

GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2

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

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
James R. Einolf	President	2023/May 2023
Michael A. Clay	Treasurer	2023/May 2023
Phillip A. Johnson	Assistant Secretary	2023/May 2023
Russell Heinen	Assistant Secretary	2025/May 2025
Gerald P. Hart	Assistant Secretary	2025/May 2025

DATE November 9, 2022
TIME: 1:00 P.M.
PLACE: Virtual

THIS MEETING WILL BE HELD BY VIDEO/TELEPHONIC MEANS:

Join Zoom Meeting

<https://us02web.zoom.us/j/83654455688?pwd=ZjZrTHFFSHppVllnWGllZWJHMHZ5QT09>

Meeting ID: 836 5445 5688

Passcode: 064303

Dial In: 1-719-359-4580

- I. CALL TO ORDER and DECLARATION OF QUORUM
- II. PUBLIC COMMENTS
 - A. Members of the public may express their views to the Board on matters that affect the District. Comments will be limited to three (3) minutes.

- III. ADMINISTRATIVE MATTERS
 - A. Present Disclosures of Potential Conflicts of Interest.

 - B. Approve Agenda; confirm location of the meeting and posting of meeting notices.

 - C. Acknowledge resignation of David Solin as District Secretary and consider appointment of James Ruthven as new District Secretary.

- D. Consider approval of the Minutes from June 8, 2022 regular meeting (enclosure).

- E. Consider adoption of 2023 Annual Administrative Resolution (enclosure).

- F. Discussion re District Website Requirements (enclosure).

- G. Discussion re FAML I Program.

IV. FINANCIAL MATTERS

- A. Review and ratify the approval of the payment of claims as follows (enclosures):

Fund	Period Ending June 30, 2022	Period Ending July 31, 2022	Period Ending Aug. 31, 2022	Period Ending Sept. 30, 2022
General	\$ 8,815.00	\$ 8,712.72	\$ 2,869.80	\$ 3,106.57
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total	\$ 8,815.00	\$ 8,712.72	\$ 2,869.80	\$ 3,106.57

Fund	Period Ending Oct. 31, 2022
General	\$ 2,158.25
Debt	\$ -0-
Capital	\$ -0-
Total	\$ 2,158.25

- B. Review and accept unaudited financial statements for the period ending September 30, 2022 (enclosure).

- C. Ratify approval and filing of the 2021 Audit and authorization of execution of the Representations Letter (to be distributed).

- D. Consider engagement of Morain Bakarich, CPAs for preparation of 2022 Audit, in the amount of \$_____ (to be distributed).

- E. Conduct Public Hearing to consider Amendment to 2022 Budget and (if necessary) adopt Resolution to Amend the 2022 Budget and Appropriate Expenditures.
-

- F. Conduct Public Hearing on the proposed 2023 Budget and consider adoption of Resolutions to Adopt the 2023 Budget and Appropriate Sums of Money and Set Mill Levies (for General Fund _____, Debt Service Fund _____ for a total mill levy of _____) (enclosures – Preliminary Assessed Valuation, Resolutions and draft 2023 Budget).
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- G. Consider authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.
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- H. Consider appointment of District Accountant to prepare the 2024 Budget and set date for public hearing to adopt the 2024 Budget (_____, 2023).
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V. LEGAL MATTERS

- A. Review and consider adoption of Resolution Calling May 2, 2023 Election for Directors, appointing Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election. Self-Nomination Forms are due by February 24, 2023 (enclosure).
-

- B. Update re Former Developer’s Director Parcel.
-

- C. Tract Maintenance.

1. Consideration of the October 14, 2022 letter from the President of Skyestone Community Association, Inc.
-

- D. Executive session pursuant to § 24-6-402(4)(b), C.R.S. regarding the receipt of legal advice related to (i) Tract Maintenance Responsibilities between District, City and County of Broomfield, and Skyestone Owner’s Association and settlement offer.
-

VI. OTHER MATTERS

A. _____

VII. ADJOURNMENT **THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2022.**

Informational Enclosure:

- Memo regarding New Rate Structure from Special District Management Services, Inc.

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2 HELD JUNE 8, 2022

A Regular Meeting of the Board of Directors of the Great Western Park Metropolitan District No. 2 (referred to hereafter as "Board") was convened on Wednesday, the 8th day of June, 2022, at 1:00 p.m. The District Board meeting was held via Zoom video/teleconference. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

James R. Einolf
Michael Clay
Phillip A. Johnson
Russell Heinen
Gerald P. Hart

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Jeffrey Erb, Esq.; Erb Law, LLC

CALL TO ORDER

The meeting was called to order at 1:00 p.m.

PUBLIC COMMENT

There were no public comments.

DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST

The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Mr. Solin requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. No additional conflicts were disclosed at the meeting.

- A. 2022 Conflict Disclosure Forms
- B. 2022 Statement of Qualifications

RECORD OF PROCEEDINGS

Mr. Erb reviewed the updated conflict of interest disclosure forms and the statements of qualification with the Board.

ADMINISTRATIVE MATTERS

Agenda: The Board reviewed the proposed Agenda for the District’s Regular Meeting.

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

Meeting Location/Manner and Posting of Meeting Notice: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District’s Board meeting. The Board determined to conduct this meeting by video/teleconference and encouraged public participation via Zoom video/teleconference. The Board further noted that notice of the Zoom video/teleconference was duly posted at least 24-hours before the meeting.

LEGAL MATTERS

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

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

President	James R. Einolf
Treasurer	Michael Clay
Secretary	David Solin
Assistant Secretary	Russell Heinen
Assistant Secretary	Phillip A. Johnson
Assistant Secretary	Gerald P. Hart

Minutes: The Board reviewed the Minutes November 10, 2021 special meeting, January 28, 2022 special meeting and the March 1, 2022 special meeting.

Following discussion, upon motion duly made by Director Einolf, seconded by Director Clay, and, upon vote, carried with Directors Einolf, Clay and Johnson voting “Yes” and Directors Heinen and Hart abstaining, the Minutes of the November 10, 2021 special meeting, January 28, 2022 special meeting and the March 1, 2022 special meeting were approved, as amended.

RECORD OF PROCEEDINGS

FINANCIAL MATTERS

Claims: The Board considered ratifying the approval of the payment of claims for the following:

Fund	Period Ending March 31, 2022	Period Ending April 30, 2022	Period Ending April, 2022 Special Check	Period Ending May 31, 2022
General	\$ 42,983.32	\$ 7,492.52	\$ 595.00	\$ 11,686.82
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total	\$ 42,983.32	\$ 7,492.52	\$ 595.00	\$ 11,686.82

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

Unaudited Financial Statements: Mr. Solin reviewed the unaudited financial statements of the District setting forth the cash deposits, investments, budget analysis, and accounts payable vouchers for the period ending March 31, 2022.

Following review, upon motion duly made by Director Einolf, seconded by Director Clay and, upon vote, unanimously carried, the unaudited financial statements for the period ending March 31, 2022 were accepted.

2021 Audit: Mr. Solin updated the Board on the status of the 2021 Audit, noting that an extension has been requested, with the audit to be filed by the end of September.

