director Thompson and, upon vote, unanimously carried, Dave Deines was appointed to fill the vacancy on the Board of Directors. The Oath of Office was administered.

Results of May 5, 2020 Regular Election: Ms. Ripko discussed with the Board the results of the May 5, 2020 Regular Election for Directors ("Election"). It was noted that the Election was cancelled, as permitted by statute and that Director Thompson was deemed elected to a three-year term ending in 2023.

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

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

President	Stan Martin
Secretary/Treasurer	Della Thompson
Assistant Secretary	Matthew Moeller
Assistant Secretary	Gilbert Scott
Recording Secretary	Peggy Ripko

CONSENT AGENDA

Consent Agenda: The Board considered the following actions:

- Approval of Minutes from the November 7, 2019 Special Meeting.
- Ratify / approve the payment of claims for the period ending

RECORD OF PROCEEDINGS

March 31, 2020 in the amount of \$85,199.17.

- Review and accept the unaudited financial statements and cash position statement through the period ending March 30,2020.
- Discuss status of Independent Contractor Agreement with Boulder GNC Water Well.
- Discuss status of Independent Contractor Agreement with CanAmerica Pump & Drill.
- Discuss status of establishing a Colotrust Account.
- Discuss private expense vs. District expense in regard to retaining

Following review, upon motion duly made by Director Martin, seconded by Director Scott and, upon vote, unanimously carried, the Board approved the Consent Agenda.

PUBIC COMMENT

Public Comment: There was no public comment.

FINANCIAL MATTERS

Application for Exemption for 2019 Audit: The Board reviewed an Application for Exemption from 2019 Audit.

Following review, upon motion duly made by Director Thompson, seconded by Director Martin and, upon vote, unanimously carried, the Board ratified approval of execution and filing of the Application for Exemption from 2019 Audit.

Credit Application for the District and Processes for the Same: The Board discussed a Credit Application for the District and processes for the same. Ms. Ripko noted that she would check with Attorney Tanaka. No action was taken.

LEGAL MATTERS

Resolution No. 2020-07-02; Establishing an Electronic Signature Policy: The Board discussed Resolution No. 2020-07-02; Establishing an Electronic Signature Policy.

Following discussion, upon motion duly made by Director Scott, seconded by Director Thompson and, upon vote, unanimously carried, the Board approved Resolution No. 2020-07-02; Establishing an Electronic Signature Policy.

WATER SYSTEM AND OPERATIONS MATTERS

Wells: The Board discussed wells.

RECORD OF PROCEEDINGS

Discuss Year-to-Date Expenses: The Board discussed year-to-date expenses.

Summary of Well Repairs Report: Directors Thompson and Scott presented to the Board the summary of well repairs report.

Process for Well Issue Notifications: The Board discussed the process for well issue notification.

Time Spent and Possible Payment for Non-Board Member Well Committee Members: The Board discussed time spent and possible payment for Non-Board member well committee members.

Following discussion, the Board determined that no payment would be made to Non-Board member well committee members.

Follow-Up and Notification/Action of Illegal Burn and Buried Dump in the District: The Board discussed a follow-up and notification/action of illegal burn and buried dump in the District.

Access to Homes off Havana with Regards to Locked Gate: The Board discussed access to homes off Havana with regards to locked gate. The Board determined to put signs on the gates.

COVENANT ENFORCEMENT MATTERS

Flat Fee Arrangement with Special District Management Services, Inc. ("SDMS") for Community Management Services: The Board discussed a flat fee arrangement with SDMS for Community Management Services.

Following discussion, upon motion duly made by Director Thompson, seconded by Director Martin and, upon vote, unanimously carried, the Board approved mail communication and directed staff to prepare status letter.

OTHER BUSINESS

There were no other business matters for discussion.

ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned.

