

CHAPARRAL POINTE METROPOLITAN DISTRICT

Special Board Meeting

Monday, November 13, 2023, at 5:00 p.m.

Via Teleconference

Please join my meeting from your computer, tablet, or smartphone.

<https://video.cloudoffice.avaya.com/join/547326735>

United States: +1 (213) 463-4500

Access Code: 547-326-735

Board of Director	Title	Term
Cynthia Myers	President	May 2025
Grant Westerfield	Treasurer	May 2027
David Bernstein	Secretary	May 2027
Linda Bernstein	Assistant Secretary	May 2025
VACANT	Assistant Secretary	May 2025

AGENDA

1. Administrative Matters

- a. Present disclosures of potential conflicts of interest.
- b. Confirm quorum, location of meeting and posting of meeting notices. Approve agenda.
- c. Public Comment - Members of the public may express their views to the Board on matters that affect the Districts. Comments will be limited to three (3) minutes.
- d. Consent Agenda - The items listed below are a group of items to be acted on with a single motion and vote by the Boards. Any item may be removed from the Consent Agenda upon request of any Board member.
 - Approve Minutes from August 21, 2023 special board meeting (**enclosure**).
- e. Discuss business to be conducted in 2024 and the location (virtual and/or physical) of meetings. Schedule regular meeting dates and consider adoption of Resolution Establishing Regular Meeting Dates, Time, and Location, and Designating Location for Posting of 24-Hour Notices (**enclosure**).
- f. Insurance Discussion
 - Cyber Security and Increased Crime Coverage.
 - Establish Insurance Committee to make final determinations regarding insurance, if necessary.
 - Authorize renewal of District’s insurance and Special District Association (SDA) membership for 2024.
- g. Discuss and consider approval of engagement of WSDM, LLC for 2024 Management and Accounting Services (**enclosure**).

- h. Discuss vacancy on the Board and consider the appointment of an eligible elector (if applicable). Administer Oath of Office.
- i. Consider appointment of officers (if a new Director is appointed).

President: _____
 Secretary: _____
 Treasurer: _____
 Assistant Secretary: _____
 Assistant Secretary: _____

2. Legal Matters

- a. Discuss requirements of Section 32-1-809, C.R.S., and direct staff regarding compliance for 2024 (District Transparency Notice).
- b. Discuss and consider adoption of Resolution Amending Policy on Colorado Open Records Act Requests (enclosure).
- d. Discuss District services for 2024 and consider approval of necessary service agreements for related services.
- e. Update on Tract Acquisition.
- f. Update on negotiations regarding consultant invoicing matters.
 - Adjourn in executive session to receive legal advice pursuant to Sections 24-6-402(4)(b) and (e), C.R.S., to receive legal advice related to negotiations regarding consultant invoicing matters (if necessary).

3. Financial Matters

- a. Review Unaudited Financial Statements as of October 31, 2023 (**enclosure**).
- b. Conduct Public Hearing to consider amendment of the 2023 Budget. If necessary, consider adoption of Resolution to Amend the 2023 Budget (**enclosure**).
- c. 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**).
- d. Discuss and consider adoption of Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan (**enclosure**).
- e. Authorize District Accountant to prepare and sign the DLG-70 Certification of Tax Levies form (“Certification”), and direct District Accountant to file the Certification with the Board of County Commissioners and other interested parties.
- f. Consider appointment of District Accountant to prepare 2025 Budget.
- g. Discuss statutory requirements for an audit. Authorize District Manager to obtain proposals to perform the 2023 Audit.

4. **Covenant Enforcement Matters**
5. **Other Business**
6. **Adjourn**

There are no more regular meetings scheduled for 2023



**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
CHAPARRAL POINTE METROPOLITAN DISTRICT
HELD AUGUST 21, 2023, AT 2:00 P.M.**

Pursuant to posted notice, the special meeting of the Board of Directors of the Chaparral Pointe Metropolitan District was held on Monday, August 21, 2023, at 2:00 p.m., via electronic means and telephone conference call.

Attendance

In attendance were Directors:

Cynthia Myers, President
Grant Westerfield, Treasurer
David Bernstein, Secretary
Linda Bernstein, Assistant Secretary

Also in attendance were:

Rebecca Harris, Kevin Walker, Adam Noel (for a portion of the meeting) and Rylee Delaney, WSDM District Managers (“WSDM”)
Suzanne Meintzer, Esq., McGeady Becher P.C.

1. **Call to Order/Declaration of Quorum**: President Myers called to the meeting to order at 2:03 p.m. and declared a quorum was present with Director Mulqueen absent.
2. **Conflict of Interest Disclosures**: Attorney Meintzer discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested 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 statute. It was noted by Attorney Meintzer that disclosures of potential conflicts of interest were filed with the Secretary of State for Director Myers, and that potential conflicts of interest were not filed for the other Directors, as they are residents of the District. No additional conflicts were disclosed at the meeting.
3. **Approval of Agenda**: Ms. Harris added item 7.d. Bank signers and bank discussion, and item 7.e. Review and consider approval of payables. Director David Bernstein added item 9.a. Development update. Director Myers moved to approve the Agenda as amended; seconded by Director David Bernstein. Motion passed unanimously.
4. **Public Comment**: There was no public comment.
5. **Administrative Matters**
 - a. **Review and Consider Approval of Minutes from the July 31, 2023 Special Board Meeting**: Director Myers moved to approve the Minutes from the July 31, 2023 special board meeting; seconded by Director David Bernstein. Motion passed unanimously.

- b. Resignation of Brian Mulqueen: The Board acknowledged the resignation of Mr. Mulqueen from the Board of Directors, effective July 28, 2023.
- c. Discuss vacancy on the Board of Directors of the District: Attorney Meintzer explained the appointment process for the Board. Director Westerfield noted he may know someone who was interested in filling the vacancy. The Board directed WSDM to send a letter notifying District residents of the vacancy and the deadline for the Letter of Interest.

6. Legal Matters

- a. Status of Conveyance of Tracts: There was no update at this time.
- b. Executive Session: Director Myers moved to adjourn into executive session at 2:17 p.m. to receive legal advice related to negotiations regarding consultant invoicing matters pursuant to Sections 24-6-402(4)(b) and (e), C.R.S., seconded by Director David Bernstein, and upon vote unanimously carried, the Board entered into executive session.

Director Myers motioned to adjourn the executive session and enter regular session at 2:54 p.m., seconded by Director David Bernstein, and upon vote unanimously carried, the Board entered into regular session.