LEGAL MATTERS

May 3, 2022 Election.

Election Results: Attorney Erb and Mr. Solin updated the Board on the May 3, 2022 Election Results. It was noted that Director Heinen and Director Hart were each elected for three-year terms and the question to reduce the District's debt limit passed.

Former Developer's Director Parcel: Attorney Erb and Mr. Solin discussed with the Board the Former Developer's Director Parcel. The Board directed Attorney Erb and Mr. Solin to work with the developer to get a request and paperwork to have the parcel excluded and a Public Hearing set up.

Tract Maintenance: Attorney Erb updated the Board regarding the tract maintenance discussion with the homeowner's association. Broomfield reported that they will not execute an agreement with the District regarding maintenance responsibilities until the District and HOA resolve their dispute over the tracts.

RECORD OF PROCEEDINGS

Executive Session: Following discussion, the Board decided that the executive session was not needed.

OTHER BUSINESS There were no other matters to discuss at this time.

ADJOURNMENT There being no further business to come before the Board at this time, upon motion duly made, seconded and, upon vote, unanimously carried, the meeting was adjourned at 2:18 p.m.

Respectfully submitted,

By: _____
Secretary for the Meeting

**CERTIFIED COPY OF ANNUAL ADMINISTRATIVE RESOLUTION OF
GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2 (2023)**

STATE OF COLORADO)
) ss.
COUNTY OF BROOMFIELD)

At a regular meeting of the Board of Directors of the Great Western Park Metropolitan District No. 2, City and County of Broomfield, Colorado, held at 1:00 p.m., on Wednesday, November 9, 2022, via video/teleconferencing platform, there were present:

President, May 2023	James Einolf
Treasurer, May 2023	Michael Clay
Asst. Secretary, May 2023	Phillip Johnson
Asst. Secretary, May 2025	Gerald Hart
Asst. Secretary, May 2025	Russel Heinen

Also present were, Jeffrey E. Erb, Erb Law, LLC; and _____, Special District Management Services, Inc.

When the following proceedings were had and done, to wit:

It was moved by Director _____ to adopt the following Resolution and ratify actions taken in connection herewith:

- A. The Great Western Park Metropolitan District No. 2 (the “**District**”) was organized as a special district pursuant to an Order of the District Court in and for Broomfield County and is located within Broomfield County, Colorado; and
- B. The Board of Directors of the District has a duty to perform certain obligations in order to ensure the efficient operation of the District; and
- C. The directors may receive compensation for their services subject to the limitations imposed by § 32-1-902(3)(a)(I) and (II), C.R.S.; and
- D. Section 32-1-103(15), C.R.S., requires the Board of Directors to publish certain legal notices in a newspaper of general circulation in the District; and
- E. Section 24-6-402, C.R.S., specifies the duty of the Board of Directors at its first regular meeting of the calendar year to designate a public posting place within the boundaries of the District for notices of meetings, in addition to any other means of notice; and
- F. Section 32-1-903, C.R.S., states that the Board shall meet regularly at a time and in a location to be designated by the Board; and special meetings shall be held as often as the needs to the special district require, and such meetings may be held (A) (1) telephonically; (2) electronically; or (3) by other means not including physical presence but must provide a method for members of the public to attend the meeting: or (B) at a physical location within the

boundaries of the District or which are within the boundaries of any county in which the District is located, or, in any county so long as the meeting location does not exceed twenty miles from the District boundaries, unless an appropriate resolution to hold the meeting in another location is adopted by the Board and notice appears on the meeting agenda; and

G. Section 32-1-903(2), C.R.S., requires that notice of the time and place designated for all regular and special meetings shall be in accordance with § 24-6-402(2)(c), C.R.S., on a website or other online presence of the District which complies with the statutory criteria, or on a physical posting location as designated by the Board and within the limits of the Special District at least 24 hours prior to said meeting; and

H. Section § 32-1-1001(2)(a), C.R.S., requires that a district may fix or increase fees, rates, tolls, penalties, or charges for domestic water or sanitary sewer services only after consideration of the action at a public meeting held at least thirty days after providing notice stating that the action is being considered and stating the date, time, and place of the meeting at which the action is being considered; and

I. In accordance with the Colorado Governmental Immunity Act, the Board is given authority to obtain insurance against liability for injuries for which the District may be liable under the Governmental Immunity Act, and to provide for defense and payment of judgements or settlements against public employees, pursuant to §§ 24-10-110 and 24-10-115, C.R.S.; and

J. Sections 32-1-901(2) and 32-1-902(2), C.R.S., requires the District to obtain an individual, schedule or blanket surety bond in an amount of no less than \$1,000 per director and \$5,000 for the Board Treasurer, and to file such bond with the District Court and the Division of Local Government; and

K. Section 32-1-104.8, C.R.S., requires the District to record a special district public disclosure document and a map of the boundaries of the District with the County Clerk and Recorder of each county in which the District is located by December 31, 2014, and at any time thereafter that an order confirming the inclusion of property into the District is recorded; and

L. Section 32-1-306, C.R.S. requires the District to file a current, accurate map of its boundaries with the Division of Local Government and the Broomfield County Clerk and Recorder and the County Assessor on or before January 1 of each year; and

M. Section 32-1-104(2), C.R.S., requires the District, on or before January 15, to file a copy of the notice required by § 32-1-809, C.R.S. with the Board of County Commissioners, Assessor, Treasurer, Clerk and Recorder, the governing body of any municipality in which the District is located, and the Division of Local Government; and

N. Section 32-1-809, C.R.S., requires that on or before January 15 of each year the District will provide a notice to the eligible electors of the District containing the information required by § 32-1-809(1), C.R.S. in the manner set forth in § 32-1-809(2), C.R.S.; and

O. The Local Government Budget Law of Colorado, §§ 29-1-101, et seq., C.R.S., requires the Board to hold a public hearing on proposed budgets and amendments thereto, to adopt budgets, and to file copies of the budgets and amendments thereto; and

P. In accordance with the Public Securities Information Reporting Act, §§ 11-58-101, et seq., C.R.S., issuers of non-rated public securities must file an annual report with the Department of Local Affairs; and

Q. In accordance with § 29-1-604(1), C.R.S., if expenditures and revenues of the District are not in excess of \$100,000, the District may file an exemption from audit with the State auditor; or, in accordance with § 29-1-604(2), C.R.S., if expenditures and revenues of the District are at least \$100,000 but not more than \$750,000 the District may, with the approval of the State Auditor, file an exemption from audit with the State Auditor, or in accordance with § 29-1-603, C.R.S., the governing body of the District shall cause to be made an annual audit of the financial statements for each fiscal year; and

R. The Unclaimed Property Act, §§ 38-13-101, et seq., C.R.S., requires that governmental subdivisions, if applicable, file an annual report listing unclaimed property with the State Treasurer; and

S. Elections may be held pursuant to the Special District Act, the Uniform Election Code of 1992, and the Colorado Local Government Election Code for the purpose of (1) electing members of the District's Board of Directors; (2) to present certain ballot issues to the eligible electors of the District as required by Article X, § 20 of the Colorado Constitution; and (3) to present certain ballot questions to the eligible electors of the District; and