Respectfully submitted,

By _____
Secretary for the Meeting

RECORD OF PROCEEDINGS

Account	PO/Cont	Check #	Invoice	Date	Date Paid	Description	Amount
01-000-09100	1	1075	06302020	06/30/2020	07/20/2020	June Management	2,849.62
		**** TOTAL ****	Special District Management				2,849.62
01-000-09300	0	1076	10953	06/30/2020	07/20/2020	June Legal	1,571.69
		**** TOTAL ****	White Bear Ankele Tanaka and Waldro				1,571.69
01-000-09050	0	1077		06/30/2020	07/20/2020	June accounting	500.00
01-000-09050	0	1077	26682	05/31/2020	07/20/2020	May Accounting	850.00
		**** TOTAL ****	Slmmons & Wheeler P.C.				1,350.00
01-000-09510	0	1078		03/31/2020	07/20/2020	March RTL Transmissions	2.98
01-000-09510	0	1078		05/31/2020	07/20/2020	May RTL Transmissions	7.45
		**** TOTAL ****	Utility Notification Center Colo				10.43
01-000-07100	0	1079				Void Check 1079	(80.00)
01-000-09620	0	1079				June Water Treatment	4,303.16
01-000-09600	0	1079				Void Check 1079	(4,117.57)
01-000-09620	0	1079				Void Check 1079	(2,988.00)
01-000-09610	0	1079				Void Check 1079	(2,313.00)
01-000-09620	0	1079				Void Check 1079	(11,812.40)
01-000-09610	0	1079	04202-52	04/20/2020	07/20/2020	April Water Contract	2,313.00
01-000-09600	0	1079	042020	04/30/2020	07/20/2020	Bolder Water Well	4,117.57
01-000-09620	0	1079	062020	07/17/2020	07/20/2020	July Water Treatment	2,988.00
01-000-09620	0	1079	062020	06/22/2020	07/20/2020	June Water Treatment	7,509.24
01-000-09450	0	1079	1284	05/22/2020	07/20/2020	May Project Management	80.00
		**** TOTAL ****	Alberts Water & Wastewaster Special				0.00
01-000-09600	0	1080	10106	04/30/2020	07/20/2020	Well repair	7,066.70
01-000-09600	0	1080	10138	05/07/2020	07/20/2020	Well repair	5,087.13
01-000-09600	0	1080	10173	05/07/2020	07/20/2020	Well repair	6,395.08
01-000-09600	0	1080	10363	06/04/2020	07/20/2020	Balance on invoice	336.00
01-000-09600	0	1080	10470	06/18/2020	07/20/2020	Well Repair	6,879.37
01-000-09600	0	1080	10543	06/30/2020	07/20/2020	Well Repair	1,244.20
01-000-09600	0	1080	10614	06/30/2020	07/20/2020	Well repair	1,239.98
01-000-09600	0	1080	9783	02/18/2020	07/20/2020	Well repair	3,311.09
01-000-09600	0	1080	9945	04/06/2020	07/20/2020	Well repair	4,925.46
		**** TOTAL ****	Boulder Water Well Serv & Supply, I				36,485.01
01-000-07100	0	1081	1284	05/22/2020	07/20/2020	May Project Management	80.00
		**** TOTAL ****	MMI Water Engineers, LLC				80.00
01-000-09620	0	1082		06/22/2020	07/20/2020	June Water Treatment	5,196.24
01-000-09620	0	1082			07/20/2020	April Water Treatment	4,303.16
01-000-09610	0	1082	042020	04/20/2020	07/20/2020	April Water Contract	2,313.00
01-000-09600	0	1082	045050	04/30/2020	07/20/2020	April Water Treatment	4,117.57
01-000-09620	0	1082	062020	07/17/2020	07/20/2020	June Water Treatment	2,988.00
01-000-09610	0	1082	062020	06/22/2020	07/20/2020	June Water Contract	2,313.00

Account	PO/Cont	Check #	Invoice	Date	Date Paid	Description	Amount
	**** TOTAL ****					Alberts Water & Wastewater Special	21,230.97
01-000-09100	0	1083		07/31/2020	08/25/2020	July Management	2,366.58
	**** TOTAL ****					Special District Management	2,366.58
01-000-09300	0	1084	11501	07/31/2020	08/25/2020	July Legal	466.38
	**** TOTAL ****					White Bear Ankele Tanaka and Waldro	466.38
01-000-09050	0	1085	26946	07/31/2020	08/25/2020	July Accounting	1,274.17
	**** TOTAL ****					Slmmons & Wheeler P.C.	1,274.17
01-000-09510	0	1086	50312	05/31/2020	08/25/2020	May RTL Transmission	7.45
01-000-09510	0	1086	60318	06/30/2020	08/25/2020	June RTL Transmission	8.94
01-000-09510	0	1086	70318	07/31/2020	08/25/2020	July RTL Transmissions	4.47
	**** TOTAL ****					Utility Notification Center Colo	20.86
01-000-09620	0	1087				August Water Treatment	2,672.25
01-000-09610	0	1087	082020-116	08/20/2020	08/25/2020	August Water	2,313.00
	**** TOTAL ****					Alberts Water & Wastewater Special	4,985.25
01-000-09450	0	1088	200758	07/29/2020	08/25/2020	Drinking Water Fee	75.00
	**** TOTAL ****					CDPHE	75.00
01-000-09450	0	1089		07/24/2020	08/25/2020	Pipes for Water Well	58.95
	**** TOTAL ****					David Deines	58.95
01-000-09100	0	1090		08/31/2020	09/28/2020	August Management	1,953.47
	**** TOTAL ****					Special District Management	1,953.47
01-000-09300	0	1091		08/31/2020	09/28/2020	August Legal	825.64
	**** TOTAL ****					White Bear Ankele Tanaka and Waldro	825.64
01-000-09050	0	1092	27149	08/31/2020	09/28/2020	August Accounting	509.65
	**** TOTAL ****					Slmmons & Wheeler P.C.	509.65
01-000-09300	0	1093		08/24/2020	09/28/2020	August Legal	460.00
	**** TOTAL ****					Altitude Community Law P.C	460.00
01-000-09620	0	1094			09/28/2020	September Water Treatment	1,128.72
01-000-09610	0	1094	092020-205	09/15/2020	09/28/2020	September Water Contract	2,313.00
	**** TOTAL ****					Alberts Water & Wastewater Special	3,441.72
01-000-01700	0	1095		09/09/2020	09/28/2020	2021 Workers Comp	450.00
	**** TOTAL ****					Colorado Special Districts Property	450.00
01-000-09600	0	1096	11145	09/23/2000	09/28/2020	September Repair	157.00
01-000-09600	0	1096	WO-10758	07/20/2020	09/28/2020	July Repairs	222.22
01-000-09600	0	1096	WO-10908	08/26/2020	09/28/2020	August Repairs	670.27
	**** TOTAL ****					Boulder Water Well Serv & Supply, I	1,049.49