Director Myers moved to authorize Directors Myers and Westerfield to coordinate negotiations with CliftonLarsonAllen LLP (“CLA”) on consultant invoicing matters; seconded by Director Linda Bernstein. Motion passed unanimously.

7. Financial Matters

- a. Public Hearing on Amendment to 2022 Budget: Director Myers opened the public hearing to consider an amendment to the 2022 Budget.

It was noted that publication of Notice stating that the Board would consider amendment of the 2022 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to the public hearing.

No public comments were received during the hearing, and the public hearing was closed.

Director Myers moved to adopt Resolution No. 2023-08-01, Resolution to Amend the 2022 Budget; seconded by Director Linda Bernstein. Motion passed unanimously.

- b. 2022 Audit: Director Myers moved to accept the 2022 Audit and authorize the execution of the Representation Letter; seconded by Director David Bernstein. Motion passed unanimously.

- c. Preparation of the 2024 Budget: Director Myers moved to appoint the District Accountant to prepare the 2024 Budget and set the date for a public hearing to adopt the 2024 Budget at 6:00 p.m., on November 6, 2023; seconded by Director Westerfield. Motion passed unanimously.
- d. Bank signers and bank discussion: Ms. Harris reported on the bank signature cards. The Board determined that Director Myers and WSDM should appear in-person to close the account at FirstBank and receive a check for the remaining funds to be issued to the District. The check would then be used to open a new account at Eastern Colorado Bank.
- e. Consider Approval of Payables: The Board discussed the outstanding payables. The Board directed WSDM to pay all outstanding invoices except for CLA, which are subject to further negotiation (as discussed above), and to pay McGeady Becher P.C.'s invoices through April 30, 2023.

8. Covenant Enforcement Matters

- a. Trash Bins: The Board discussed The Vistas at Chaparral Homeowner Design Guidelines regarding trash and recycling bins. No action was taken by the Board.
- b. Resolution Adopting the Amendments to The Vistas at Chaparral Homeowner Design Guidelines regarding trash: No action was taken by the Board.
- c. Privacy Fencing: Attorney Meintzer and Director Myers noted that certain areas may be subject to City rules and ordinances for sight lines.

9. New Business

- a. Director David Bernstein asked Director Myers about the schedule for Scott Gianetti with the Developer to be on-site in the District. Director David Bernstein noted that the community had not received an update in some time. Director Myers stated that she would reach out to Mr. Gianetti and ask that he provide an update to the community.
- b. Director David Bernstein asked about the acquisition of tracts and whether the District would be responsible for maintenance and landscaping upon acquisition. Director Myers advised that, yes, the District would be responsible for maintenance and landscaping upon acquisition, and that the Developer is responsible for maintenance and landscaping until that point. Director Myers noted that the 2024 Budget should take landscaping costs for these tracts into consideration.

10. Other Business

- a. Confirm a quorum for the next regularly scheduled Board Meeting: Attorney Meintzer discussed new legislation and explained the need for an annual meeting. The Board agreed to schedule the annual meeting for November 13, 2023, at 5:00 p.m. and the special Board meeting and Budget hearing will immediately follow.

- 11. Adjourn: Director Myers moved to adjourn at 3:34 p.m.; seconded by Director David Bernstein. Motion passed unanimously.

**ATTORNEY STATEMENT
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION**

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing Chaparral Pointe Metropolitan District, I attended the executive session that Chaparral Pointe Metropolitan District convened at 2:17 p.m. on August 21, 2023 for the sole purpose of receiving legal advice related to negotiations regarding consultant invoicing matters as authorized by Sections 24-6-402(4)(b) and (e), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S., and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Signed

Suzanne M. Meintzer
Attorney for Chaparral Pointe Metropolitan
District

Dated:



RESOLUTION NO. 2023-11-_____

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE CHAPARRAL POINTE 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 Chaparral Pointe Metropolitan District (the “**District**”), El Paso 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.
2. 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.
3. That regular meetings of the District Board for the year 2024 shall be held on _____ at _____, at _____ [indicate physical location and/or virtual location (telephonically, electronically, or by other means)].
4. That special meetings of the District Board shall be held as often as the needs of the District require, upon notice to each director.
5. 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.
6. 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.
7. That the District has established the following District Website, <https://www.chaparralpointemd.com/>, 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.
8. 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 a post within the boundaries of the District
9. The District Manager, 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 13, 2023.

**CHAPARRAL POINTE
METROPOLITAN DISTRICT**

By: _____
President

Attest:

Secretary





RE: 2024 Annual Engagement Letter

This agreement constitutes a Statement of Work (“SOW”) to the Original Service Agreement made by and between WSDM – District Managers and **CHAPARRAL POINTE METROPOLITAN DISTRICT** (“the District”). This engagement letters serves as a renewal to the service provided or additional service to be provided as prescribed below.

Management Services

1. Meeting and Reporting Services – WSDM will continue to provide the following services:
 - a. Coordinate Board meetings, prepare and distribute meeting agenda. Preparation, filing and posting of legal notices required in conjunction with the meeting.
 - b. Ensure meeting notices are properly and timely posted.
 - c. Contact Board members 72 hours prior to a scheduled meeting to ensure a quorum will be present. In the event of a cancelation of a meeting, contact and advise all parties of the cancelation and any changes to the meeting date, time and place, if available.
 - d. Meeting packets will be distributed by U.S. Mail and/or email, as determined by the Board
 - e. Prepare for and attend regular and special meetings of the Board.
 - f. Draft, revise and finalize the minutes of the meeting and circulate for review and comment to ensure all statutory requirements have been met.
 - g. Prepare and maintain a record of all Board members, consultants and vendors. Direct and oversee all service providers, consultants and employees.
 - h. Prepare and make annual compliance filings (but not judicial filings) with the various State and County officials, as required. Coordinate review and approval of annual compliance filings with the attorney.
 - i. Respond to inquiries made by various officials, property owners or consultants in a timely and professional manner.
 - j. Set up and maintain the official records of the District and service as official custodian for same pursuant to the Colorado Open Records Act.
 - k. Monitor requirements pertaining to HB 1343 (Illegal Aliens).
 - l. Insurance administration, including evaluating risks, comparing coverage, process claims, completing applications, monitoring expiration dates, processing routine written and telephone correspondence. Ensure that all District contractors and subcontractors maintain required coverage for the District's benefit. Obtain quotes for insurance annually.

