

**NOTICE OF SPECIAL MEETING AND
NOTICE OF FINAL DETERMINATION TO ISSUE INDEBTEDNESS
CREEKWALK MARKETPLACE BUSINESS IMPROVEMENT DISTRICT**

NOTICE IS HEREBY GIVEN that the Board of Directors of the CREEKWALK MARKETPLACE BUSINESS IMPROVEMENT DISTRICT (the “Board”) of the City of Colorado Springs, El Paso County, Colorado, will hold a special meeting at 2:30 p.m. on Monday, November 18, 2024, to be held via telephonic and videoconference means as well as in person at 90 S. Cascade Avenue, Suite 1500, Colorado Springs, Colorado 80903. Members of the public are encouraged to participate by teleconference as outlined below.

You can access the meeting via telephone by dialing 833-568-8864 and entering the following additional information: Meeting ID: 160 938 4793, Meeting Passcode: 696041.

You can access the meeting via Zoom by using the link below:

<https://spencerfane.zoomgov.com/j/1609384793?pwd=W6d1IKZXLQNbcDIHGIAWYrHrEnOgrV.1>

At such meeting, it is anticipated that the Creekwalk Marketplace Business Improvement District (the “District”) will make a final determination to issue general obligation indebtedness. Specifically, the Board of the District will consider the adoption of a resolution authorizing the issuance of Limited Tax Supported and Special Revenue Refunding and Improvement Senior Bonds, Series 2024A, in a maximum aggregate principal amount not to exceed \$60,000,000 (“Series 2024A Bonds”) and Limited Tax Supported and Special Revenue Refunding and Improvement Subordinate Bonds, Series 2024B, in a maximum aggregate principal amount not to exceed \$15,000,000 (“Series 2024B Bonds,” and together with the Series 2024A Bonds, the “Bonds”), with the maximum aggregate principal amount of the 2024A Bonds and the 2024B Bonds not to exceed \$65,000,000. Proceeds from the sale of the Series 2024A Bonds are expected to be used to (a) finance certain public improvements related to the development, (b) refund certain outstanding bonds of the District, (c) fund the Senior Reserve Fund, (d) fund capitalized interest to come due on the Series 2024A Bonds, and (e) pay the costs of issuing the Series 2024A Bonds. Proceeds from the sale of the Series 2024B Bonds are expected to be used to (a) finance certain public improvements related to the development, (b) refund certain outstanding bonds of the District, and (c) pay the costs of issuing the Series 2024B Bonds. The Board will also consider such other matters as may be necessary or appropriate in connection with the issuance of the Bonds by the District and for the purpose of addressing those matters set out in the agenda below as the same may be amended at the meeting, and for the purpose of conducting such other business as may properly come before the Board. Pursuant to the Supplemental Public Securities Act, no legal or equitable action brought with respect to any legislative acts or proceedings in connection with the authorization or issuance of such bonds may be commenced more than thirty days after the authorization of such Bonds pursuant to the aforementioned resolution.

Pursuant to the provisions of the Supplemental Public Securities Act, one or more members of the Board of Directors may participate in this meeting and may vote on the foregoing matters through the use of a conference telephone or other telecommunications device.

Dated: November 15, 2024

The meeting is open to the public.

BY ORDER OF THE BOARD OF DIRECTORS:
CREEKWALK MARKETPLACE BUSINESS
IMPROVEMENT DISTRICT
By: /s/ Danny Mientka, President

Posted in one public place within the District not less than 24 hours prior to the meeting.

AGENDA

**NOTICE OF SPECIAL JOINT MEETING
CREEKWALK BUSINESS IMPROVEMENT DISTRICT
AND CREEKWALK METROPOLITAN DISTRICT**

NOTICE IS HEREBY GIVEN that the Boards of Directors of the CREEKWALK BUSINESS IMPROVEMENT DISTRICT AND CREEKWALK METROPOLITAN DISTRICT, City of Colorado Springs, County of El Paso, Colorado, will hold a special joint meeting at 2:30 p.m. on November 18, 2024, in person and via video conference, for the purpose of addressing those matters in the agenda set out below as the same may be amended at the meeting and conducting such other business as may properly come before the Boards.

The meeting is open to the public.

