

BBC METROPOLITAN DISTRICT
ANNUAL REPORT
TO
THE CITY AND COUNTY OF BROOMFIELD
FISCAL YEAR ENDING DECEMBER 31, 2022

Pursuant to the BBC Metropolitan District Service Plan, the District is required to provide an annual report to the City and County of Broomfield no later than October 1st of each year following the year 2002, the year in which the District was organized. Such annual report shall include information concerning the following matters:

1. Boundary changes made or proposed to the District's boundary as of December 31 of the prior year.
2. Intergovernmental Agreement either entered into or proposed as of December 31 of the prior year.
3. Copies of the District's rules and regulations, if any, as of December 31 of the prior year.
4. A summary of any litigation which involves any of the District's Public Improvements as of December 31 of the prior year.
5. Status of the District's construction of the Public Improvements as of December 31 of the prior year.
6. A list of all facilities and improvements constructed by the District that have been dedicated to and accepted by the City as of December 31 of the prior year.
7. The assessed valuation of the District for the current year.
8. Current year budget including a description of the Public Improvements to be constructed in such year.
9. Audit of the District financial statements for the year ending December 31 of the previous year prepared in accordance with generally accepted accounting principles or audit exemption, if applicable.
10. Notice of any uncured events of noncompliance by the District under any Debt instrument, which continue beyond a 90-day period.
11. Any inability of a District to pay its obligations as they come due, in accordance with the terms of such obligations, which continue beyond a 90-day period.

For the year ending December 31, 2022, the District makes the following report.

1. Boundary changes made or proposed to the District's boundary as of December 31 of the prior year.

None.

2. Intergovernmental Agreement either entered into or proposed as of December 31 of the prior year.

None.

3. Copies of the District's rules and regulations, if any changes, as of December 31 of the prior year.

None.

4. A summary of any litigation which involves any of the District's Public Improvements as of December 31 of the prior year.

None.

5. Status of the District's construction of the Public Improvements as of December 31 of the prior year.

The District did not construct any public improvements during 2022.

6. A list of all facilities and improvements constructed by the District that have been dedicated to and accepted by the City as of December 31 of the prior year.

None.

7. The assessed valuation of the District for the current year.

The assessed valuation of the District for the 2023 budget year is \$14,698,460.

8. Current year budget including a description of the Public Improvements to be constructed in such year.

See the 2023 Budget attached as Exhibit A. At this time, no public improvements will be constructed by the District in 2023.

9. Audit of the District financial statements for the year ending December 31 of the previous year prepared in accordance with generally accepted accounting principles or audit exemption, if applicable.

See the 2022 Audit attached as Exhibit B.

10. Notice of any uncured events of noncompliance by the District under any Debt instrument, which continue beyond a 90-day period.

None.

11. Any inability of a District to pay its obligations as they come due, in accordance with the terms of such obligations, which continue beyond a 90-day period.

None.

EXHIBIT A

2023 Budget Attached

LETTER OF BUDGET TRANSMITTAL

THIS FORM IS TO BE COMPLETED AND SUBMITTED WITH THE ADOPTED BUDGET NO LATER THAN JANUARY 31.

To: Division of Local Government
1313 Sherman Street, Room 521
Denver, Colorado 80203

Date: 1/30/2023

Attached is a copy of the 2023 budget for BBC Metropolitan District
(name of local government)
in Broomfield County, submitted pursuant to Section 29-1-113, C.R.S. This budget
was adopted on December 5, 2022. If there are any questions on the budget, please
contact Andrea Weaver at 970-484-0101 x 110, and andrea@ccgcolorado.com
(name of person) (daytime phone) (mailing address)

I, Andrea Weaver, 11,367,900,
(name) (title)
hereby certify that the enclosed is a true and accurate copy of the 2023 Adopted Budget.
(year)

Form DLG 54

CERTIFIED COPY OF RESOLUTION TO ADOPT BUDGET AND APPROPRIATE FUNDS FOR THE BBC METROPOLITAN DISTRICT - 2023

STATE OF COLORADO)
) ss.
COUNTY OF BROOMFIELD)

The Board of Directors of the BBC Metropolitan District, of the County of Broomfield, Colorado held a special meeting on Monday, December 5, 2022, at 10:00 a.m. at via Telecommunication Platform.