2. Elections – Service as a Designated Election Official (DEO) for district elections with familiarity with various laws, including, but not limited to the Special District Act, the Colorado Local Government Election Code, the Uniform Election Code of 1992, to the extent not in conflict with the Colorado Local Government Election Code, and Article X, § 20 of the Colorado Constitution ("TABOR")
3. Construction Oversight – we may provide extensive construction management. Our current experience principals have funded and managed over \$100,000,000 in public infrastructure including roads, water, wastewater, electric, gas, telecommunications, and stormwater facilities.
4. Website Administration – continue extensive experience with creating and updating the District websites, specifically including the State Internet Portal Authority funded sites (SIPA). Or continue hosting the district website under www.wsdistricts.co.
5. Employee management – management of full or part time employees including Operators in Responsible Control (ORC), field and operations employees, administrative employees, part time seasonal employees, Certified Pool Operators, etc. Maintain compliance with Human Resource aspects like; labor statutes, insurance, training, safety, etc. issues. Also, automated payroll services
6. Covenant enforcement and CCR Management – WSDM will continue to provide the following services:
 - a. Management of Architectural Control Committees or Design Review Committees, including, but not limited to, coordination of meetings and preparation of meetings.
 - b. Community inspections and review of proposed improvements or architectural requests.
 - c. Provide enforcement of the recorded CCRs (Covenant, Conditions, and Restrictions) and Design Guidelines including, but not limited to, violation tracking and imposition of fines.
7. Insurance – WSDM will continue to be the liaison for the annual insurance renewal and payment, as well coordination for any insurance claims, as needed, and complete the annual insurance audit to ensure the district is properly covered.
8. Inclusion/ Exclusions of Property – WSDM will provide, assistance with Legal Counsel, to coordinate any property inclusions into the District Boundaries or any property exclusions out of the District Boundaries. Determine property eligibility, present to the Board for approval, and file with proper local governing body.

Accounting and bookkeeping

1. Standard Service – WSDM will continue to provide the following services (with a Certified Public Accountant):
 - a. Accounting:
 - i. Prepare monthly, quarterly, and annual financial statements for the monthly meeting packets.
 - ii. Reconcile bank statements and trustee statements on a monthly basis.

- iii. Coordinate bank account setup and maintenance of signature cards.
 - iv. Prepare and file Continuing Disclosure Notices with the Trustee and other required parties. Coordinate review with legal counsel.
 - v. Coordinate capital project draws and requisitions.
 - vi. Prepare and review all payments of claims prior to release to ensure funds are available.
 - vii. Monthly review of all expenditures and coordinate preparation and distribution of same with the manager for the District to monitor the district is on track with the budget and appropriated expenditures.
- b. Accounts Payable:
- i. Receive and review invoices for accuracy and appropriateness for payment. Code the invoices in accordance with the budgeted line item.
 - ii. Prepare issuance of checks (or virtual checks) to be presented to the Board for approval and signatures. The claims (Payables) list will be included in the monthly meeting packets.
 - iii. Prepare funding requests, if required.
 - iv. Release checks to vendors when all approvals and funding have been received.
- c. Accounts Receivable:
- i. Process deposit of revenues
 - ii. Process bank charges and other miscellaneous accounts receivable matters.
- d. Financial Projections:
- i. Provide multi-year forecasting on Board request
 - ii. Provide a Utility consumption versus rate analysis, and possible water loss calculations
 - iii. Provide commercial billing and rate structure analysis.
- e. Budgets:
- i. Prepare annual budget and budget message for approval by the Board and coordinate with legal counsel for same.
 - ii. Prepare or assist in the preparation of supplemental and/or amended budgets and accompanying documents, if required.
 - iii. Prepare and assist in the compliance of filing the annual Budget, or amendment, as needed.
- f. Audits:
- i. Obtain proposals for conducting the annual audit for consideration at budget hearing meeting. Proposals should be included in the meeting packet.
 - ii. Coordinate and participate in audit bids, engagements, fieldwork and audit draft review.
 - iii. Assist the auditor in performing the annual audit, to accomplish timely completion and filing by statutory deadline.
 - iv. Help present the Annual Audit for approval by the Board to be file din compliance with State, local, and federal requirements.
- g. Bonds:
- i. Monitor and comply with Bond documents, State Statute, and Auditing requirements
 - ii. Transfer debt obligated funds to correct Reserve Funding accounts as applicable

- iii. Coordinate principal and interest payments as required by the governing documents.
- iv. Coordinate with Bond counsel to issue bonds as directed by the Board of Directors
- v. Coordinate the proper compliance filing including but not limited to the DLG-30, etc.
- h. Developer Reimbursements/ Advances:
 - i. Coordinate with Developers to ensure all advances are received, tracked, or accounted for to fund the district as needed.
 - ii. Monitor and comply with Developer Reimbursement agreements and Auditing requirements
 - iii. Coordinate principal and interest payments required by the Reimbursement agreement

Billing and Collections

1. Standard Services—WSDM will continue to utilize the Continental Utility Solutions, Inc. (CUSI) billing software system for the residents, BILL billing software, or QuickBooks billing software—as seen applicable.
 - a. CUSI system is compatible with the Automatic Meter Reading (AMR), Badger Beacon systems as well as state of the art integration with direct payment options (Customer Web Portals, ACH, and Credit Card).
2. Additional Standard Services will include:
 - a. Provide resolution of re-reads for meter reads, if necessary.
 - b. Customize billing system to download meter readings directly into accounting software to allow for automatic updates to customer accounts.
 - c. Produce and transmit customer invoices to a mailing facility or perform the mailing in house, whichever is more economical.
 - d. Process and make daily deposits of all receipts mailed directly to the billing company, as necessary.
 - e. Communicate with customers and transmit Automated Clearing House ("ACH") authorization forms allowing the District to initiate an ACH withdrawal of the customer bill directly from their checking or savings account. Initiate ACH batches using dual controls.
 - f. Coordinate and provide correspondence regarding terminations, delinquencies, payment plans and shut-off notices in compliance with the District's collection policies and in coordination with the District's legal counsel.
 - g. Process payoff requests from title company for closings and set up new ownership information.
 - h. Collect transfer fee due upon the transfer of and account or property.
 - i. Process payment arrangements for customers facing economic hardship at the direction of the Board.
 - j. Process and transmit delinquent notices.
 - k. Process shutoff notices and direct the District's operator to proceed with shutoff.