**BY ORDER OF THE BOARDS OF DIRECTORS:
CREEKWALK BUSINESS IMPROVEMENT
DISTRICT AND CREEKWALK METROPOLITAN
DISTRICT**

By: /s/ Danny Mientka
Board President

**AGENDA
SPECIAL MEETING
OF THE BOARDS OF DIRECTORS
CREEKWALK BUSINESS IMPROVEMENT DISTRICT
AND CREEKWALK METROPOLITAN DISTRICT**

DATE: November 18, 2024
TIME: 2:30pm
LOCATION: Equity Group, 90 S. Cascade Ave, Ste 1500, Colorado Springs
<https://spencerfane.zoomgov.com/j/1609384793?pwd=W6d11KZXLQNbCdlHGIAWYrHrEnOgrV.1>
Meeting ID: 160 938 4793
Passcode: 696041
DIAL-IN 669-254-5252

BOARDS OF DIRECTORS

Danny Mientka, President, (BID/MD 2023-2027)
Rebecca Mientka, Vice President/Asst. Secretary (BID 2023-2027) (MD 2022-2025)
Melissa Harrison, Treasurer (BID/MD 2022-2025)
Deirdre Aden-Smith, Secretary, (BID 2022-2025) (MD 2023-2027)
Kelly Nelson, Asst. Secretary (BID/MD 2023-2027)

1. Call to Order
2. Disclosure of Potential Conflicts of Interest
3. Approval of Agenda

4. Public Comment
5. Consider for Approval Minutes of the Joint Meeting held July 2, 2024 (Continued July 10, 2024), Minutes of the BID Meeting held September 16, 2024, and Minutes of the MD Meeting held November 1, 2024
6. Financial Matters
 - a. Ratify Approval of previous Claims
 - b. Acceptance of Financial Statements
 - c. Approval of 2024 Audit Engagement Letter
 - d. Approval of CliftonLarsonAllen LLP Statements of Work
 - e. Approval of CliftonLarsonAllen LLP signing the DLG-70
 - f. Approval of Forecast Engagement with CliftonLarsonAllen LLP (BID)
7. Budget Hearings
 - a. Conduct public hearing on the amendment to the 2024 budgets, if required
 - i. Consider for approval resolutions amending the 2024 budget, if required
 - b. Conduct public hearing on the budget for the fiscal year 2025
 - i. Consider for approval resolutions adopting the 2025 budgets, approve the appropriation of funds, and authorize tax levies to be certified by the District for collection in fiscal year 2025
8. Bond Items
 - a. Consider for approval (i) the Limited Tax Supported and Special Revenue Refunding and Improvement Senior Bonds, Series 2024A (“Series 2024A Bonds”) in a maximum aggregate principal amount not to exceed \$60,000,000; and (ii) the Limited Tax Supported and Special Revenue Refunding and Improvement Subordinate Bonds, Series 2024B (“2024B Bonds”) in a maximum aggregate principal amount not to exceed \$15,000,000, with the maximum aggregate principal amount of the 2024A Bonds and 2024B Bonds not to exceed \$65,000,000
 - b. Discussion and possible action of Creekwalk Marketplace Business Improvement District to make a final determination to issue indebtedness through the issue of the Bonds by the Adoption of a Parameters Resolution and other documents including the Capital Pledge Agreement
 - c. Discussion and possible action of Creekwalk Metropolitan District to make a final determination to approve the Capital Pledge Agreement and to approve the Resolution Concerning the Approval of a Capital Pledge Agreement
 - d. Such other matters as may be necessary or appropriate in connection with the bond issuance
 - e. Identify and authorize a District Representative to approve and execute documents and other items related to the proposed issuance of Bonds
 - f. Consider for approval the proposed Post Issuance Tax Compliance Policy related to the proposed bond issuance and identify a responsible person
 - g. Consider Approval of First Amendment to Agreement for PIF Collection
 - h. Consider Approval of PIF Covenants
 - i. Consider Approval of Second Amendment to Cooperation Agreement (CSURA Creekwalk Marketplace BID)
9. Attorney Items
 - a. Consider Approval of Conflict Waiver

- b. Consider Approval of Intergovernmental District Facilities Construction and Service Agreement
 - c. Consider Approval of 2025 Annual Administrative Matters Resolutions
 - d. Consider Approval of Exclusion from Worker's Compensation Coverage Resolutions
 - e. Consider Approval of Colorado Open Records Act Requests Resolutions
 - f. Consider Approval of 2025 Election Resolutions
- 10. Director Items
 - 11. Other Business
 - 12. Executive Session - pursuant to Colorado Open Meeting Law C.R.S. § 24-6-402(4)(b) to consult with or receive advice from attorney regarding specific legal items, as necessary
 - 13. Continuation/Adjournment

Dated: November 15, 2024