T. Section 1-1-111, C.R.S., states that all powers and authority granted to the governing body of a political subdivision to call and conduct an election may be exercised by the appointed Designated Election Official; and

U. Sections 1-11-103 and 32-1-104(1), C.R.S., require the District to notify the Division of Local Government of the results of any elections held by the District, including the name and address of all members and officers of the board of directors, and a business address, telephone number and name of the contact person for the District; and

V. Section 32-1-1101.5, C.R.S., requires the District to certify results of any election to incur general obligation indebtedness to the board of county commissioners of each county in which the special district is located or to the governing body of the municipality that has adopted a resolution of approval of the District; and

W. Section 32-1-1604, C.R.S., requires within 30 days of incurring or authorizing general obligation debt that the District record a notice of such debt with the County Clerk and Recorder, on a form prescribed by the Division of Local Government; and

X. In accordance with §§ 32-1-1101.5(1.5) and (2), C.R.S., either the board of county commissioners of each county in which the special district is located, or the governing body of the municipality that has adopted a resolution of approval of the District, may require the District to file an application for quinquennial finding of reasonable diligence; and

Y. Special district directors are governed by §§ 32-1-902(3) and 32-1-902(4), C.R.S., which requires such director to disqualify himself or herself from voting on an issue in which he or she has a conflict of interest unless the director has properly disclosed such conflict in

compliance with law, and by the provisions of the Colorado Code of Ethics, §§ 24-18-101, *et seq.*, C.R.S., which provide rules of conduct concerning public officials and their fiduciary duties; and

Z. Section 32-1-902, C.R.S., requires the Board to elect officers, including a Chair of the Board and President of the District, a Treasurer of the Board and District, and a Secretary, who may be a member of the Board; and

AA. The Board of Directors desires to appoint legal counsel for the District to provide legal services and to assist with the operation of the District; and

BB. The Board of Directors desires to appoint an accountant for the District to provide financial services and to assist with the financial operations of the District, and who shall also be designated as the budget officer required to prepare and submit to the Board a proposed District budget by October 15, pursuant to §§ 29-1-104 and 29-1-105 C.R.S.; and

CC. The Board of Directors desires to appoint a District Manager to provide management services in connection with the purposes for which the District was organized; and

DD. Pursuant to §§ 24-71.3-101, *et seq.*, C.R.S., The Uniform Electronic Transaction Act, parties may agree to conduct transactions by electronic means relating to business, commercial and governmental affairs, and that for all documents covered by the Act, if a law requires a record to be in writing, an electronic record satisfies the law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2, BROOMFIELD COUNTY, COLORADO AS FOLLOWS:

1. The Board of Directors of the District determines that each director shall receive, as compensation for services as director, the sum of \$100 per meeting attended in an amount not to exceed \$2,400 per annum, subject to availability of funds.

2. The Board designates the *Broomfield Enterprise* as the newspaper of general circulation within the boundaries of the District, or in the vicinity of the District if none is circulated within the District, and directs that all legal notices shall be published in accordance with applicable statutes.

3. The Board designates the District website; <https://greatwesternparkmd2.colorado.gov/> as the District's posting location at least 24 hours prior to the meetings. The Board designates a post located at the light pole on Median at Skyestone Pkwy. and West Montane Drive, which is within the boundaries of the District, as the physical 24-hour posting location pursuant to § 32-1-903(2) and § 24-6-402(2)(c), C.R.S.

4. The Board determines to hold regular meetings at 8:30 a.m. on the fourth Tuesday of March, June, September and November at the office of Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228 and/or electronically depending on the direction of the Board.

5. The Board directs legal counsel to obtain and maintain insurance for the District, to insure the Directors acting within the scope of employment by the Board against all or any part of such liability for an injury; to insure against the expense of defending a claim for injury against the District or its Board. Additionally, the Board directs legal counsel, to obtain bonds or equivalent insurance coverage as required by §§ 32-1-901(2) and 32-1-902(2), C.R.S., in an amount of no less than \$1,000 per director and \$5,000 for the Board Treasurer, and to file the bond or certificate of insurance with the District Court and the Division of Local Government.

6. The Board designates Jeffrey E. Erb as the District's "Primary Representative" and designates Natalie M. Fleming as the District's "Alternate Representative" to the SDA Insurance Pool so that District insurance coverage may be timely renewed annually and updated as necessary.

7. The Board directs legal counsel to update the Special District Public Disclosure Document and map with Broomfield County Clerk and Recorder after the initial filing deadline of December 31, 2014, if the District includes additional property and records an Order of Inclusion with the County Clerk and Recorder.

8. The Board directs legal counsel to file an accurate boundary map with the Division of Local Government and the Broomfield County Assessor, as may be required by statute.

9. The Board directs legal counsel to file a copy of the transparency notice as described in § 32-1-809, C.R.S. with the Broomfield County Board of County Commissioners, Assessor, Treasurer, Clerk and Recorder, and the Division of Local Government.

10. The Board directs legal counsel to notify the registered electors in the District of certain specified District information by completing the Special District Transparency Notice as detailed in § 32-1-809, C.R.S. and causing it to be posted to the Special District Association website.

11. The Board designates the District's accountant to serve as the budget officer, and to submit a proposed budget to the Board by October 15th for the following year, and, in cooperation with legal counsel, to schedule a public hearing on the proposed budget; to prepare a final budget, budget resolutions and amendments to the budget, if necessary; to certify the mill levies on or before December 15; and to file the approved budgets and amendments thereto with the proper governmental entities in accordance with the Local Government Budget Law of Colorado.

12. The Board directs the accountant to prepare and file the annual public securities report for nonrated public securities issued by the District, with the Department of Local Affairs on or before March 1st.

13. The Board directs the accountant to prepare or cause to be prepared for filing with the State Auditor either an Audit Exemption and Resolution for approval of Audit Exemption for the prior fiscal year by March 31; or an audit of the financial statements by June 30; further, the Board directs that the Audit be filed with the State Auditor by July 31.

14. The Board directs legal counsel to prepare, if necessary, the Unclaimed Property Act report and forward the report to the State Treasurer by November 1.

15. The Board hereby appoints Natalie M. Fleming, Erb Law, LLC, as the “Designated Election Official” of the District for any elections to be held during 2023 and any subsequent year. The Board hereby grants all powers and authority for the proper conduct of the election to the Designated Election Official, including but not limited to appointing election judges, appointing a canvass board and cancellation, if applicable, of the election.

16. The District directs the Designated Election Official to notify the Division of Local Government of the results of any elections held by the District, including the name and address of all members and officers of the board of directors.

17. The District directs the Designated Election Official to certify results of any election to incur general obligation indebtedness to the Broomfield County Commissioners.

18. Whenever the District authorizes or incurs general obligation debt, the Board directs the Designated Election Official or legal counsel to record a notice of such debt with the Broomfield County Clerk and Recorder, within 30 days of authorizing or incurring the debt, on a form prescribed by the Division of Local Government.