Account	PO/Cont	Check #	Invoice	Date	Date Paid	Description	Amount
01-000-09100	0	1097	Sept 20	09/30/2020	10/21/2020	September Management	1,182.04
	****	TOTAL	****	Special District Management			1,182.04
01-000-09300	0	1098	12402	09/30/2020	10/21/2020	September Legal	887.66
	****	TOTAL	****	White Bear Ankele Tanaka and Waldro			887.66
01-000-09050	0	1099	27319	09/30/2020	10/21/2020	September Accounting	919.00
	****	TOTAL	****	Simmons & Wheeler P.C.			919.00
01-000-09620	0	1100	9202-205	09/15/2020	10/21/2020	September Water Testing	1,128.72
01-000-09610	0	1100	92020-205	09/15/2020	10/21/2020	September Water Contract	2,313.00
	****	TOTAL	****	Alberts Water & Wastewaster Special			3,441.72
	***	GRAND TOTAL					87,945.30

Creeside South Estates Metropolitan District
Financial Statements

August 31, 2020

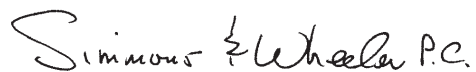
ACCOUNTANT'S COMPILATION REPORT

Board of Directors
Creekside South Estates Metropolitan District

Management is responsible for the accompanying financial statements of each major fund of Creekside South Estates Metropolitan District, as of and for the period ended August 31, 2020, which are comprised of the Balance Sheet and the related Statement of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Governmental Funds and account groups for the eight months then ended in accordance with accounting principles generally accepted in the United States of America. We have performed a compilation engagement in accordance with the Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

Management has elected to omit the Statement of Net Position, Statement of Activities, Management Discussion and Analysis and all of the disclosures required by accounting principles generally accepted in the United States of America. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the District's financial position and results of operations. Accordingly, the financial statements are not designed for those who are not informed about such matters.

We are not independent with respect to Creekside South Estates Metropolitan District because we performed certain accounting services that impaired our independence.

Handwritten signature of Simmons & Wheeler P.C.

September 29, 2020
Englewood, Colorado

Creskide South Estates Metropolitan District
Balance Sheet - Governmental Funds

August 31, 2020

See Accountant's Compilation Report

	General Fund	Total All Funds
Assets		
Current assets		
Cash in checking	\$ 32,679	\$ 32,679
Cash in Colotrust	54,194	54,194
Taxes Receivable	2,812	2,812
Prepaid Expenses	-	-
Accounts receivable - developer	-	-
	<u>89,685</u>	<u>89,685</u>
Other assets		
Improvements	-	-
Amount available in debt service fund	-	-
Amount to be provided for retirement of debt	-	-
	<u>-</u>	<u>-</u>
	<u>\$ 89,685</u>	<u>\$ 89,685</u>
Liabilities and Equity		
Current liabilities		
Accounts payable	\$ 14,025	\$ 14,025
Deferred taxes	-	-
	<u>14,025</u>	<u>14,025</u>
Note Payable - Developer	-	-
Note Payable - Developer interest	-	-
	<u>-</u>	<u>-</u>
Total liabilities	<u>14,025</u>	<u>14,025</u>
Fund Equity		
Investment in improvements	-	-
Fund balance (deficit)	75,660	75,660
	<u>75,660</u>	<u>75,660</u>
	<u>\$ 89,685</u>	<u>\$ 89,685</u>

Creekside South Estates Metropolitan District
Statement of Revenues, Expenditures and Changes in Fund Balance
Governmental Funds
Budget and Actual
For the 8 Months Ended August 31, 2020
General Fund

See Accountant's Compilation Report

	Annual <u>Budget</u>	<u>Actual</u>	Variance Favorable (Unfavorable)
Revenues			
Property taxes	\$ 164,009	\$ 164,793	\$ 784
Specific ownership taxes	11,153	7,812	(3,341)
Misc Income	-	902	902
Transfer from HOA	-	3,321	3,321
Interest income	4,500	16	(4,484)
	<u>179,662</u>	<u>176,844</u>	<u>(2,818)</u>
Expenditures			
Accounting	6,500	5,865	635
Election	5,000	-	5,000
Engineering	6,500	-	6,500
Insurance/SDA Dues	7,000	4,689	2,311
Legal-General	25,000	10,000	15,000
Legal-Capital Projects	6,375	-	6,375
Covenanat Control and Enforcement	12,000	-	12,000
Trash Removal	10,212	8,079	2,133
Utilites	13,000	8,346	4,654
Water Operator Contract	27,000	16,191	10,809
Water Testing Treatment	25,000	21,601	3,399
Well Maintenance	25,000	89,457	(64,457)
Miscellaneous	1,000	2,209	(1,209)
Management	21,000	12,675	8,325
Treasurer's Fees	2,462	3,258	(796)
Contingency	4,763	-	4,763
Well Maintenance Reserve	115,000	-	115,000
Emergency Reserve	5,791	-	5,791
	<u>318,603</u>	<u>182,370</u>	<u>136,233</u>
Excess (deficiency) of revenues over expenditures	(138,941)	(5,526)	133,415
Fund balance - beginning	<u>138,941</u>	<u>81,186</u>	<u>(57,755)</u>
Fund balance - ending	\$ <u>-</u>	\$ <u>75,660</u>	\$ <u>75,660</u>