- l. Certify delinquent accounts with the County, as applicable, in coordination with the District's legal counsel.
- m. Coordinate processing of statements of liens with the District's legal counsel, and release of liens as account are paid current.
- n. Respond to customer calls and inquiries in a timely and professional manner.
- o. Track tap fee payments and coordinate with the Water Operator to provide installation of a new Tap for water utility.

Customer Service

1. WSDM will continue to provide customer service support by phone, email, social media, and text messaging, and fax to help all customers with their inquiries, questions, or request for information.
2. WSDM will continue to provide access to a 24-hour emergency number at 719-447-4840.
3. WSDM will continue to collaborate with security teams and monitor any security camera's as needed.
4. All customer inquiries will have a response to them within 1 hour during regular business hours or immediately the following business day, if not an emergency.

Hourly Rates

WSDM will continue to provide all applicable services as listed to the District at a monthly cost or not to exceed contractual monthly limit of **\$3,750 / month.**

Principal	\$225.00
Senior Manager	\$180.00
Senior Accountant (CPA)	\$190.00
Assistant Manager	\$150.00
Bookkeeper	\$ 75.00
Administrative/ Supporting Staff	\$ 50.00

- *Signature Page to Follow* -

Thank you,



Kevin Walker,
President of WSDM

APPROVED AS SIGNED:

Signature

Title

Date



RESOLUTION NO. 2023-11-_____
CHAPARRAL POINTE METROPOLITAN DISTRICT
AMENDING POLICY ON COLORADO OPEN RECORDS ACT REQUESTS

A. On December 13, 2018, Chaparral Pointe Metropolitan District (the “**District**”) adopted Resolution No. 2018-12-10 Regarding Colorado Open Records Act Requests (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 Chaparral Pointe Metropolitan District, El Paso 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 1 of the Resolution. Section 1 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“1. Adam Noel, the Manager for the District, is hereby designated as the “**Official Custodian**” of the public records of the District, as such term is defined in Section 24-72-202(2), C.R.S. Contact information for the Official Custodian is: Adam Noel, c/o WSDM District Managers, 614 N. Tejon Street, Colorado Springs, Colorado; Phone: 719-447-1777; and email: adam.n@wsdistricts.co.”

(b) 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.”

(c) 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.”

(d) 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 NO. 2023-11-____]

RESOLUTION APPROVED AND ADOPTED ON November 6, 2023.

**CHAPARRAL POINTE
METROPOLITAN DISTRICT**

By: _____
President

Attest:

Secretary



Chaparral Pointe Metropolitan District
Balance Sheet
 As of September 30, 2023

	Sep 30, 23
ASSETS	
Current Assets	
Checking/Savings	
ECB Checking	11,230.18
UMB - Bond Fund	49,490.72
Total Checking/Savings	60,720.90
Accounts Receivable	
Accounts Receivable	9,705.00
Total Accounts Receivable	9,705.00
Total Current Assets	70,425.90
Fixed Assets	
Capital Assets	1,165,935.00
Total Fixed Assets	1,165,935.00
TOTAL ASSETS	1,236,360.90
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	60,502.54
Total Accounts Payable	60,502.54
Other Current Liabilities	
Prepaid Homeowner Fee	1,404.00
Accrued Interest Payable	69,701.00
Closings Escrow	5,500.00
Total Other Current Liabilities	76,605.00
Total Current Liabilities	137,107.54
Long Term Liabilities	
Accrued Interest on Dev Advance	25,574.00
Developer Advance Payable	166,000.00
Series 2021 Bond Payable	1,350,000.00
Total Long Term Liabilities	1,541,574.00
Total Liabilities	1,678,681.54
Equity	
Fund Balance - Unrestricted	-445,340.00
Fund Balance - Capital Imp	1,000.38
Fund Balance - Debt	47.48
Fund Balance - O&M	-14,518.25
32000 - Retained Earnings	-26,988.83
Net Income	43,478.58
Total Equity	-442,320.64
TOTAL LIABILITIES & EQUITY	1,236,360.90

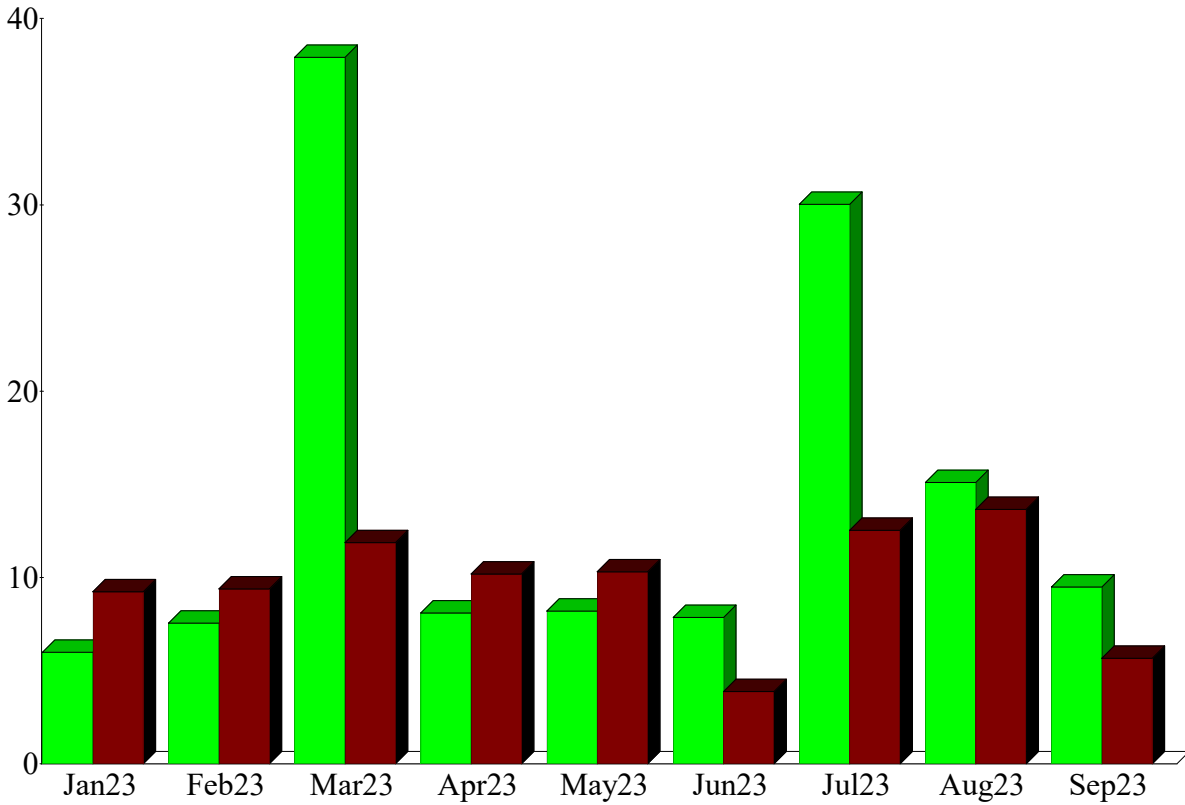
Chaparral Pointe Metropolitan District
Profit & Loss Budget vs. Actual
January through September 2023