The following members of the Board of Directors were in attendance:

President, May 2025	Paul “Joe” Knopinski
Treasurer, May 2025	Chelsey Green
Asst. Secretary, May 2025	Jarrod Walker
Asst. Secretary, May 2023	VACANCY
Asst. Secretary, May 2023	VACANCY

Also in attendance were Jeffrey E. Erb, Erb Law, LLC; and Nik Wagner, Centennial Consulting Group, Inc.

Prior to the meeting, each of the Directors were notified of the date, time and place of this meeting and the purpose for which it was called. This meeting is a special meeting of the Board of Directors of the District and a Notice of Special Meeting was posted at a location within the boundaries of the District, and to the best of the Board’s knowledge, remains posted to the date of the meeting. A copy of the Notice of Special Meeting and a copy of the published Notice of Public Hearing as to Amended 2022 Budget and Proposed 2023 Budget are incorporated into these proceedings.

**NOTICE OF SPECIAL MEETING
AND
NOTICE AS TO AMENDED 2022 BUDGET
AND PROPOSED 2023 BUDGET**

**NOTICE OF PUBLIC HEARING AS TO
AMENDED 2022 BUDGET AND PROPOSED 2023 BUDGET**

NOTICE IS HEREBY GIVEN that a proposed 2023 budget has been submitted to the **BBC METROPOLITAN DISTRICT**, for the fiscal year 2023. A copy of such proposed budget has been filed in the office of the District, Centennial Consulting Group, LLC, 2619 Canton Court, Suite A, Fort Collins, CO 80525, where same is open for public inspection. Such proposed budget will be considered at a special meeting of the BBC Metropolitan District to be held at 10:00 a.m. on Monday, December 5, 2022. If necessary, an amended 2022 budget will be filed in the office of the accountant and open for public inspection for consideration at the special meeting of the Board. Any interested elector of the BBC Metropolitan District may inspect the amended and proposed budgets and file or register any objections at any time prior to the final adoption of the proposed 2023 budget and 2022 amended budget.

To access the meeting, use the following information:

Join Zoom Meeting

<https://us02web.zoom.us/j/87865737152?pwd=VU14T2orSVIYL3lpK1d1a1lNaXYwdz09>

Meeting ID: 878 6573 7152

Passcode: 568612

BY ORDER OF THE BOARD OF DIRECTORS:
BBC METROPOLITAN DISTRICT

By: /s/ ERB LAW, LLC
Attorneys for the District

Publish in: *The Broomfield Enterprise*
Publish on: Sunday, November 20, 2022

Thereupon, Director Knopinski introduced and moved the adoption of the following Resolution:

RESOLUTION

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET, LEVYING PROPERTY TAXES FOR COLLECTION IN THE YEAR 2023 TO HELP DEFRAY THE COSTS OF GOVERNMENT, AND APPROPRIATING SUMS OF MONEY TO EACH FUND IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE BBC METROPOLITAN DISTRICT, OF BROOMFIELD COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2023, AND ENDING ON THE LAST DAY OF DECEMBER, 2023.

A. The Board of Directors of the BBC Metropolitan District has authorized its budget officer to prepare and submit a proposed budget to said governing body at the proper time; and

B. The proposed budget has been submitted to the Board of Directors of the District for its consideration; and

C. Upon due and proper notice, published in accordance with law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on December 5, 2022, and interested electors were given the opportunity to file or register any objections to said proposed budget; and

D. The budget being adopted by the Board has been prepared based on the best information available to the Board regarding the effects of Article X, Section 20 of the Colorado Constitution; and

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.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BBC METROPOLITAN DISTRICT OF BROOMFIELD COUNTY, COLORADO:

1. Summary of 2023 Revenues and 2023 Expenditures. That the estimated revenues and expenditures for each fund for fiscal year 2023, as more specifically set forth in the budget attached hereto, are accepted and approved.

2. Adoption of Budget. That the budget as submitted, amended and attached hereto and incorporated herein is approved and adopted as the budget of the BBC Metropolitan District for fiscal year 2023.

3. Levy of Property Taxes. That the foregoing budget indicated that the amount of money necessary to balance the budget for the General Fund for operating expenses from property tax revenue is \$136,415 and that the 2022 valuation for assessment, as certified by the Broomfield County Assessor, is \$11,367,900. That for the purposes of meeting all general operating expenses of the District during the 2023 budget year, there is hereby levied a tax of

12.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District for the year 2022.