Creskide South Estates Metropolitan District
Statement of Revenues, Expenditures and Changes in Fund Balance
Governmental Funds
Budget and Actual
For the 3 Months Ended March 31, 2020
Capital Fund

See Accountant's Compilation Report

	Annual <u>Budget</u>	<u>Actual</u>	Variance Favorable (Unfavorable)
Revenues			
Bond Proceeds	\$ -	\$ -	\$ -
Developer Advances	-	-	-
Interest income	-	-	-
Bond Proceeds	-	-	-
Bond Proceeds subordinate	-	-	-
	<hr/>	<hr/>	<hr/>
	-	-	-
Expenditures			
Bond Issuance Costs	-	-	-
Transfer to Debt Svc	-	-	-
Capital Projects	-	-	-
	<hr/>	<hr/>	<hr/>
	-	-	-
Excess (deficiency) of revenues over expenditures	-	-	-
Fund balance - beginning	<hr/>	<hr/>	<hr/>
Fund balance - ending	\$ -	\$ -	\$ -

Creekside South Estates Metropolitan District
Statement of Revenues, Expenditures and Changes in Fund Balance
Governmental Funds
Budget and Actual
For the 3 Months Ended March 31, 2020
Debt Service Fund

See Accountant's Compilation Report

	Annual <u>Budget</u>	<u>Actual</u>	Variance Favorable (Unfavorable)
Revenues			
Property taxes	\$ -	\$ -	\$ -
Specific ownership taxes	-	-	-
Transfer from Capital Projects	-	-	-
Interest income	-	-	-
	<hr/>	<hr/>	<hr/>
	-	-	-
Expenditures			
Interest Expense	-	-	-
Treasurer's Fees	-	-	-
Trustee/Paying Agent Fees	-	-	-
	<hr/>	<hr/>	<hr/>
	-	-	-
Excess (deficiency) of revenues over expenditures	-	-	-
Fund balance - beginning	<hr/>	<hr/>	<hr/>
	-	-	-
Fund balance - ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Ken Musso
ASSESSOR



Assessor's Office
4430 South Adams County Parkway
2nd Floor, Suite C2100
Brighton, CO 80601-8201
PHONE 720.523.6038
FAX 720.523.6037
www.adcogov.org

October 13, 2020

CREEKSIDE SOUTH ESTATES METRO DIST
SPECIAL DISTRICT MANAGEMENT SERVICES INC
Attn: LISA A JOHNSON
141 UNION BLVD STE 150
LAKEWOOD CO 80228-1898

To LISA A JOHNSON:

Enclosed is the 2020 preliminary valuation. This valuation along with all other statutory requirements is on the enclosed form. A final certification of value will be sent out on or before December 10, 2020.

This value is subject to change by the County Board of Equalization, Board of Assessment Appeals and the State Board of Equalization as provided by law.

Sincerely,

A handwritten signature in black ink, appearing to be 'KM' followed by a stylized flourish.

Ken Musso
Adams County Assessor
KM/cjw

CERTIFICATION OF VALUATION BY ADAMS COUNTY ASSESSOR

Name of Jurisdiction: **464 - CREEKSIDE SOUTH ESTATES METRO DIST**

IN ADAMS COUNTY ON 10/12/2020

New Entity: No

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATIONS (5.5% LIMIT) ONLY

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 2020 IN ADAMS COUNTY, COLORADO

1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$2,186,780
2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: *	\$2,202,680
3. LESS TIF DISTRICT INCREMENT, IF ANY:	\$0
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$2,202,680
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.):	\$786.00

* 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 2020 IN ADAMS COUNTY, COLORADO ON AUGUST 25, 2020

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: @	\$30,204,253
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

NOTE: All levies must be Certified to the Board of County Commissioners NO LATER THAN DECEMBER 15, 2020

Data Date: 10/12/2020

Creekside South Estates Metro District
Proposed Budget
General Fund
For the Years ended December 31, 2021