19. The Board directs legal counsel to prepare and file with the Board of County Commissioners of each County in which the special district is located, or to the governing body of the municipality that has adopted a resolution of approval of the District, if requested, the quinquennial finding of reasonable diligence in accordance with §§ 32-1-1101.5(1.5) and (2), C.R.S.

20. The Board directs management to prepare and file the special district annual report with the Broomfield County, the Division of Local Government, the State Auditor and shall further deposit a copy of such report with the County Clerk and Recorder per § 32-1-207(3)(c), C.R.S.

21. The District hereby directs each present and future member of the Board to execute an Affidavit of Qualification of Director, to be retained in the District’s files.

22. The District hereby elects the following officers for the District:

President/Chair of the Board – James Einolf

Treasurer – Michael Clay

Secretary – Phillip A. Johnson

Assistant Secretary – Russell Heinen

Assistant Secretary – Gerald Hart

23. The Board directs legal counsel to file conflict of interest disclosures provided by Board members with the Secretary of State. In addition, 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 of Directors of the District when filed with the Secretary of State.

24. The Board extends the current resolution providing for the defense of directors and employees of the District to allow the resolution to continue in effect as written.

25. The Board extends the current disposal of personal identifying information resolution to allow the resolution to continue in effect as written.

26. The Board of Directors appoints the law firm of Erb Law, LLC as legal counsel for the District.

27. The Board of Directors appoints Special District Management Services, Inc. to serve as the District's accountant and to provide accounting services for the District.

28. The Board of Directors appoints Special District Management Services, Inc. to serve as the District's Manager.

29. The Board authorizes its consultants to conduct transactions by electronic means to the extent allowed by the Uniform Electronic Transactions Act.

Wherefore, the motion was seconded by Director _____, and upon vote, unanimously carried. The Chair declared the motion carried and so ordered.

ADOPTED AND APPROVED THIS 9TH DAY OF NOVEMBER 2022.

GREAT WESTERN PARK METROPOLITAN
DISTRICT NO. 2

Name: _____
President, Board of Directors

ATTEST

Name : _____
Secretary/Assistant Secretary, Board of Directors

DRAFT

CERTIFICATION

I, _____, Secretary/Asst. Secretary of the Board of Directors of the Great Western Park Metropolitan District No. 2, do hereby certify that the attached and foregoing Resolution is a true and correct copy of the proceedings of the Board of said District.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District, at Broomfield County, Colorado, this 9th day of November, 2022.

By: _____
Secretary / Asst. Secretary

[S E A L]

DRAFT

MEMORANDUM

TO: Board of Directors

FROM: Erb Law, LLC – Jeffrey E. Erb

DATE: August 30, 2022

RE: Website Requirements

Introduction

Many special districts use websites to provide information to the public about the special district, including meeting notices, budgets, and announcements. Until recently, the form and content on the website was largely within the discretion of each individual district. However, recognizing the widespread use of websites and the general expectation of the public that information about a special district be available from a website, the Colorado legislature has imposed new laws regarding district websites.

Executive Summary

1. Metropolitan districts organized after January 1, 2000 must create a website with the required content (listed below) no later than January 1, 2023.
2. All new metropolitan districts organized after January 1, 2022 must have a website with the required content within one year of the date of organization.
3. For any public entity that maintains a website, including special districts and general improvement districts, the website must meet specified accessibility requirements no later than July 1, 2024.

Recommendation

1. Metropolitan districts organized after January 1, 2000 must create a website with the required content no later than January 1, 2023.
2. For any special district that maintains a website but is not required to have a website (i.e., metropolitan district organized prior to January 1, 2000 or any other type of special district regardless of when organized), update the website to include the same content required for metropolitan districts organized after January 1, 2000.
3. For all governmental websites, begin taking steps to ensure that the website meets the website accessibility requirements, which must be satisfied no later than July 1, 2024.

Discussion

1. What Special Districts are Required to Have a Website?

All metropolitan districts (a) organized after January 1, 2000 but before January 1, 2022; or (b) if organized after January 1, 2022, within one year of its organization, must have a district website.

Other types of special districts, for example, water districts, sanitation districts or ambulance districts, are not required to have a website.

Metropolitan districts that serve the same area may share one website. The different districts must be clearly identified and must provide all the information required above for each district.

Exceptions:

a. Districts that are inactive pursuant to § 32-1-104(3) are not required to establish and maintain an official website as long as they are qualified as inactive. A district returning to an active status must comply with the above requirements within 90 days of adopting a resolution returning to active status.

b. Districts that do not have the power to impose an ad valorem property tax are not required to establish and maintain an official website.

2. What is Required to be on the Required Metropolitan District Website?

For metropolitan districts required to have a website, the website site must include:

a. The names, terms, and contact information for the current directors of the board of the metropolitan district and of the manager of the metropolitan district, if applicable;

b. The current fiscal year budget of the metropolitan district and, within thirty days of adoption by the board of the metropolitan district, any amendments to the budget;

c. The prior year's audited financial statements of the metropolitan district, if applicable, or an application for exemption from an audit prepared in accordance with the "Colorado Local Government Audit Law", part 6 of article 1 of title 29, within thirty days of the filing of the application with the state auditor;

d. The annual report of the metropolitan district in accordance with section 32-1-207(3)(c);

e. By January 30 of each year, the date, time, and location of scheduled regular meetings of the district's board for the current fiscal year;

f. If required by section 1-13.5-501(1.5), by no later than seventy-five days prior to a regular election for an election at which members of a board of directors for a

metropolitan district will be considered, the call for nominations pursuant to section 1-13.5-501(1);

g. Not more than thirty days after an election, certified election results for an election conducted within the current fiscal year;

h. A current map depicting the boundaries of the metropolitan district as of January 1 of the current fiscal year; and

i. Any other information deemed appropriate by the board of directors of the metropolitan district.

§ 32-1-104.5(3), C.R.S.

3. Website Accessibility Requirements

Any public entity website, regardless of whether the website is required, must meet certain accessibility requirements no later than July 1, 2024.¹

Failure to comply with the new accessibility requirements exposes the public entity to liability for discrimination, which could include payment of damages and fines of up to \$3,500 to each plaintiff for each violation as well as a court order requiring compliance.

a. Website Requirements

As required by statute, the Governor's Office of Information Technology (the "OIT") adopted the W3C Web Content Accessibility Guidelines (WCAG) 2.0 AA as its minimum standard of accessibility for all special district websites.² No later than July 1, 2024, the public entity website must meet these accessibility requirements including:

- i. All documents on the website available in .pdf format;
- ii. Availability of a site map, search bar, and navigation menu;
- iii. Provide alternative text under images, charts, and infographics to explain them to the visually impaired;
- iv. Site navigable solely via keyboard;
- v. Include closed captions or a transcript of the meetings if meetings are recorded in a video format and made available on the website (BUT not required to record or provide transcripts of meetings);
- vi. Use descriptive page titles that clearly explain the content of the page.

¹ §§ 24-34-301(5.4); 24-34-802(1)(a), (b) and (c), C.R.S.