	TOTAL				
	Sep 23	Jan - Sep 23	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense					
Income					
Developer Advance	0.00	0.00	18,500.00	-18,500.00	0.0%
Homeowners Fee	8,787.95	63,986.16	85,680.00	-21,693.84	74.68%
Late Fees / Penalties	0.00	0.00	500.00	-500.00	0.0%
Interest Income	0.00	0.00	60.00	-60.00	0.0%
Interest Income - Debt	73.57	76.01	170.00	-93.99	44.71%
Miscellaneous Income	0.00	0.00	521.00	-521.00	0.0%
CY Property Tax - O&M	0.00	15,475.78	15,476.00	-0.22	100.0%
Specific Ownership Tax - O&M	156.70	1,067.57	1,548.00	-480.43	68.96%
CY Property Tax - Debt	0.00	46,427.32	46,427.00	0.32	100.0%
Specifice Ownership Tax - Debt	470.11	3,202.71	4,643.00	-1,440.29	68.98%
Total Income	9,488.33	130,235.55	173,525.00	-43,289.45	75.05%
Expense					
General & Administrative					
Accounting	0.00	18,300.72	25,000.00	-6,699.28	73.2%
Audit	0.00	4,700.00	4,700.00	0.00	100.0%
Bank Fees	8.36	8.36			
Billing	0.00	5,370.80	12,500.00	-7,129.20	42.97%
Contingency	0.00	0.00	3,105.00	-3,105.00	0.0%
District Management	0.00	6,459.66	20,000.00	-13,540.34	32.3%
Dues & Licenses	0.00	0.00	350.00	-350.00	0.0%
Election Expense	0.00	3,742.91	5,000.00	-1,257.09	74.86%
Insurance	3,044.00	3,044.00	3,200.00	-156.00	95.13%
Legal	0.00	17,754.10	20,000.00	-2,245.90	88.77%
Miscellaneous	1,551.25	10,143.29	100.00	10,043.29	10,143.29%
SDA Dues	0.00	363.75			
Treasurer Collection Fee - O&M	0.00	232.14	232.00	0.14	100.06%
Treasurer Collection Fee - Debt	0.00	696.42	696.00	0.42	100.06%
Total General & Administrative	4,603.61	70,816.15	94,883.00	-24,066.85	74.64%
Operations & Maintenance					
Covenant Enforcement	0.00	3,615.19			
Landscaping	0.00	0.00	7,500.00	-7,500.00	0.0%
Repairs & Maintenance	0.00	0.00	7,500.00	-7,500.00	0.0%
Trash Collection	1,060.40	8,325.63	8,590.00	-264.37	96.92%
Utilities	0.00	0.00	500.00	-500.00	0.0%
Website	0.00	0.00	750.00	-750.00	0.0%
Total Operations & Maintenance	1,060.40	11,940.82	24,840.00	-12,899.18	48.07%
Bond Expense					
Paying Agent Fee	0.00	4,000.00	6,500.00	-2,500.00	61.54%
Interest Expense 2021A Bond	0.00	0.00	42,777.00	-42,777.00	0.0%
Total Bond Expense	0.00	4,000.00	49,277.00	-45,277.00	8.12%
Total Expense	5,664.01	86,756.97	169,000.00	-82,243.03	51.34%
Net Ordinary Income	3,824.32	43,478.58	4,525.00	38,953.58	960.85%
Net Income	3,824.32	43,478.58	4,525.00	38,953.58	960.85%