	Actual 2019	Adopted Budget 2020	Actual 8/31/2020	Estimated 2020	Option 1 Proposed Budget 2021	Option 2 Proposed Budget 2021	Option 3 Proposed Budget 2021
Beginning fund balance	\$ -	\$ 138,941	\$ 81,188	\$ 81,188	\$ 20,177	\$ 20,177	\$ 20,177
Revenues:							
Property taxes	152,816	164,009	164,793	164,793	165,201	176,214	187,228
Specific ownership taxes	11,300	11,153	7,812	11,500	11,234	11,983	12,732
Other income	736	-	902	902	-	-	-
Transfer from HOA (3)	16,000	-	3,321	3,321	-	-	-
Interest income	58	4,500	16	20	1,000	1,000	1,000
Total revenues	180,910	179,662	176,844	180,536	177,435	189,197	200,960
Total funds available	180,910	318,603	258,032	261,724	197,612	209,374	221,137
Expenditures:							
Accounting	8,091	6,500	5,865	10,000	6,500	6,500	6,500
Election expenses	-	5,000	-	-	-	-	-
Engineering	6,891	6,500	-	3,500	6,500	6,500	6,500
Insurance	3,142	7,000	4,689	4,689	7,000	7,000	7,000
Legal - general	49,444	25,000	10,000	25,000	25,000	25,000	25,000
Legal - capital projects	-	6,375	-	-	6,375	6,375	6,375
Management	16,363	21,000	12,675	20,000	21,000	21,000	21,000
Covenant control and enforcement	-	12,000	-	-	12,000	12,000	12,000
Miscellaneous	59	1,000	2,209	3,500	1,000	1,000	1,000
Trash removal (2)	2,716	10,212	8,079	12,100	12,100	12,100	12,100
Utilities	2,474	13,000	8,346	12,500	13,000	13,000	13,000
Water operator contract	4,500	27,000	16,191	27,000	27,000	27,000	27,000
Water testing and treatment	3,749	25,000	21,601	25,000	25,000	25,000	25,000
Well maintenance	-	25,000	89,457	95,000	25,000	25,000	25,000
County Treasurer fees	2,293	2,462	3,258	3,258	2,480	2,645	2,810
Contingency	-	4,763	-	-	1,263	12,855	24,448
Well maintenance reserve (1)	-	115,000	-	-	695	695	695
Emergency reserve (3%)	-	5,791	-	-	5,699	5,704	5,709
Total expenditures	99,722	318,603	182,370	241,547	197,612	209,374	221,137
Ending fund balance	\$ 81,188	\$ -	\$ 75,662	\$ 20,177	\$ -	\$ -	\$ -
Assessed valuation		\$ 2,186,780			\$ 2,202,680	\$ 2,202,680	\$ 2,202,680
Mill Levy		75.000			75.000	80.000	85.000

Resolution No. 2020-11-02

**RESOLUTION
ADOPTING BUDGET, IMPOSING MILL LEVY AND APPROPRIATING FUNDS
(2021)**

The Board of Directors of Creekside South Estates Metropolitan District (the “**Board**”), County of Adams, Colorado (the “**District**”) held a special meeting held via teleconference on November 5, 2020, at the hour of 6:00 P.M.

Prior to the meeting, each of the directors was notified of the date, time and place of the budget meeting and the purpose for which it was called and a notice of the meeting was posted or published in accordance with § 29-1-106, C.R.S.

[Remainder of Page Intentionally Left Blank.]

NOTICE AS TO PROPOSED 2021 BUDGET

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET AND APPROPRIATING SUMS OF MONEY TO EACH FUND IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE DISTRICT FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2021 AND ENDING ON THE LAST DAY OF DECEMBER 2021.

WHEREAS, the Board has authorized its accountant to prepare and submit a proposed budget to the Board in accordance with Colorado law; and

WHEREAS, the proposed budget has been submitted to the Board for its review and consideration; and

WHEREAS, upon due and proper notice, provided in accordance with Colorado law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 5, 2020, interested electors were given the opportunity to file or present any objections to said proposed budget at any time prior to final adoption of the budget by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. Adoption of Budget. The budget attached hereto and incorporated herein is approved and adopted as the budget of the District for fiscal year 2021. In the event of recertification of values by the County Assessor's Office after the date of adoption hereof, staff is hereby directed to modify and/or adjust the budget and certification to reflect the recertification without the need for additional Board authorization. Any such modification to the budget or certification as contemplated by this Section 1 shall be deemed ratified by the Board.

Section 2. Levy for General Operating Expenses. For the purpose of meeting all general operating expenses of the District during the 2021 budget year, there is hereby levied a tax of 75.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 3. Levy for Debt Service Obligations. For the purposes of meeting all debt service obligations of the District during the 2021 budget year, there is hereby levied a tax of 0.000

mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 4. Levy for Contractual Obligation Expenses. For the purposes of meeting all contractual obligations of the District during the 2021 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 5. Levy for Capital Project Expenses. For the purposes of meeting all capital project obligations of the District during the 2021 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 6. Certification to County Commissioners. The Board directs its legal counsel, manager, accountant or other designee to certify to the Board of County Commissioners of Adams County, Colorado the mill levies for the District as set forth herein. Such certification shall be in compliance with the requirements of Colorado law.

Section 7. Appropriations. The amounts set forth as expenditures in the budget attached hereto are hereby appropriated.

Section 8. Filing of Budget and Budget Message. The Board hereby directs its legal counsel, manager or other designee to file a certified copy of the adopted budget resolution, the budget and budget message with the Division of Local Government by January 30 of the ensuing year.

Section 9. Budget Certification. The budget shall be certified by a member of the District, or a person appointed by the District, and made a part of the public records of the District.

[Remainder of page intentionally left blank.]

ADOPTED THIS 5TH DAY OF NOVEMBER, 2020.