² § 24-85-103(2.5), C.R.S.

b. Accessibility Policy

Before July 1, 2024, each public entity must adopt an Accessibility Policy regarding its intent to comply with the website accessibility requirements and post the following notice on its webpage:

[Entity Name] is committed to ensuring that this website is accessible to people with disabilities. We strive to ensure all the pages on our website meet W3C WAI's Web Content Accessibility Guidelines 2.1, Level AA conformance, however, if you have any problems accessing content on our site, please use the form below to report any issues, or call us at [NUMBER]

c. Accessibility Resources

Resources, training on the accessibility standards, and tools to assist with accessibility are available from the OIT.³ In addition, the OIT offers accessibility testing through their Manager of Testing Solutions and Services and provides links to accessibility evaluation tools that can be used to evaluate the public entity's site regularly to ensure compliance with accessibility requirements.

4. Website Providers

Public entities may continue to use the private website provider of their choice. However, the entity and the providers are responsible to ensure compliance with the new accessibility laws. Public entities should alert their website providers of the new requirements to ensure compliance and include compliance with the accessibility laws as part of their service contracts.

Alternatively, the Statewide Internet Portal Authority (SIPA), which provides website templates for public entities, will provide a website platform that is compliant with the accessibility requirements.

³ Office of Information Technology, "Your Role in Accessibility," <https://oit.colorado.gov/accessibility-law>

Great Western Park Metropolitan District No.2
June-22

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
McGeady Becher P.C.	937B 04/2022	4/30/2022	4/30/2022	\$ -	Legal	1675
Setzer & Vander Wall, P.C.	83974	5/31/2022	5/31/2022	\$ 798.00	Legal	1675
Special Dist Mgmt Services	May-22	5/31/2022	5/31/2022	\$4,594.20	Election	1635
Special Dist Mgmt Services	May-22	5/31/2022	5/31/2022	\$ 28.40	Miscellaneous	1685
Special Dist Mgmt Services	May-22	5/31/2022	5/31/2022	\$3,137.60	Accounting	1612
Special Dist Mgmt Services	May-22	5/31/2022	5/31/2022	\$ 256.80	Management	1680
				\$8,815.00		

Great Western Park Metropolitan District No.2
June-22

	<u>General</u>	<u>Debt</u>	<u>Capital</u>	<u>Totals</u>
Disbursements	\$ 8,815.00	-	-	\$ 8,815.00
<hr/>				
Total Disbursements	\$ 8,815.00	\$ -	\$ -	\$ 8,815.00

Great Western Park Metropolitan District No.2
July-22

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
Seter & Vander Wall, P.C.	84208	6/30/2022	6/30/2022	\$ 1,554.00	Legal	1675
Special Dist Mgmt Services	Jun-22	6/30/2022	6/30/2022	\$ 2,382.80	Election	1635
Special Dist Mgmt Services	Jun-22	6/30/2022	6/30/2022	\$ 44.32	Miscellaneous	1685
Special Dist Mgmt Services	Jun-22	6/30/2022	6/30/2022	\$ 2,915.60	Accounting	1612
Special Dist Mgmt Services	Jun-22	6/30/2022	6/30/2022	\$ 1,816.00	Management	1680
				\$ 8,712.72		

Great Western Park Metropolitan District No.2
July-22

	<u>General</u>	<u>Debt</u>	<u>Capital</u>	<u>Totals</u>
Disbursements	\$ 8,712.72	-	-	\$ 8,712.72
Total Disbursements	\$ 8,712.72	\$ -	\$ -	\$ 8,712.72

Great Western Park Metropolitan District No.2
August-22

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
Erb Law, LLC	8	7/31/2022	7/31/2022	\$ 72.00	Legal	1675
Special Dist Mgmt Services	Jul-22	7/31/2022	7/31/2022	\$ 44.40	Election	1635
Special Dist Mgmt Services	Jul-22	7/31/2022	7/31/2022	\$ 19.80	Miscellaneous	1685
Special Dist Mgmt Services	Jul-22	7/31/2022	7/31/2022	\$2,101.60	Accounting	1612
Special Dist Mgmt Services	Jul-22	7/31/2022	7/31/2022	\$ 632.00	Management	1680
				\$2,869.80		

Great Western Park Metropolitan District No.2
August-22

	General	Debt	Capital	Totals
Disbursements	\$ 2,869.80	-	-	\$ 2,869.80
Total Disbursements	\$ 2,869.80	\$ -	\$ -	\$ 2,869.80

Great Western Park Metropolitan District No.2
September-22

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
Colorado Special Districts P&L	23WC-61151-0477	8/26/2022	9/9/2022	\$ 450.00	Prepaid Expenses	1142
Erb Law, LLC	36	8/31/2022	8/31/2022	\$ 1,486.00	Legal	1675
Special Dist Mgmt Services	Aug-22	8/31/2022	8/31/2022	\$ 1.37	Miscellaneous	1685
Special Dist Mgmt Services	Aug-22	8/31/2022	8/31/2022	\$ 636.40	Accounting	1612
Special Dist Mgmt Services	Aug-22	8/31/2022	8/31/2022	\$ 532.80	Management	1680
				\$ 3,106.57		

Great Western Park Metropolitan District No.2
September-22

	<u>General</u>	<u>Debt</u>	<u>Capital</u>	<u>Totals</u>
Disbursements	\$ 3,106.57	-	-	\$ 3,106.57
Total Disbursements	\$ 3,106.57	\$ -	\$ -	\$ 3,106.57

Great Western Park Metropolitan District No.2

October-22

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
Erb Law, LLC	55	9/30/2022	9/30/2022	\$ 202.25	Legal	1675
RLI Surety	936199	10/10/2022	10/11/2022	\$ 250.00	Insurance/SDA Dues	1670
Special Dist Mgmt Services	Sep-22	9/30/2022	9/30/2022	\$ 4.00	Miscellaneous	1685
Special Dist Mgmt Services	Sep-22	9/30/2022	9/30/2022	\$1,598.40	Accounting	1612
Special Dist Mgmt Services	Sep-22	9/30/2022	9/30/2022	\$ 103.60	Management	1680
				\$2,158.25		

Great Western Park Metropolitan District No.2
October-22

	<u>General</u>	<u>Debt</u>	<u>Capital</u>	<u>Totals</u>
Disbursements	\$ 2,158.25	-	-	\$ 2,158.25
<hr/>				
Total Disbursements	\$ 2,158.25	\$ -	\$ -	\$ 2,158.25

GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2

Schedule of Cash Position
September 30, 2022

	<u>Rate</u>	<u>Operating</u>	<u>Debt Service</u>	<u>Total</u>
Checking:				
Cash in Bank First Bank		\$ 4,027.68	\$ -	\$ 4,027.68
Investments:				
Cash in Bank-ColoTrust	2.6205%	147,857.90	425,311.22	573,169.12
UMB 2016B Sub Bond Fd 148455.1		-	4.05	4.05
UMB 2021 Bond Fund 156827.1		-	133.57	133.57
Trustee:				
TOTAL FUNDS:				
		<u>\$ 151,885.58</u>	<u>\$ 425,448.84</u>	<u>\$ 577,334.42</u>