Income and Expense by Month
January through September 2023

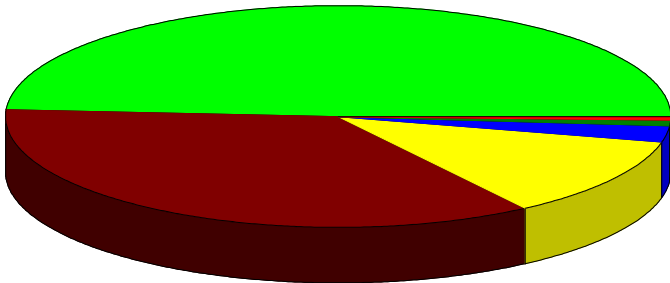


\$ in 1,000's



Income Summary
January through September 2023

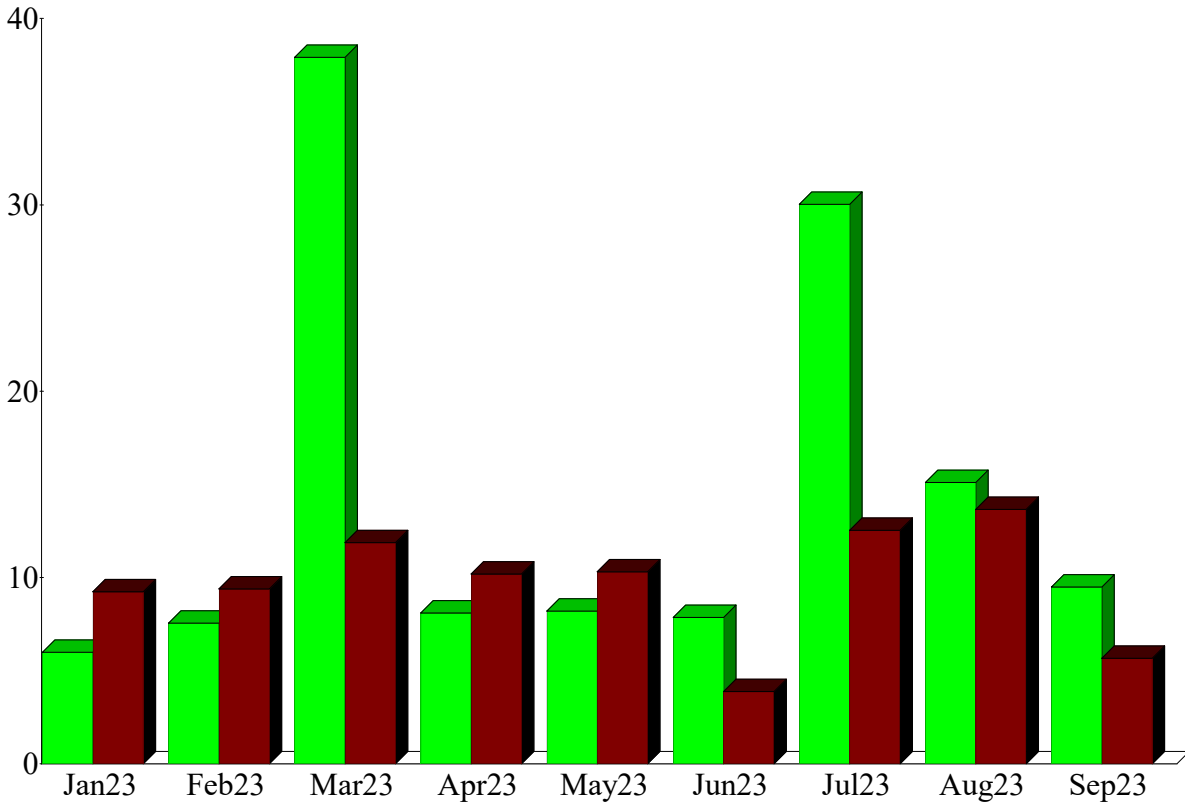
Homeowners Fee	49.13%
CY Property Tax - Debt	35.65
CY Property Tax - O&M	11.88
Specifice Ownership Tax - Debt	2.46
Specific Ownership Tax - O&M	0.82
Interest Income - Debt	0.06
Total	\$130,235.55



Income and Expense by Month
January through September 2023

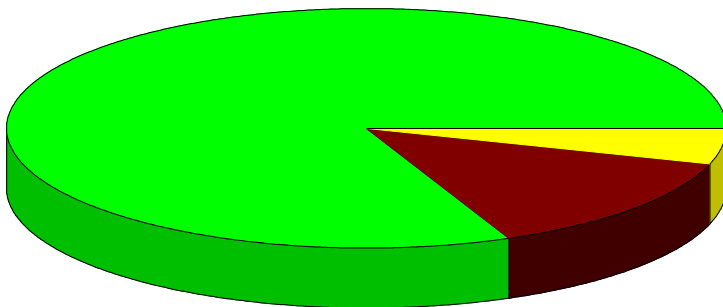


\$ in 1,000's



Expense Summary
January through September 2023

General & Administrative	81.63%
Operations & Maintenance	13.76
Bond Expense	4.61
Total	\$86,756.97





RESOLUTION NO. 2023-11-_____

**RESOLUTION TO ADOPT BUDGET AND APPROPRIATE SUMS OF MONEY
RESOLUTION OF THE BOARD OF DIRECTORS OF CHAPARRAL POINTE
METROPOLITAN DISTRICT, EL PASO COUNTY, COLORADO, PURSUANT TO
SECTION 29-1-108, C.R.S., SUMMARIZING EXPENDITURES AND REVENUES FOR
EACH FUND, ADOPTING A BUDGET AND APPROPRIATING SUMS OF MONEY
FOR THE BUDGET YEAR 2024**

A. The Board of Directors of Chaparral Pointe Metropolitan District (the “**District**”) has appointed the District Accountant to prepare and submit a proposed budget to said governing body at the proper time.

B. The District Accountant has submitted a proposed budget to this governing body for its consideration.

C. 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 13, 2023, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget.

D. 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.

E. 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.

F. The Board of Directors has made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget.

G. 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, thereby establishing a limitation on expenditures for the operations of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF
CHAPARRAL POINTE METROPOLITAN DISTRICT, EL PASO COUNTY, COLORADO:**

1. The budget, as submitted, amended, and summarized by fund, is hereby approved and adopted as the budget of the District for the year stated above.

2. The budget is 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. 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.

[SIGNATURE PAGE FOLLOWS]

**[SIGNATURE PAGE TO RESOLUTION TO ADOPT
BUDGET AND APPROPRIATE SUMS OF MONEY]**

RESOLUTION APPROVED AND ADOPTED on November 13, 2023.

**CHAPARRAL POINTE
METROPOLITAN DISTRICT**

By: _____
President

Attest:

By: _____
Secretary

EXHIBIT A

Budget

I, Adam Noel, hereby certify that I am the duly appointed Secretary of the Chaparral Pointe 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 Chaparral Pointe Metropolitan District held on November 13, 2023.