CREEKSIDE SOUTH ESTATES METROPOLITAN
DISTRICT

Officer of the District

ATTEST:

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

STATE OF COLORADO
COUNTY OF ADAMS
CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT

I hereby certify that the foregoing resolution constitutes a true and correct copy of the record of proceedings of the Board adopted by a majority of the Board at a District meeting held on November 5, 2020, via teleconference as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 5th day of November, 2020.

EXHIBIT A
BUDGET DOCUMENT
BUDGET MESSAGE

**SECOND ADDENDUM
TO
INDEPENDENT CONTRACTOR AGREEMENT
(Engineering Services)**

This SECOND ADDENDUM TO THE INDEPENDENT CONTRACTOR AGREEMENT (the “**Second Addendum**”) is entered into on the 5th day of November 2020, and shall become effective as of the 1st day of January 2021, by and between the CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado (the “**District**”), and MMI WATER ENGINEERS, LLC, a Colorado limited liability company (the “**Contractor**”), collectively referred to herein as the “Parties”.

RECITALS:

WHEREAS, the Parties entered into an *Independent Contractor Agreement* on December 5, 2018, as amended by that certain First Addendum dated November 7, 2019 (the “**Agreement**”); and

WHEREAS, **Exhibit A-1** to the Agreement sets forth the Services to be completed under the Agreement and the Compensation Schedule therefor; and

WHEREAS, the Contractor has had an adjustment in hourly rates as set forth in the Compensation Schedule included in **Exhibit A-1** of the Agreement and the Parties desire the amend the Agreement to revise the Compensation Schedule.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties covenant and agree as follows:

TERMS AND CONDITIONS:

1. REVISIONS TO COMPENSATION SCHEDULE. The Parties hereby amend the Compensation Schedule set forth in **Exhibit A-1** of the Agreement with the new hourly rates and Compensation Schedule set forth in **Exhibit A-2**, attached hereto and incorporated herein by this reference.

2. PRIOR PROVISIONS EFFECTIVE. Except as specifically amended hereby, all the terms and provisions of the Agreement shall remain in full force and effect.

3. COUNTERPART EXECUTION. This Second Addendum may be executed in several counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

[Remainder of Page Intentionally Left Blank].

IN WITNESS WHEREOF, the Parties have caused this Second Addendum to be duly executed and delivered by their respective officers thereunto duly authorized as of the date written above.

CREEKSIDE SOUTH ESTATES, a quasi-municipal corporation and political subdivision of the State of Colorado

Officer of the District

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

CONTRACTOR:
MMI WATER ENGINEERS, LLC, a Colorado
limited liability company

Printed Name: _____

Title: _____

EXHIBIT A-2



October 23, 2020

Ms. Peggy Ripko, District Manager
Creekside South Estates Metropolitan District
141 Union Boulevard, Suite 150
Lakewood, Colorado 80228
(via e-mail: pripko@sdmsi.com)

Re: Rate Increase – Engineering Services

Dear Ms. Ripko:

MMI Water Engineers, LLC (MMI) will increase its hourly charge rates and reimbursable expenses on January 17, 2021. Below is MMI's 2021 Rate Schedule.

2021 Rate Schedule (effective January 17, 2021)

Principal	\$ 165.00 per hour
Mileage	Current IRS rate
Direct Costs (i.e. job-related expenses)	Cost + 10%
Subcontracted Expenses	Cost + 10%

Should you have any comments or questions, please contact me at 720-234-8398.

Sincerely,

MMI WATER ENGINEERS, LLC

A handwritten signature in blue ink, appearing to read 'A. Simons', with a long horizontal flourish extending to the right.

Bradley A. Simons, P.E.
Principal

**FIRST ADDENDUM
TO
INDEPENDENT CONTRACTOR AGREEMENT**
(Operator in Responsible Charge Services)

This FIRST ADDENDUM TO THE INDEPENDENT CONTRACTOR AGREEMENT (the “**First Addendum**”) is entered into on the 5th day of November 2020, and shall become effective as of the 1st day of January 2021, by and between the CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado (the “**District**”), and ALBERTS WATER & WASTEWATER SPECIALISTS, INC., a Colorado corporation (the “**Contractor**”), collectively referred to herein as the “Parties”.

RECITALS:

WHEREAS, the Parties entered into an *Independent Contractor Agreement* on October 1, 2019 (the “**Agreement**”); and

WHEREAS, **Exhibit B** to the Agreement sets forth the Compensation Schedule for the Scope of Service to be complete; and

WHEREAS, the Contractor has had an adjustment in rates as set forth in the Compensation Schedule included in **Exhibit B-2** of the Agreement and the Parties desire the amend the Agreement to revise the Compensation Schedule.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties covenant and agree as follows:

TERMS AND CONDITIONS:

1. REVISIONS TO COMPENSATION SCHEDULE. The Parties hereby amend the Compensation Schedule set forth in **Exhibit B** of the Agreement with the new rates and Compensation Schedule set forth in **Exhibit B-2**, attached hereto and incorporated herein by this reference.
2. PRIOR PROVISIONS EFFECTIVE. Except as specifically amended hereby, all the terms and provisions of the Agreement shall remain in full force and effect.
3. COUNTERPART EXECUTION. This First Addendum may be executed in several counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

[Remainder of Page Intentionally Left Blank].