4. Levy of Debt Retirement Expenses. That the foregoing budget indicated that the amount of money necessary to balance the budget for the Debt Service Fund for debt retirement expense from property tax revenue is \$501,643 and that the 2022 valuation for assessment, as certified by the Broomfield County Assessor, is \$11,367,900. That for the purposes of meeting all debt retirement expenses of the District during the 2023 budget year, there is hereby levied a tax of 44.128 mills upon each dollar of the total valuation of assessment of all taxable property within the District for the year 2023.

5. Certification to County Commissioners. That the Secretary of the District, is hereby authorized and directed to immediately cause to have certified to the County Commissioners of Broomfield County, the mill levy for the District hereinabove determined and set forth on the Certification of Tax Levies for Non-School Governments attached hereto.

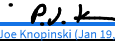
6. Appropriations. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached hereto, are hereby appropriated from the revenue of each fund, to each fund, for the purposes stated.

7. Budget Certification. That the budget shall be certified by the Secretary or Assistant Secretary of the District, and made a part of the public records of the BBC Metropolitan District.

The foregoing Resolution was seconded by Director Green.


APPROVED AND ADOPTED THIS 5TH DAY OF DECEMBER, 2022.

BBC METROPOLITAN DISTRICT

By: 
Joe Knopinski (Jan 19, 2023 10:30 GMT)

Joe Knopinski, President, Board of Directors

ATTEST:

By: 
Nikolas Wagner (Jan 12, 2023 16:25 MST)

Name: Nikolas Wagner
Secretary or Assistant Secretary

CERTIFICATION

I, Nikolas Wagner, hereby certify that I am a Director and the duly elected and qualified Secretary or Assistant Secretary of the BBC Metropolitan District, and that the foregoing constitutes a true and correct copy of the record of proceedings of the Board of Directors of said District, adopted at a meeting of the Board of Directors of the BBC Metropolitan District held on Monday, December 5, 2022, as recorded in the official record of the proceedings of the District, insofar as said proceedings relate to the budget hearing for fiscal year 2023; that said proceedings were duly had and taken; that the meeting was duly held; and that the persons were present at the meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the District this 5th day of December, 2022.

Nikolas Wagner
Nikolas Wagner (Jan 18, 2023 16:25 MST)
Secretary or Assistant Secretary

[S E A L]

EXHIBIT A
BUDGET DOCUMENT
AND
BUDGET MESSAGE

BBC METROPOLITAN DISTRICT

2023 Budget Message

Introduction

The BBC Metropolitan District, the (“District”) was organized in December 2002 and is located in the City and County of Broomfield. The District is currently operating under the First Amended and Restated Service Plan approved by the City Council at the City and County of Broomfield on April 24, 2012. The District is a quasi-municipal corporation and political subdivision of the State of Colorado, organized and operated pursuant to provisions set forth in the Colorado Special District Act. The District constructed an arterial street system, as well as related water and sanitation improvements, to serve the Broomfield Business Center. In August of 2012, the District issued its Revenue Bonds, Series 2012 (“2012 Bonds”) for the purpose of funding certain improvements and facilities and refunding the District’s indebtedness. The 2012 Bonds were refunded in November 2021 by the District’s issuance of its General Obligation Limited Tax Refunding Bonds, Series 2021 (“2021 Bonds”).

The District has adopted budgets for three funds, General Fund, Debt Service Fund and a Capital Projects Fund. The District has no employees and all operations and administrative functions are contracted. The District has utilized the modified accrual basis of accounting and the budget has been adopted after proper posting, publications, and public hearing.

The 2023 budget was prepared in accordance with the Local Budget Law of Colorado. The budget reflects the projected spending plan for the 2023 fiscal year based on available revenues. This budget provides for the general operation of the District, collection of property taxes for debt service, and continued construction of infrastructure.

The District’s 2022 assessed value for 2023 collections is \$11,367,900. The District has certified a mill levy of 56.128 mills. The tax revenue from the mill levy will be 12.000 mills recorded in the General Fund and 44.128 mills recorded in the Debt Service fund for 2023.