2022 Mill Levy Information

General Fund	2.000
Debt Service Fund	<u>30.750</u>
Total	<u><u>32.750</u></u>

Board of Directors

- * James R. Einolf
- * Michael A. Clay
- * Phillip A. Johnson
- Gerald P. Hart
- Russell Heinen'

* Authorized signer on the Checking Account

GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2

FINANCIAL STATEMENTS

September 30, 2022

GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2
 COMBINED BALANCE SHEET - ALL FUND TYPES AND ACCOUNT GROUPS
 September 30, 2022

	GENERAL	DEBT SERVICE	LONG-TERM DEBT	TOTAL MEMO ONLY
Assets				
Cash in Bank First Bank	\$ 4,028	\$ -	\$ -	\$ 4,028
Cash in Bank-ColoTrust	147,858	425,311	-	573,169
UMB 2016B Sub Bond Fd 148455.1	-	4	-	4
UMB 2021 Bond Fund 156827.1	-	134	-	134
Prepaid Expenses	450	-	-	450
Property Taxes Receivable	32	493	-	525
Total Current Assets	<u>152,368</u>	<u>425,942</u>	<u>-</u>	<u>578,309</u>
Other Debits				
Amount in Debt Service Fund	-	-	225,668	225,668
Amount to be Provided for Debt	-	-	13,232,986	13,232,986
Total Other Debits	<u>-</u>	<u>-</u>	<u>13,458,654</u>	<u>13,458,654</u>
Total Assets	<u>\$ 152,368</u>	<u>\$ 425,942</u>	<u>\$ 13,458,654</u>	<u>\$ 14,036,964</u>
Liabilities				
Series 2021 GO Refunding Bonds	\$ -	\$ -	\$ 12,465,000	\$ 12,465,000
Series 2021 Bond Premium	-	-	993,654	993,654
Total Liabilities	<u>-</u>	<u>-</u>	<u>13,458,654</u>	<u>13,458,654</u>
Deferred Inflows of Resources				
Deferred Property Taxes	32	493	-	525
Total Deferred Inflows of Resources	<u>32</u>	<u>493</u>	<u>-</u>	<u>525</u>
Fund Balance				
Fund Balance	161,457	29,335	-	190,792
Current Year Earnings	(9,122)	396,114	-	386,993
Total fund balances	<u>152,336</u>	<u>425,449</u>	<u>-</u>	<u>577,784</u>
Total Liabilities, Deferred Inflows of Resources and Fund Balance	<u>\$ 152,368</u>	<u>\$ 425,942</u>	<u>\$ 13,458,654</u>	<u>\$ 14,036,964</u>

GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual
For the 9 Months Ending,
September 30, 2022
General Fund

	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Budget</u>	<u>Favorable (Unfavorable) Variance</u>	<u>% of Budget</u>
Revenues					
Property Tax Revenue	\$ -	\$ 43,071	\$ 43,103	\$ (32)	99.9%
Specific Ownership Taxes	267	1,455	2,500	(1,045)	58.2%
Interest Income	319	1,326	300	1,026	442.0%
Total Revenues	<u>586</u>	<u>45,853</u>	<u>45,903</u>	<u>(50)</u>	<u>99.9%</u>
Expenditures					
Accounting	636	12,427	16,000	3,573	77.7%
Audit	-	-	5,500	5,500	0.0%
Election	-	17,768	30,000	12,232	59.2%
Insurance/SDA Dues	-	3,285	3,800	515	86.4%
Legal	1,486	13,053	17,000	3,947	76.8%
Management	533	5,916	15,000	9,084	39.4%
Miscellaneous	58	1,879	1,500	(379)	125.3%
Treasurer's Fees	-	646	647	1	99.9%
Contingency	-	-	20,000	20,000	0.0%
Emergency Reserve	-	-	1,377	1,377	0.0%
Total Expenditures	<u>2,714</u>	<u>54,974</u>	<u>110,824</u>	<u>55,850</u>	<u>49.6%</u>
Excess (Deficiency) of Revenues Over Expenditures	(2,127)	(9,122)	(64,921)	55,799	
Beginning Fund Balance	154,463	161,457	164,621	(3,164)	
Ending Fund Balance	<u>\$ 152,336</u>	<u>\$ 152,336</u>	<u>\$ 99,700</u>	<u>\$ 52,636</u>	

GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual
For the 9 Months Ending,
September 30, 2022
Debt Service Fund

	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Budget</u>	<u>Favorable (Unfavorable) Variance</u>	<u>% of Budget</u>
Revenues					
Property Tax Revenue	\$ -	\$ 662,218	\$ 662,710	\$ (492)	99.9%
Specific Ownership Taxes	4,102	22,378	30,000	(7,622)	74.6%
Interest Income	912	3,044	1,500	1,544	203.0%
Total Revenues	<u>5,014</u>	<u>687,640</u>	<u>694,210</u>	<u>(6,570)</u>	<u>99.1%</u>
Expenditures					
Series 2021 Principal	-	-	165,000	165,000	0.0%
Series 2021 Interest	-	281,584	497,265	215,681	56.6%
Paying Agent/Trustee Fees	-	-	11,000	11,000	0.0%
Miscellaneous Expense	-	5	2,500	2,495	0.2%
Treasurer's Fees	-	9,937	9,941	4	100.0%
Total Expenditures	<u>-</u>	<u>291,526</u>	<u>685,706</u>	<u>394,180</u>	<u>42.5%</u>
Excess (Deficiency) of Revenues Over Expenditures	5,014	396,114	8,504	387,610	
Beginning Fund Balance	420,435	29,335	2,135,151	(2,105,816)	
Ending Fund Balance	<u>\$ 425,449</u>	<u>\$ 425,449</u>	<u>\$ 2,143,655</u>	<u>\$ (1,718,206)</u>	

**CERTIFICATION OF VALUATION BY
City & County of COUNTY ASSESSOR**

New Tax Entity? YES NO

Date 08/18/2022

NAME OF TAX ENTITY: GREAT WESTERN PARK METRO 2 GEN

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATION ("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 2022 :

1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	1. \$ 21,551,560
2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: ‡	2. \$ 21,039,380
3. LESS TOTAL TIF AREA INCREMENTS, IF ANY:	3. \$ 0
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	4. \$ 21,039,380
5. NEW CONSTRUCTION: *	5. \$ 45,440
6. INCREASED PRODUCTION OF PRODUCING MINE: ≈	6. \$ 0
7. ANNEXATIONS/INCLUSIONS:	7. \$ 0
8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: ≈	8. \$ 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.): Ⓢ	9. \$ 0
10. TAXES RECEIVED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1)(a), C.R.S.). Includes all revenue collected on valuation not previously certified:	10. \$ 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.):	11. \$ 31.74

- ‡ This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec. 20(8)(b), Colo. Constitution
- * New Construction is defined as: Taxable real property structures and the personal property connected with the structure.
- ≈ Jurisdiction must submit to the Division of Local Government respective Certifications of Impact in order for the values to be treated as growth in the limit calculation; use Forms DLG 52 & 52A.
- Ⓢ Jurisdiction must apply to the Division of Local Government before the value can be treated as growth in the limit calculation; use Form DLG 52B.