IN WITNESS WHEREOF, the Parties have caused this First Addendum to be duly executed and delivered by their respective officers thereunto duly authorized as of the date written above.

CREEKSIDE SOUTH ESTATES, a quasi-municipal corporation and political subdivision of the State of Colorado

Officer of the District

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

CONTRACTOR:
ALBERTS WATER & WASTEWATER
SPECIALISTS, INC., a Colorado corporation

Printed Name: _____

Title: _____

EXHIBIT B-2

Creekside well maintenance & repair summary to date, 2020.

Dear Creekside residents.

It has been a tough summer on our wells. Below is a summary of maintenance and repairs on some of our wells, and the financial impact to the District. These costs are for repairs and maintenance only, it does not include water quality testing and monitoring which is billed separately.

February

Well 11

One pressure tank, repaired a leak, miscellaneous parts and fittings, labor & materials

\$3,311.09

April

Well 8

Float switch, labor & materials

\$348.21

Well 9

1 pressure tank, Pressure switches and gauges, 1 pressure pump, miscellaneous parts and fittings, labor & materials

\$4,925.46

Well 10

2 pressure tanks. Pressure switches and gauges, 1 pressure pump, miscellaneous parts and fittings, labor & materials

\$7,066.70

Well 11

Pressure pump, labor & materials

\$2,330.81

May

Well 11

Pressure pump, labor + overtime for Saturday & materials

\$3,099.08

Well 4

1 pressure tank, 1 pressure pump, SQE Smart Flow Controller

Deep well pump & motor, new wire, deep well pump & motor (Pump covered under warranty)

\$5,087.13

June

Well 3

Deep well pump & motor, new pipe, and wire, Yaskawa digital control unit, de-scale, and brush clean well casing.

\$26,469.62

Well 12

Deep well pump & motor, new pipe, and wire, Yaskawa digital control unit. (Did not get billed for the pipe.)

\$15,714.88

Well 9

Clean & disinfect cisterns replace float switch, labor & materials

\$1,239.98

Wells 10, 11, & 12

Clean & disinfect cisterns replace floats and float switches, miscellaneous parts and fittings, labor & materials

Well eleven, re-mount discharge pipe

Well 10, Single in three phases out, Yaskawa digital control unit

\$6,879.37

Well 10

Buried water line repair

\$1,244.20

\$77,734.23 Grand Total

Analytical Results

Domestic Water Quality

TASK NO: 200911044

Report To: Linda Dibble

Company: Alberts Water/Wastewater Specialists, Inc.
425 John Deere Drive
Suite #5
Fort Collins CO 80524

Bill To: Accounts Payable

Company: Alberts Water/Wastewater Specialists,
425 John Deere Drive
Suite #5
Fort Collins CO 80524

Task No.: 200911044

Client PO:

Client Project: Creekside South Estates HOA
CO0101188

Date Received: 9/11/20

Date Reported: 9/18/20

Matrix: Water - Drinking

Customer Sample ID Finished Water Well 3

Sample Date/Time: 9/11/20 9:50 AM

Lab No. 200911044-01

Test (units)	Sample Result	Suggested Maximum	Comments
Total Alkalinity (mg/L as CaCO ₃)	257.4	250	
Bicarbonate (mg/L as CaCO ₃)	252.4	250	
Carbonate (mg/L as CaCO ₃)	5.0		
Hydroxide (mg/L as CaCO ₃)	< 4		
Chloride (mg/L)	276.3	250	
Iron (mg/L)	0.071	0.3	
Fluoride (mg/L)	0.94	4	
Potassium (mg/L)	4.0	50	
Nitrate Nitrogen (mg/L)	0.93	10	
pH (units)	8.08	8.5	
Calcium (mg/L)	71.9	200	
Magnesium (mg/L)	13.73	125	
Sodium (mg/L)	747.3	100	High Sodium may be of concern for health reasons.
Sodium Adsorption Ratio (units)	21.2	4	High Sodium Adsorption Ratio indicates this water will likely inhibit plant growth (Not suitable for irrigation).
Total Hardness (mg/L as CaCO ₃)	236.0	500	
Sulfate (mg/L)	1160.6	250	
Total Dissolved Solids (mg/L)	2337	500	High Total Dissolved Solids may affect taste.

Abbreviations:

mg/L = Milligrams Per Liter or PPM

mpn/100 mls = Most Probable Number Index/ 100 mls

Suggested maximum levels for Nitrate Nitrogen and Fluoride are mandatory maximums set by The Colorado Department of Public Health and Environment.