Budgetary Basis of Accounting

The District uses funds to budget and report on the financial position and results of operations. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain governmental functions. The General Fund comprises the total District budget. All of the District’s funds are considered Governmental Funds and are reported using the current financial resources and the modified accrual basis of accounting. Revenues are recognized when they are measurable and available. Revenues are considered available when they are collectible within the current period. For this purpose, the District considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures, other than the interest on long-term obligations, are recorded when the liability is incurred or the long-term obligation paid.

Fund Summaries

General Fund is used to account for resources traditionally associated with government such as property taxes, specific ownership tax and expenditures which include District administration, legal services, and other expenses related to statutory operations of a local government.

Debt Service Fund is used to account for property taxes and other revenues dedicated to pay the fiscal year's debt expense which includes principal payments, and interest payments, and administrative costs associated with debt issues. On November 9, 2021, the District issued the 2021 Bonds in the aggregate principal amount of \$15,745,000 for the purpose of refunding the outstanding principal and interest on the 2012 Bonds. The Series 2021 bonds are "cashflow only" bonds and, as such, no amortization schedule is available. The Debt Service Budget reflects the amount of interest the District is able to pay in 2023 based on 44.128 mills.

Emergency Reserve

As required by Section 20 of Article X of the Colorado Constitution ("TABOR"), the District has provided for an Emergency Reserve in the amount of 3% of the total fiscal year expenditures in the General Fund.

BBC Metro District Draft Budget 2023

Accounting Basis: Modified Accrual

General Fund				
	2021	2022	2022	2023
	Actual	Budget	Estimated Actual	Budget
Beginning Fund Balance	(5,071)	10,878	(1,701)	11,847
Income				
Developer Advance	13,685	-	-	-
Property Tax Revenue	58,118	93,855	93,872	136,415
Specific Ownership Taxes	1,073	5,000	4,654	8,185
Interest Income	30	-	29	-
Other Income	-	-	4,331	-
Total Income	72,906	98,855	102,886	144,600
Expense				
<i>General and Administrative</i>				
Management and Accounting	18,328	15,750	19,832	15,600
Legal	15,246	7,500	33,711	20,000
Audit	4,914	6,825	4,900	7,000
Election	-	2,000	932	5,000
Insurance / SDA Dues	3,228	3,350	3,103	3,258
Engineers	-	-	6,141	-
Reserve Study	-	5,000	-	5,000
Office	-	-	509	-
Dues and Subscriptions	-	-	351	350
Fees	-	-	94	-
Treasure's Fees	872	1,408	1,408	2,046
Total G&A	42,588	41,833	70,981	58,254
<i>Landscape</i>				
Landscape Contract	22,335	17,000	7,572	20,000
Landscape Repairs	-	-	7,572	20,000
Snow Removal	1,188	7,000	2,706	7,000
Total Landscape	23,523	24,000	17,850	47,000
<i>Utilities</i>				
Electric	2,730	3,800	38	250
Water	-	-	896	2,000
Total Utilities	2,730	3,800	934	2,250
<i>Other</i>				
Emergency Reserve	-	2,965	-	4,338
Prior Period Expense	-	-	(427)	-
Contingency	695	31,500	-	35,000
Total Other	695	34,465	(427)	39,338
Total Expenses	69,536	104,098	89,338	146,842
Excess Revenues (Expenses)	3,370	(5,243)	13,548	(2,242)
Ending Fund Balance	(1,701)	5,635	11,847	9,605

BBC Metro District Draft Budget 2023

Accounting Basis: Modified Accrual

Debt Service Fund				
	2021	2022	2022	2023
	Actual	Budget	Estimated	Budget
Beginning Fund Balance	20,656	17,881	30,211	3,937
Income				
Property Tax Revenue	242,157	340,373	340,427	501,643
Specific Ownership Tax	5,367	18,000	16,880	30,099
Interest Income	130	-	786	-
Tax Related Interest	-	-	7	-
Bond Proceeds	15,745,000	-	-	-
Total Income	15,992,654	358,373	358,100	531,742
Expense				
<i>Debt Service</i>				
Treasurer's Fees	3,634	5,106	5,106	7,525
Bank Fees	-	-	40	-
Paying Agent Fees	1,750	4,000	-	4,000
Bond Interest	6,702,706	357,000	379,228	520,217
Bond Principal	8,650,000	-	-	-
Bond Issuance Cost	625,009	-	-	-
Total Expenses	15,983,099	366,106	384,374	531,742
Excess Revenues (Expenses)	9,555	(7,733)	(26,274)	-
Ending Fund Balance	30,211	10,148	3,937	3,937

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners¹ of Broomfield County, Colorado.