Secretary

**CHAPARRAL POINTE METROPOLITAN DISTRICT
2023 AMENDED AND 2024 BUDGET
GENERAL FUND**

	2022 ACTUAL	2023 ACTUAL 9/27/2023	2023 PROJECTED	2023 BUDGET	2024 BUDGET
GENERAL FUND BEGINNING BALANCE	\$ 4,866.00	\$ 1,864.00	\$ 1,864.00	\$ 237.00	\$ 16,363
REVENUES					
PROPERTY TAXES - O&M	\$ 10,673	\$ 15,476	\$ 15,476	\$ 15,476	\$ 22,655
SPECIFIC OWNERSHIP TAXES - O&M	\$ 1,110	\$ 1,068	\$ 1,548	\$ 1,548	\$ 1,586
OTHER REVENUE			\$ -	\$ 175	\$ -
DEVELOPER ADVANCE	\$ 21,000		\$ -	\$ 18,500	\$ -
DISTRICT SERVICE FEES	\$ 71,920	\$ 56,467	\$ 85,680	\$ 85,680	\$ 85,680
LATE FEES/PENALTIES	\$ 645		\$ -	\$ 500	\$ -
INTEREST INCOME	\$ 24		\$ -	\$ 60	\$ -
TOTAL REVENUES	\$ 105,372	\$ 73,011	\$ 102,704	\$ 121,939	\$ 109,921
TOTAL REVENUES AND FUND BALANCE	\$ 110,238	\$ 74,875	\$ 104,568	\$ 122,176	\$ 126,284
EXPENDITURES					
ACCOUNTING	\$ 22,521	\$ 8,423	\$ 8,423	\$ 25,000	\$ -
AUDIT	\$ 4,200	\$ 4,700	\$ 4,700	\$ 4,700	\$ 9,000
BILLING	\$ 19,610	\$ 5,371	\$ 5,371	\$ 12,500	\$ -
CONTINGENCY	\$ 500		\$ -	\$ 2,078	\$ 5,000
ELECTION	\$ 4,091	\$ 3,743	\$ 3,743	\$ 5,000	\$ -
DUES AND LICENSES	\$ 311	\$ 364	\$ 364	\$ 350	\$ 400
COUNTY TREASURERS FEE	\$ 161	\$ 232	\$ 232	\$ 232	\$ 340
DISTRICT MANAGERS	\$ 25,214	\$ 3,875	\$ 11,375	\$ 20,000	\$ 45,000
INSURANCE	\$ 3,095		\$ 3,200	\$ 3,200	\$ 3,200
LEGAL SERVICES	\$ 11,580	\$ 17,592	\$ 25,000	\$ 20,000	\$ 20,000
MISCELLANEOUS	\$ 82	\$ 4,842	\$ 4,842	\$ 100	\$ -
			\$ -		
OPERATIONS AND MAINTENANCE					
COVENANT ENFORCEMENT	\$ 8,762	\$ 3,615	\$ 3,615	\$ 7,500	\$ -
LANDSCAPING			\$ 7,500	\$ 7,500	\$ 10,000
WEBSITE			\$ 750	\$ 750	\$ 750
TRASH COLLECTION	\$ 8,247	\$ 7,265	\$ 8,590	\$ 8,590	\$ 13,000
UTILITIES			\$ 500	\$ 500	\$ 2,000
TOTAL EXPENDITURES	\$ 108,374	\$ 60,022	\$ 88,205	\$ 118,000	\$ 108,690
Transfer to Bond Fund				\$ -	\$ -
ENDING FUND BALANCE	\$ 1,864	\$ 14,853	\$ 16,363	\$ 4,176	\$ 17,594
EMERGENCY RESERVE: State Required 3%	\$ 3,251	\$ 1,801	\$ 2,646	\$ 3,200	\$ 3,261
ASSESSED VALUE	\$ 958,780.00	\$ 1,351,240.00	\$ 1,351,240.00	\$ 1,351,240	\$ 1,978,070
O&M MILL LEVY	11.132	11.453	11.453	11.453	11.453

**CHAPARRAL POINTE METROPOLITAN DISTRICT
2023 AMENDED AND 2024 BUDGET
DEBT SERVICE FUND**

	2022 ACTUAL	2023 ACTUAL 9/26/2026	2023 AMENDED	2023 BUDGET	2024 BUDGET
DEBT FUND BEGINNING BALANCE	\$ 47	\$ 476.00	\$ 476	\$ 467	\$ (0)
REVENUES					
PROPERTY TAXES	\$ 32,020	\$ 46,427	\$ 46,427	\$ 46,427	\$ 69,824
SPECIFIC OWNERSHIP TAXES	\$ 3,329	\$ 3,203	\$ 4,643	\$ 4,643	\$ 4,888
OTHER REVENUE			\$ 346	\$ 346	-
TRANSFER IN FROM OTHER FUNDS	\$ 1,004		-		
INTEREST INCOME	\$ 313	\$ 2	\$ 170	\$ 170	
TOTAL REVENUES	\$ 36,666	\$ 49,632	\$ 51,586	\$ 51,586	\$ 74,712
TOTAL REVENUES AND FUND BALANCE	\$ 36,713	\$ 50,108	\$ 52,062	\$ 52,053	\$ 74,711
EXPENDITURES					
COUNTY TREASURER'S FEE	\$ 481	\$ 696	\$ 696	\$ 696	\$ 1,047
PAYING AGENT FEE	\$ 4,000	\$ 4,000	\$ 4,000	\$ 6,500	\$ 6,500
CONTINGENCY		-	-	\$ 1,027	-
SERIES 2021A BOND INTREST EXPENSE	\$ 31,756	\$ 45,412	\$ 47,366	\$ 42,777	\$ 67,163
SERIES 2021A BOND PRINCIPAL					-
TOTAL EXPENDITURES	\$ 36,237	\$ 50,108	\$ 52,062	\$ 51,000	\$ 74,710
ENDING FUND BALANCE	\$ 476	\$ 0	\$ (0)	\$ 1,053	\$ 1
ASSESSED VALUATION	\$ 958,780	\$ 1,351,240	\$ 1,351,240	\$ 1,351,240	\$ 1,978,070
DEBT MILL LEVY	33.397	34.359	34.359	34.359	35.299



RESOLUTION NO. 2023-11-_____

RESOLUTION TO SET MILL LEVIES

**RESOLUTION OF THE CHAPARRAL POINTE METROPOLITAN DISTRICT
LEVYING GENERAL PROPERTY TAXES, PURSUANT TO SECTION 39-1-111,
C.R.S., FOR THE YEAR 2023, TO HELP DEFRAY THE COSTS OF GOVERNMENT
FOR THE 2024 BUDGET YEAR**

A. The Board of Directors of the Chaparral Pointe Metropolitan District (the “**District**”) has adopted an annual budget in accordance with the Local Government Budget Law, on November 13, 2023.

B. The adopted budget is attached as Exhibit A to the Resolution of the Board of Directors of the District to Adopt Budget and Appropriate Sums of Money, and such budget is incorporated herein by this reference.

C. The amount of money necessary to balance the budget for general fund expenses from property tax revenue is identified in the budget.

D. The amount of money necessary to balance the budget for debt service fund expenses from property tax revenue is identified in the budget.

NOW, THEREFORE, PURSUANT TO SECTIONS 39-1-111(5) and 39-5-128(1), C.R.S., BE IT RESOLVED by the Board of Directors of the El Paso Metropolitan District, El Paso County, Colorado, that:

1. For the purpose of meeting all general operating 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 purpose of meeting all debt retirement 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 for the purpose of meeting all contractual obligation 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.

4. That the Secretary is hereby authorized and directed to immediately certify to the Board of County Commissioners of El Paso County, Colorado, the mill levies for the District as set forth in the District’s Certification of Mill Levies, attached hereto as **Exhibit 1** 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.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE OF RESOLUTION TO SET MILL LEVIES]

RESOLUTION APPROVED AND ADOPTED on November 13, 2023.

**CHAPARRAL POINTE
METROPOLITAN DISTRICT**

By: _____
President

Attest:

By: _____
Secretary

EXHIBIT 1

Certification of Tax Levies

I, Adam Noel, hereby certify that I am the duly appointed Secretary of the Chaparral Pointe 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 Chaparral Pointe Metropolitan District held on November 13, 2023.