10411 Heinz Way / Commerce City, CO 80640 / 303-659-2313
Mailing Address: P.O. Box 507 / Brighton, CO 80601-0507

200911044

1/3

Analytical Results

Domestic Water Quality

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Bill To: Accounts Payable

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425 John Deere Drive
Suite #5
Fort Collins CO 80524

Task No.: 200911044
Client PO:
Client Project: Creekside South Estates HOA
CO0101188

Date Received: 9/11/20
Date Reported: 9/18/20
Matrix: Water - Drinking

Customer Sample ID DS001-15905 Jamaica Way

Sample Date/Time: 9/11/20 10:25 AM

Lab No. 200911044-03

Test (units)	Sample Result	Suggested Maximum	Comments
Total Alkalinity (mg/L as CaCO ₃)	233.6	250	
Bicarbonate (mg/L as CaCO ₃)	233.6	250	
Carbonate (mg/L as CaCO ₃)	< 4		
Hydroxide (mg/L as CaCO ₃)	< 4		
Chloride (mg/L)	312.3	250	
Iron (mg/L)	16.590	0.3	
Fluoride (mg/L)	1.43	4	
Potassium (mg/L)	4.1	50	
Nitrate Nitrogen (mg/L)	1.35	10	
pH (units)	8.13	8.5	
Calcium (mg/L)	67.5	200	
Magnesium (mg/L)	14.72	125	
Sodium (mg/L)	834.0	100	High Sodium may be of concern for health reasons.
Sodium Adsorption Ratio (units)	24.0	4	High Sodium Adsorption Ratio indicates this water will likely inhibit plant growth (Not suitable for irrigation).
Total Hardness (mg/L as CaCO ₃)	229.2	500	
Sulfate (mg/L)	1293.7	250	
Total Dissolved Solids (mg/L)	2513	500	High Total Dissolved Solids may affect taste.

Abbreviations:

mg/L = Milligrams Per Liter or PPM

mpn/100 mls = Most Probable Number Index/ 100 mls

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Mailing Address: P.O. Box 507 / Brighton, CO 80601-0507

200911044

3/3

Analytical Results

TASK NO: 200911044

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425 John Deere Drive
Suite #5
Fort Collins CO 80524

Bill To: Accounts Payable

Company: Alberts Water/Wastewater Specialists,
425 John Deere Drive
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Task No.: 200911044
Client PO:
Client Project: Creekside South Estates HOA
CO0101188

Date Received: 9/11/20
Date Reported: 9/18/20
Matrix: Water - Drinking

Customer Sample ID Finished Water Well 3

Sample Date/Time: 9/11/20 9:50 AM

Lab Number: 200911044-01

Test	Result	Method	ML	Date Analyzed	Analyzed By	MCL
<u>Total</u>						
Manganese	0.0246 mg/L	EPA 200.8	0.0008 mg/L	9/17/20	IPC	0.05

Abbreviations/ References:

ML = Minimum Level = LRL = RL
MCL = Maximum Contaminant Level per The EPA
mg/L = Milligrams Per Liter or PPM
ug/L = Micrograms Per Liter or PPB
mpn/100 mls = Most Probable Number Index/ 100 mls
Date Analyzed = Date Test Completed



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Analytical Results

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Date Received: 9/11/20
Date Reported: 9/18/20
Matrix: Water - Drinking

Customer Sample ID DS001-15905 Jamaica Way

Sample Date/Time: 9/11/20 10:25 AM

Lab Number: 200911044-03

Test	Result	Method	ML	Date Analyzed	Analyzed By	MCL
<u>Total</u>						
Manganese	0.2768 mg/L	EPA 200.8	0.0008 mg/L	9/17/20	IPC	0.05

Abbreviations/ References:

ML = Minimum Level = LRL = RL

MCL = Maximum Contaminant Level per The EPA

mg/L = Milligrams Per Liter or PPM

ug/L = Micrograms Per Liter or PPB

mpn/100 mls = Most Probable Number Index/ 100 mls

Date Analyzed = Date Test Completed



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**RESOLUTION
OF THE
ARCHITECTURAL CONTROL COMMITTEE
OF THE
CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT
REGARDING THE DISPLAY OF POLITICAL SIGNS**

WHEREAS, Creekside South Estates Metropolitan District (the “District”) is a quasi-municipal corporation and political subdivision of the State of Colorado); and

WHEREAS, the District is the entity named and referred to that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Creekside, recorded in the real property records of the Clerk and Recorder of Adams County, Colorado on November 4, 2019, at Reception Number 2019000095064 (the “**Declaration**”) to administer and enforce the provisions contained therein;

WHEREAS, in accordance with the Declaration, the Board of Directors of the District has appointed the members of the Architectural Control Committee (the “**Committee**”); and

WHEREAS, the Declaration generally prohibits the display of signs on a Lot (as defined in the Declaration) without the prior approval of the Committee; and

WHEREAS, the Declaration provides that the Committee may issue Committee Rules (as defined in the Declaration) regarding anything relevant to its function; and

WHEREAS, the Committee desires to issue the following Committee Rule in relation to the display of political signs on Lots by the Owners (as defined in the Declaration) or occupants thereof.

NOW, THEREFORE, BE IT RESOLVED that the Committee does hereby adopt the following Committee Rule regarding the display of political signs on Lots in the Community (as defined in the Declaration).

Political Signs (defined as signs that carry a message intended to influence the outcome of an election, including supporting or opposing the election of a candidate, the recall of a public official, or the passage of a ballot issue) may be displayed within the boundaries of a Lot without approval of the Committee, subject to the following:

1. Political Signs may not be displayed earlier than forty-five (45) days before the date of the election and must be removed no later than seven (7) days after the election.
2. No more than one (1) political sign per political office or ballot issue that is contested in the pending election may be displayed on any Lot.
3. Political signs shall not exceed 36" x 48" in size.

ADOPTED this _____ day of _____, 2020 by the undersigned members of the Committee.