On behalf of the BBC Metropolitan District,
 (taxing entity)^A
 the Board of Directors
 (governing body)^B
 of the BBC Metropolitan District
 (local government)^C

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ District Accountant assessed valuation of: (GROSS^D assessed valuation, Line 2 of the Certification of Valuation Form DLG 57^E)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area^F the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ 11,367,900 (NET^G assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)
USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10

Submitted: 12/14/2022 for budget/fiscal year 2023.
 (no later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)	LEVY ²	REVENUE ²
1. General Operating Expenses ^H	12.000 mills	\$ 136,415
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction ^I	< 0.000 > mills	\$ < 0 >
SUBTOTAL FOR GENERAL OPERATING:	12.000 mills	\$ 136,415
3. General Obligation Bonds and Interest ^J	44.128 mills	\$ 501,643
4. Contractual Obligations ^K	_____ mills	\$ _____
5. Capital Expenditures ^L	_____ mills	\$ _____
6. Refunds/Abatements ^M	_____ mills	\$ _____
7. Other ^N (specify): _____	_____ mills	\$ _____
	_____ mills	\$ _____
TOTAL: [Sum of General Operating Subtotal and Lines 3 to 7]	56.128 mills	\$ 638,058

Contact person: Andrea Weaver Daytime phone: (970) 484-0101 Ext. 110
 (print)
 Signed: Andrea Weaver Title: District Accountant

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.

¹ If the *taxing entity's* boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.
² Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's **FINAL** certification of valuation).

CERTIFICATION OF TAX LEVIES, continued

THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.). Taxing entities that are

Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:

BONDS^J:

1.	Purpose of Issue:	2021 General Obligation Limited Tax Refunding Bonds, \$15,745,000
	Series:	Series 2021 (3)
	Date of Issue:	November 9, 2021
	Coupon Rate:	4.750%
	Maturity Date:	December 1, 2051
	Levy:	44.128
	Revenue:	\$501,643

2.	Purpose of Issue:	_____
	Series:	_____
	Date of Issue:	_____
	Coupon Rate:	_____
	Maturity Date:	_____
	Levy:	_____
	Revenue:	_____

CONTRACTS^K:

3.	Purpose of Contract:	_____
	Title:	_____
	Date:	_____
	Principal Amount:	_____
	Maturity Date:	_____
	Levy:	_____
	Revenue:	_____

4.	Purpose of Contract:	_____
	Title:	_____
	Date:	_____
	Principal Amount:	_____
	Maturity Date:	_____
	Levy:	_____
	Revenue:	_____

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.

Notes:

^A **Taxing Entity**—A jurisdiction authorized by law to impose ad valorem property taxes on taxable property located within its territorial limits (please see notes B, C, and H below). For purposes of the DLG 70 only, a *taxing entity* is also a geographic area formerly located within a *taxing entity's* boundaries for which the county assessor certifies a valuation for assessment and which is responsible for payment of its share until retirement of financial obligations incurred by the *taxing entity* when the area was part of the *taxing entity*. For example: an area of excluded property formerly within a special district with outstanding general obligation debt at the time of the exclusion or the area located within the former boundaries of a dissolved district whose outstanding general obligation debt service is administered by another local government^C.

^B **Governing Body**—The board of county commissioners, the city council, the board of trustees, the board of directors, or the board of any other entity that is responsible for the certification of the *taxing entity's* mill levy. For example: the board of county commissioners is the governing board ex officio of a county public improvement district (PID); the board of a water and sanitation district constitutes ex officio the board of directors of the water subdistrict.