Secretary



RESOLUTION NO. 2022-11-_____

**RESOLUTION OF THE BOARD OF DIRECTORS OF CHAPARRAL POINTE
METROPOLITAN DISTRICT AUTHORIZING ADJUSTMENT OF THE DISTRICT
MILL LEVY IN ACCORDANCE WITH THE SERVICE PLAN**

- A. Chapparral Pointe Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado pursuant to Title 32, Colorado Revised Statutes.
- B. The District operates pursuant to its Service Plan approved by the City Council of the City of Colorado Springs, on September 11, 2018 (the “**Service Plan**”), which provides the District with the authority to impose mill levies on taxable property. Such mill levies will be the primary source of revenue for repayment of debt service, public improvements, and operations and maintenance costs of the District.
- C. The Service Plan authorizes a maximum mill levy of thirty (30) mills (the “**Maximum Debt Mill Levy**”) for payment of Debt (as defined in the Service Plan) and a maximum mill levy of ten (10) mills for the payment of operating and maintenance expenses (the “**Maximum O&M Mill Levy**,” and together with the Maximum Debt Mill Levy, the “**Maximum Mill Levy**”).
- D. Sections VI.E.1(a) and VI.J. of the Service Plan authorize adjustment of the Maximum Debt Mill Levy and the Maximum O&M Mill Levy, respectively, in the event that the method of calculating assessed valuation is changed after January 1, 2006 (the “**Baseline Year**”), by any change in law, change in method of calculation, or in the event of any legislation or constitutionally mandated tax credit, cut, or abatement. The Maximum Mill Levy may be increased or decreased to reflect such changes. Such increases or decreases shall be determined by the Board of Directors (the “**Board**”) in good faith (such determination to be binding and final) so that, to the extent possible, the actual tax revenues generated by the mill levy, as adjusted, are neither diminished nor enhanced as a result of such changes.
- E. The Service Plan provides that, for purposes of the foregoing, a change in the ratio of actual valuation to assessed valuation shall be deemed to be a change in the method of calculating assessed valuation.
- F. The history of the residential assessment ratio in Colorado since property tax assessment year 1995, as set by the Colorado General Assembly, or as voted by the electors of the State of Colorado, is set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.
- G. At the time of the Baseline Year, the residential assessment ratio set by the Colorado General Assembly was 7.96%.
- H. In 2022, the Colorado General Assembly (the “**General Assembly**”) passed Senate Bill 22-238, which amended Section 39-1-104.2, C.R.S. by setting the ratio of valuation for:

1. Multi-family residential real property at 6.80% for property tax assessment years 2022 and 2024;

2. Multi-family residential real property at 6.765% for property tax assessment year 2023;

3. Residential real property other than multi-family residential real property at 6.95% for property tax assessment year 2022; and

4. Residential real property other than multi-family residential real property at 6.765% for property tax assessment year 2023.

I. In 2023, the General Assembly passed Senate Bill 23-303, which referred a ballot issue, known as Proposition HH, to the electors of the State of Colorado for the November 7, 2023 election. If Proposition HH passes, the residential assessment rate for both multi-family residential real property and residential real property other than multi-family residential real property will be 6.70% for property tax assessment year 2023.

J. Proposition HH **did not pass** at the November 7, 2023 election, and as a result, the residential assessment rate for both multi-family residential real property and residential real property other than multi-family residential real property will be 6.765% for property tax assessment year 2023 as set forth in Senate Bill 22-238.

[OR]

Proposition HH **passed** at the November 7, 2023 election, as a result, the residential assessment rate for both multi-family residential real property and residential real property other than multi-family residential real property will be 6.70% for property tax assessment year 2023 as set forth in Proposition HH.

K. In compliance with the Service Plan, in order to mitigate the effect of the reduction in the ratio of valuation for residential real property set by **Senate Bill 22-238 OR Proposition HH** for property tax assessment year 2023, the Board determines it to be in the best interest of the District, its residents, users, property owners, and the public, to adjust the the Maximum Mill Levy, so that the actual tax revenues to be received by the District are neither diminished nor enhanced as a result of the change in the ratio of valuation for assessment since the Baseline Year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Chaparral Pointe Metropolitan District, El Paso County, Colorado, Colorado:

1. The Board hereby authorizes the adjustment of the Maximum Mill Levy to reflect that Senate Bill 22-238 OR Proposition HH set the residential assessment rate for both multi-family residential real property and residential real property other than multi-family residential real property at ____% for property tax assessment year 2023, which is a change from the 7.96% ratio of valuation for assessment of residential property as of the Baseline Year.

2. The Service Plan allows the Maximum Mill Levy to be adjusted to _____ mills, which consists of _____ mills for payment of operation and maintenance expenses and _____ mills for payment of debt (the “**Adjusted Mill Levy**”), so that District revenues shall be neither diminished nor enhanced as a result of the ratio of valuation for assessment being set at _____% for collection year 2024.

3. The Adjusted Mill Levy shall be reflected in the District’s Certification of Tax Levies to be submitted to the Board of County Commissioners of the County of El Paso on or before _____, for collection in 2024.

[SIGNATURE PAGE FOLLOWS]

**[SIGNATURE PAGE TO RESOLUTION AUTHORIZING ADJUSTMENT OF THE
DISTRICT MILL LEVY IN ACCORDANCE WITH THE SERVICE PLAN]**

RESOLUTION APPROVED AND ADOPTED ON November 13, 2023.

**CHAPARRAL POINTE METROPOLITAN
DISTRICT**

President

Attest:

Secretary

EXHIBIT A

History of Residential Assessment Ratio

<u>Tax Levy/Assessment Year</u>	<u>Tax Collection Year</u>	<u>Residential Assessment Ratio</u>
1995	1996	10.36%
1996	1997	
1997	1998	9.74%
1998	1999	
1999	2000	
2000	2001	
2001	2002	9.15%
2002	2003	
2003	2004	7.96%
2004	2005	
2005	2006	
2006	2007	
2007	2008	
2008	2009	
2009	2010	
2010	2011	
2011	2012	
2012	2013	
2013	2014	
2014	2015	
2015	2016	

2016	2017	
2017	2018	7.20%
2018	2019	
2019	2020	7.15%
2020	2021	
2021	2022	
2022	2023	6.95% (other than multi-family)
		6.80% (multi-family)
2023	2024	6.765% [if Prop HH does NOT pass]
		6.70% if Prop HH DOES pass]