USE FOR TABOR "LOCAL GROWTH" CALCULATION ONLY

IN ACCORDANCE WITH ART. X, SEC. 20, COLO. CONSTITUTION AND 39-5-121(2)(b), C.R.S., THE City & County of Broomfield County ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2022 :

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: ¶	1. \$ 294,745,560
--	-------------------

ADDITIONS TO TAXABLE REAL PROPERTY

2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: *	2. \$ 653,900
3. ANNEXATIONS/INCLUSIONS:	3. \$ 0
4. INCREASED MINING PRODUCTION: §	4. \$ 0
5. PREVIOUSLY EXEMPT PROPERTY:	5. \$ 0
6. OIL OR GAS PRODUCTION FROM A NEW WELL:	6. \$ 0
7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT: (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.)	7. \$ 0

DELETIONS FROM TAXABLE REAL PROPERTY

8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	8. \$ 0
9. DISCONNECTIONS/EXCLUSIONS:	9. \$ 0
10. PREVIOUSLY TAXABLE PROPERTY:	10. \$ 0

- ¶ This includes the actual value of all taxable real property plus the actual value of religious, private school, 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:
TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY \$ 296,647,800

IN ACCORDANCE WITH 39-5-128(1.5), C.R.S., THE ASSESSOR PROVIDES:

HB21-1312 ASSESSED VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): ** \$ 0

** The tax revenue lost due to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119.5(3), C.R.S.

NOTE: ALL LEVIES MUST BE CERTIFIED to the COUNTY COMMISSIONERS NO LATER THAN DECEMBER 15.

CERTIFICATION OF VALUATION BY
City & County of COUNTY ASSESSOR

New Tax Entity? [] YES [X] NO

Date 08/18/2022

NAME OF TAX ENTITY: GREAT WESTERN PARK METRO 2 ABATE

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATION ("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 2022:

Table with 11 rows listing valuation items and their corresponding dollar amounts, such as 'PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION' at \$21,551,560.

- † This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec. 20(3)(b), Colo. Constitution
* New Construction is defined as: Taxable real property structures and the personal property connected with the structure.
≈ Jurisdiction must submit to the Division of Local Government respective Certifications of Impact in order for the values to be treated as growth in the limit calculation; use Forms DLG 52 & 52A.
Φ Jurisdiction must apply to the Division of Local Government before the value can be treated as growth in the limit calculation; use Form DLG 52B.

USE FOR TABOR "LOCAL GROWTH" CALCULATION ONLY

IN ACCORDANCE WITH ART. X, SEC. 20, COLO. CONSTITUTION AND 39-5-121(2)(b), C.R.S., THE City & County of Broomfield County ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2022:

Table with 7 rows listing additions to taxable real property and their values, such as 'CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY' at \$294,745,560.

DELETIONS FROM TAXABLE REAL PROPERTY

Table with 3 rows listing deletions from taxable real property, such as 'DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS' at \$0.

- † This includes the actual value of all taxable real property plus the actual value of religious, private school, 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: TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY \$296,647,800

IN ACCORDANCE WITH 39-5-128(1.5), C.R.S., THE ASSESSOR PROVIDES:

HB21-1312 ASSESSED VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): ** \$0

** The tax revenue lost due to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119.5(3), C.R.S.

NOTE: ALL LEVIES MUST BE CERTIFIED to the COUNTY COMMISSIONERS NO LATER THAN DECEMBER 15.

GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2
Assessed Value, Property Tax and Mill Levy Information

	2021 Actual	2022 Adopted Budget	2023 Preliminary Budget
Assessed Valuation	\$ 19,392,750	\$ 21,551,560	\$ 21,039,380
Mill Levy			
General Fund	6.740	2.000	2.000
Debt Service Fund	47.182	30.750	30.750
Total Mill Levy	<u>53.922</u>	<u>32.750</u>	<u>32.750</u>
Property Taxes			
General Fund	\$ 130,707	\$ 43,103	\$ 42,079
Debt Service Fund	914,989	662,710	646,961
Actual/Budgeted Property Taxes	<u>\$ 1,045,696</u>	<u>\$ 705,813</u>	<u>\$ 689,040</u>

GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2

GENERAL FUND

2023 Preliminary Budget

with 2021 Actual, 2022 Adopted Budget, and 2022 Estimated

	2021 Actual	01/22-07/22 YTD Actual	2022 Adopted Budget	2022 Estimated	2023 Preliminary Budget
BEGINNING FUND BALANCE	\$ 88,840	\$ 161,457	\$ 164,621	\$ 161,456	\$ 131,903
REVENUE					
Property Tax Revenue	130,707	42,671	43,103	43,103	42,079
Specific Ownership Taxes	5,766	1,003	2,500	2,500	2,525
Interest Income	150	714	300	2,000	2,000
Total Revenue	136,622	44,388	45,903	47,603	46,604
Total Funds Available	225,462	205,845	210,524	209,059	178,507
EXPENDITURES					
Accounting	9,925	10,524	16,000	16,000	17,400
Audit	5,250	-	5,500	5,500	6,000
Election	-	17,724	30,000	17,724	18,000
Insurance/SDA Dues	3,390	3,285	3,800	3,285	3,800
Legal	26,822	11,495	17,000	17,000	17,000
Management	15,485	4,751	15,000	15,000	16,300
Miscellaneous	1,172	1,745	1,500	2,000	1,500
Treasurer's Fees	1,961	640	647	647	631
Contingency	-	-	20,000	-	20,000
Total Expenditures	64,006	50,163	109,447	77,156	100,631
Transfers and Other Sources (Uses)					
Emergency Reserve	-	-	(1,377)	-	(1,398)
Total Expenditures Requiring Appropriation	64,006	50,163	110,824	77,156	102,029
ENDING FUND BALANCE	\$ 161,456	\$ 155,681	\$ 99,700	\$ 131,903	\$ 76,477

GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2

**DEBT SERVICE FUND
2023 Preliminary Budget
with 2021 Actual, 2022 Adopted Budget, and 2022 Estimated**

	2021 Actual	01/22-07/22 YTD Actual	2022 Adopted Budget	2022 Estimated	2023 Preliminary Budget
BEGINNING FUND BALANCE	\$ 1,984,253	\$ 29,335	\$ 2,135,151	\$ 29,335	\$ 38,339
REVENUE					
Property Tax Revenue	914,989	656,063	662,710	662,710	646,961
Specific Ownership Taxes	50,626	15,420	30,000	30,000	38,818
Interest Income	1,160	1,191	1,500	2,000	2,000
Total Revenue	966,774	672,675	694,210	694,710	687,779
Total Funds Available	2,951,027	702,010	2,829,361	724,045	726,117
EXPENDITURES					
2016A Interest	1,004,277	-	-	-	-
2016A Principal	12,917,000	-	-	-	-
Series 2021 Principal	-	-	165,000	165,000	175,000
Series 2021 Interest	-	281,584	497,265	497,265	526,000
Bond Issuance Costs	385,300	-	-	-	-
Bond Discount	52,976	-	-	-	-
Paying Agent/Trustee Fees	11,000	-	11,000	11,000	11,000
Treasurer's Fees	13,730	9,843	9,941	9,941	9,704
Miscellaneous Expense	-	5	2,500	2,500	2,500
Total Expenditures	14,384,283	291,432	685,706	685,706	724,204
Transfers and Other Sources (Uses)					
Bond Proceeds	12,465,000	-	-	-	-
Bond Premium	993,654	-	-	-	-
Developer Advance Repayment	(2,000,000)	-	-	-	-
Transfer from District 1	3,937	-	-	-	-
Total Expenditures Requiring Appropriation	16,384,283	291,432	685,706	685,706	724,204
ENDING FUND BALANCE	\$ 29,335	\$ 410,578	\$ 2,143,655	\$ 38,339	\$ 1,913