^C **Local Government** - For purposes of this line on Page 1 of the DLG 70, the *local government* is the political subdivision under whose authority and within whose boundaries the *taxing entity* was created. The *local government* is authorized to levy property taxes on behalf of the *taxing entity*. For example, for the purposes of this form:

1. a municipality is both the *local government* and the *taxing entity* when levying its own levy for its entire jurisdiction;
2. a city is the *local government* when levying a tax on behalf of a business improvement district (BID) *taxing entity* which it created and whose city council is the BID board;
3. a fire district is the *local government* if it created a subdistrict, the *taxing entity*, on whose behalf the fire district levies property taxes.
4. a town is the *local government* when it provides the service for a dissolved water district and the town board serves as the board of a dissolved water district, the *taxing entity*, for the purpose of certifying a levy for the annual debt service on outstanding obligations.

^D **GROSS Assessed Value** - There will be a difference between gross assessed valuation and net assessed valuation reported by the county assessor only if there is a “tax increment financing” entity (see below), such as a downtown development authority or an urban renewal authority, within the boundaries of the *taxing entity*. The board of county commissioners certifies each *taxing entity's* total mills upon the *taxing entity's* *Gross Assessed Value* found on Line 2 of Form DLG 57.

^E **Certification of Valuation by County Assessor, Form DLG 57** - The county assessor(s) uses this form (or one similar) to provide valuation for assessment information to a *taxing entity*. The county assessor must provide this certification no later than August 25th each year and may amend it, one time, prior to December 10th. Each entity must use the **FINAL** valuation provided by assessor when certifying a tax levy.

^F **TIF Area**—A downtown development authority (DDA) or urban renewal authority (URA), may form plan areas that use “tax increment financing” to derive revenue from increases in assessed valuation (gross minus net, Form DLG 57 Line 3) attributed to the activities/improvements within the plan area. The DDA or URA receives the differential revenue of each overlapping *taxing entity's* mill levy applied against the *taxing entity's* gross assessed value after subtracting the *taxing entity's* revenues derived from its mill levy applied against the net assessed value.

^G **NET Assessed Value**—The total taxable assessed valuation from which the *taxing entity* will derive revenues for its uses. It is found on Line 4 of Form DLG 57. **Please Note:** A downtown development authority (DDA) may be both a *taxing entity* and have also created its own *TIF area* and/or have a URA *TIF Area* within the DDA's boundaries. As a result DDAs may both receive operating revenue from their levy applied to their certified *NET assessed value* and also receive TIF revenue generated by any *tax entity* levies overlapping the DDA's *TIF Area*, including the DDA's own operating levy.

^H General Operating Expenses (DLG 70 Page 1 Line 1)—The levy and accompanying revenue reported on Line 1 is for general operations and includes, in aggregate, all levies for and revenues raised by a *taxing entity* for purposes not lawfully exempted and detailed in Lines 3 through 7 on Page 1 of the DLG 70. For example: a fire pension levy is included in general operating expenses, unless the pension is voter-approved, if voter-approved, use Line 7 (Other).

^I Temporary Tax Credit for Operations (DLG 70 Page 1 Line 2)—The Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction of 39-1-111.5, C.R.S. may be applied to the *taxing entity*'s levy for general operations to effect refunds. Temporary Tax Credits (TTCs) are not applicable to other types of levies (non-general operations) certified on this form because these levies are adjusted from year to year as specified by the provisions of any contract or schedule of payments established for the payment of any obligation incurred by the *taxing entity* per 29-1-301(1.7), C.R.S., or they are certified as authorized at election per 29-1-302(2)(b), C.R.S.

^J General Obligation Bonds and Interest (DLG 70 Page 1 Line 3)—Enter on this line the total levy required to pay the annual debt service of all general obligation bonds. Per 29-1-301(1.7) C.R.S., the amount of revenue levied for this purpose cannot be greater than the amount of revenue required for such purpose as specified by the provisions of any contract or schedule of payments. Title 32, Article 1 Special districts and subdistricts must complete Page 2 of the DLG 70.

^K Contractual Obligation (DLG 70 Page 1 Line 4)—If repayment of a contractual obligation with property tax has been approved at election and it is not a general obligation bond (shown on Line 3), the mill levy is entered on this line. Per 29-1-301(1.7) C.R.S., the amount of revenue levied for this purpose cannot be greater than the amount of revenue required for such purpose as specified by the provisions of any contract or schedule of payments.

^L Capital Expenditures (DLG 70 Page 1 Line 5)—These revenues are not subject to the statutory property tax revenue limit if they are approved by counties and municipalities through public hearings pursuant to 29-1-301(1.2) C.R.S. and for special districts through approval from the Division of Local Government pursuant to 29-1-302(1.5) C.R.S. or for any *taxing entity* if approved at election. Only levies approved by these methods should be entered on Line 5.

^M Refunds/Abatements (DLG 70 Page 1 Line 6)—The county assessor reports on the *Certification of Valuation* (DLG 57 Line 11) the amount of revenue from property tax that the local government did not receive in the prior year because taxpayers were given refunds for taxes they had paid or they were given abatements for taxes originally charged to them due to errors made in their property valuation. The local government was due the tax revenue and would have collected it through an adjusted mill levy if the valuation errors had not occurred. Since the government was due the revenue, it may levy, in the subsequent year, a mill to collect the refund/abatement revenue. An abatement/refund mill levy may generate revenues up to, but not exceeding, the refund/abatement amount from Form DLG 57 Line 11.

1. Please Note: Pursuant to Article X, Section 3 of the Colorado Constitution, if the *taxing entity* is in more than one county, as with all levies, the abatement levy must be uniform throughout the entity's boundaries and certified the same to each county. To calculate the abatement/refund levy for a *taxing entity* that is located in more than one county, first total the abatement/refund amounts reported by each county assessor, then divide by the *taxing entity*'s total net assessed value, then multiply by 1,000 and round down to the nearest three decimals to prevent levying for more revenue than was abated/refunded. This results in an abatement/refund mill levy that will be uniformly certified to all of the counties in which the *taxing entity* is located even though the abatement/refund did not occur in all the counties.

^N Other (DLG 70 Page 1 Line 7)—Report other levies and revenue not subject to 29-1-301 C.R.S. that were not reported above. For example: a levy for the purposes of television relay or translator facilities as specified in sections 29-7-101, 29-7-102, and 29-7-105 and 32-1-1005 (1) (a), C.R.S.; a voter-approved fire pension levy; a levy for special purposes such as developmental disabilities, open space, etc.

EXHIBIT B
2022 Audit Attached

BBC METROPOLITAN DISTRICT

Financial Statements

Year Ended December 31, 2022

with

Independent Auditor's Report

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BBC Metropolitan District

BALANCE SHEET/STATEMENT OF NET POSITION - GOVERNMENTAL FUNDS December 31, 2022

	<u>General</u>	<u>Debt Service</u>	<u>Total</u>	<u>Adjustments</u>	<u>Statement of Net Position</u>
ASSETS					
Cash	\$ 7,376	\$ -	\$ 7,376	\$ -	\$ 7,376
Cash and investments - restricted	4,338	2,877	7,215	-	7,215
Receivable - County Treasurer	292	1,059	1,351	-	1,351
Other receivable	896	-	896	-	896
Property taxes receivable	136,415	501,643	638,058	-	638,058
Prepaid	<u>3,262</u>	<u>-</u>	<u>3,262</u>	<u>-</u>	<u>3,262</u>
Total Assets	<u>\$ 152,579</u>	<u>\$ 505,579</u>	<u>\$ 658,158</u>	<u>-</u>	<u>658,158</u>
LIABILITIES					
Accounts payable	\$ 3,544	\$ -	\$ 3,544	-	3,544
Accrued interest on long term debt	-	-	-	478,858	478,858
Long-term liabilities:					
Due in more than one year	<u>-</u>	<u>-</u>	<u>-</u>	<u>16,335,293</u>	<u>16,335,293</u>
Total Liabilities	<u>3,544</u>	<u>-</u>	<u>3,544</u>	<u>16,814,151</u>	<u>16,817,695</u>
DEFERRED INFLOWS OF RESOURCES					
Deferred property taxes	<u>136,415</u>	<u>501,643</u>	<u>638,058</u>	<u>-</u>	<u>638,058</u>
Total Deferred Inflows of Resources	<u>136,415</u>	<u>501,643</u>	<u>638,058</u>	<u>-</u>	<u>638,058</u>
FUND BALANCES/NET POSITION					
Fund Balances:					
Nonspendable:					
Prepays	3,262	-	3,262	(3,262)	-
Restricted:					
Emergencies	4,338	-	4,338	(4,338)	-
Debt service	-	3,936	3,936	(3,936)	-
Unassigned	<u>5,020</u>	<u>-</u>	<u>5,020</u>	<u>(5,020)</u>	<u>-</u>
Total Fund Balances	<u>12,620</u>	<u>3,936</u>	<u>16,556</u>	<u>(16,556)</u>	<u>-</u>
Total Liabilities, Deferred Inflows of Resources and Fund Balances	<u>\$ 152,579</u>	<u>\$ 505,579</u>	<u>\$ 658,158</u>		
Net Position:					
Restricted for:					
Emergencies				4,338	4,338
Unrestricted				<u>(16,801,933)</u>	<u>(16,801,933)</u>
Total Net Position				<u>\$ (16,797,595)</u>	<u>\$ (16,797,595)</u>