RESOLUTION NO. 2022 - 11 - _
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2
TO ADOPT THE 2023 BUDGET AND APPROPRIATE SUMS OF MONEY

WHEREAS, the Board of Directors of the Great Western Park Metropolitan District No. 2 (“District”) has appointed the District Accountant to prepare and submit a proposed 2023 budget to the Board at the proper time; and

WHEREAS, the District Accountant has submitted a proposed budget to this Board on or before October 15, 2022, for its consideration; and

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 9, 2022, and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution ("TABOR") and other laws or obligations which are applicable to or binding upon the District; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

WHEREAS, the Board of Directors of the District has made provisions therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, as more fully set forth in the budget, including any interfund transfers listed therein, so as not to impair the operations of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Great Western Park Metropolitan District No. 2:

1. That the budget as submitted, amended, and summarized by fund, hereby is approved and adopted as the budget of the Great Western Park Metropolitan District No. 2 for the 2023 fiscal year.
2. That the budget, as hereby approved and adopted, shall be certified by the Secretary of the District to all appropriate agencies and is made a part of the public records of the District.

3. That the sums set forth as the total expenditures of each fund in the budget attached hereto as **EXHIBIT A** and incorporated herein by reference are hereby appropriated from the revenues of each fund, within each fund, for the purposes stated.

ADOPTED this 9th day of November, 2022.

Secretary

(SEAL)

EXHIBIT A
(Budget)

I, _____, hereby certify that I am the duly appointed Secretary of the Great Western Park Metropolitan District No. 2, and that the foregoing is a true and correct copy of the budget for the budget year 2023, duly adopted at a meeting of the Board of Directors of the Great Western Park Metropolitan District No. 2 held on November 9, 2022.

By: _____
Secretary

RESOLUTION NO. 2022 - 11- ____
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2
TO SET MILL LEVIES

WHEREAS, the Board of Directors of the Great Western Park Metropolitan District No. 2 (“District”) has adopted the 2023 annual budget in accordance with the Local Government Budget Law on November 9, 2022; and

WHEREAS, the adopted budget is attached to the Resolution of the Board of Directors to Adopt the 2023 Budget and Appropriate Sums of Money, and such budget is incorporated herein by this reference; and

WHEREAS, the amount of money necessary to balance the budget for general fund expenses from property tax revenue is identified in the budget; and

WHEREAS, the amount of money necessary to balance the budget for debt service fund expenses from property tax revenue is identified in the budget; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Great Western Park Metropolitan District No. 2:

1. That for the purposes of meeting all general fund expenses of the District during the 2023 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

2. That for the purposes of meeting all debt service fund expenses of the District during the 2023 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

3. That the Accountant of the District is hereby authorized and directed to immediately certify to the County Commissioners of The City and County of Broomfield, Colorado, the mill levies for the District as set forth in the District’s Certification of Tax Levies (attached hereto as **EXHIBIT A** and incorporated herein by reference), recalculated as needed upon receipt of the final certification of valuation from the County Assessor in order to comply with any applicable revenue and other budgetary limits.

ADOPTED this 9th day of November, 2022.

Secretary

(SEAL)

EXHIBIT A
(Certification of Tax Levies)

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2**

Calling an Election – May 2, 2023

- A. The Board of Director seats occupied by three directors are subject to election at the May 2, 2023 regular special district election (the “**Election**”); and
- B. The three seats subject to election are for four-year terms; and
- C. These seats are to be voted upon at the Election as required by the Special District Act, Title 32, Article 1, C.R.S. (“**Act**”); and the Uniform Election Code of 1992, Title 1, Articles 1-13, C.R.S., and the Colorado Local Government Election Code, Title 1, Article 13.5, C.R.S. (the “**Code**”); and

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Great Western Park Metropolitan District No. 2 as follows:

1. Date and Time of Election. The regular election shall be held on May 2, 2023, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, the Code and other legal requirements.
2. Conduct of Election. The Election shall be conducted as an independent mail-ballot election in accordance with all relevant provisions of the Code. The Designated Election Official shall have on file, no later than fifty-five (55) days prior to the Election, a plan for conducting the independent mail ballot Election.
3. Designated Election Official. Natalie M. Fleming, Erb Law, LLC, shall be the Designated Election Official (“**DEO**”). The DEO is authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, Code, or other applicable laws. Among other matters, the DEO shall appoint election judges as necessary, arrange for the required notices of election (either by mail or publication) and printing of ballots, and direct that all other appropriate actions be accomplished.
4. Self-Nomination and Acceptance Forms. Self-nomination and acceptance forms for the director positions are available at the DEO’s offices: 3900 E. Mexico Avenue, Suite 300, Denver, CO 80210, or by requesting a form via telephone or e-mail: (303) 626-7125 or nfleming@erblawllc.com. All candidates must file self-nomination and acceptance forms with the DEO no later than 5:00 P.M. on February 24, 2023.
5. Cancellation of Election. Pursuant to § 1-13.5-513, C.R.S., if there are not more candidates running than seats to be filled at 5:00 P.M. on February 24, 2023, the DEO shall cancel the Election and declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with law.

6. Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board of Director's intention that the various provisions hereof are severable.

7. Repealer. All acts, orders and resolutions, or parts thereof, of the Board of Directors which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

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DRAFT

ADOPTED AND APPROVED this 9th day of November, 2022.

**GREAT WESTERN PARK METROPOLITAN
DISTRICT NO. 2**

Name: _____
Title: _____

Attest:

Secretary/Assistant Secretary

DRAFT



141 Union Boulevard, Suite 150
Lakewood, CO 80228-1898
303-987-0835 • Fax: 303-987-2032

MEMORANDUM

TO: Board of Directors

FROM: Christel Gemski
Executive Vice-President

DATE: September 2, 2022

RE: Notice of 2023 Rate Increase

A rectangular box containing a handwritten signature in blue ink that reads "Christel Gemski".

In accordance with the Management Agreement (“Agreement”) between the District and Special District Management Services, Inc. (“SDMS”), at the time of the annual renewal of the Agreement, the hourly rate described in Article III for management and all services shall increase by the CPI (8.5%) per hour.

We hope you will understand that it is necessary to increase our rates due to increasing gas and operating costs along with new laws and rules implemented by our legislature.