The notes to the financial statements are an integral part of these statements.

BBC Metropolitan District

STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES/STATEMENT OF ACTIVITIES -
GOVERNMENTAL FUNDS

For the Year Ended December 31, 2022

	<u>General</u>	Debt <u>Service</u>	<u>Total</u>	<u>Adjustments</u>	Statement of <u>Activities</u>
EXPENDITURES					
General & Administrative					
Management & accounting	19,832	\$ -	\$ 19,832	\$ -	\$ 19,832
Reserve study	110	-	110	-	110
Audit	4,900	-	4,900	-	4,900
Election	932	-	932	-	932
Insurance/SDA dues	3,454	-	3,454	-	3,454
Legal	33,711	-	33,711	-	33,711
Engineering	6,141	-	6,141	-	6,141
Snow removal	2,706	-	2,706	-	2,706
Landscape maintenance	15,144	-	15,144	-	15,144
Miscellaneous	176	42	218	-	218
Treasurer's fees	1,408	5,106	6,514	-	6,514
Utilities	51	-	51	-	51
Developer advance interest	-	-	-	33,872	33,872
Bond interest	-	379,228	379,228	370,830	750,058
	<u>88,565</u>	<u>384,376</u>	<u>472,941</u>	<u>404,702</u>	<u>877,643</u>
GENERAL REVENUES					
Property taxes	93,870	340,427	434,297	-	434,297
Specific ownership taxes	4,654	16,880	21,534	-	21,534
Interest income	31	793	824	-	824
Other income	4,331	-	4,331	-	4,331
	<u>102,886</u>	<u>358,100</u>	<u>460,986</u>	<u>-</u>	<u>460,986</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES					
	14,321	(26,276)	(11,955)	(404,702)	(416,657)
CHANGE IN NET POSITION					
				(416,657)	(416,657)
FUND BALANCES/NET POSITION:					
BEGINNING OF YEAR - RESTATED	<u>(1,701)</u>	<u>30,212</u>	<u>28,511</u>	<u>(16,409,449)</u>	<u>(16,380,938)</u>
END OF YEAR	<u>\$ 12,620</u>	<u>\$ 3,936</u>	<u>\$ 16,556</u>	<u>\$ (16,814,151)</u>	<u>\$ (16,797,595)</u>

The notes to the financial statements are an integral part of these statements.

BBC Metropolitan District

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND

For the Year Ended December 31, 2022

	<u>Original and</u> <u>Final Budget</u>	<u>Actual</u>	<u>Variance</u> <u>Favorable</u> <u>(Unfavorable)</u>
REVENUES			
Property taxes	\$ 93,855	\$ 93,870	\$ 15
Specific ownership taxes	5,000	4,654	(346)
Interest income	-	31	31
Other income	-	4,331	4,331
	<u>98,855</u>	<u>102,886</u>	<u>4,031</u>
EXPENDITURES			
Management & Accounting	15,750	19,832	(4,082)
Reserve study	5,000	110	4,890
Audit	6,825	4,900	1,925
Election	2,000	932	1,068
Legal	7,500	33,711	(26,211)
Insurance/SDA Dues	3,350	3,454	(104)
Miscellaneous	500	176	324
Treasurer's fees	1,408	1,408	-
Snow removal	7,000	2,706	4,294
Landscape maintenance	17,000	15,144	1,856
Utilities	3,800	51	3,749
Engineering	-	6,141	(6,141)
Contingency	31,000	-	31,000
Emergency Reserve	2,966	-	2,966
	<u>104,099</u>	<u>88,565</u>	<u>15,534</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	(5,244)	14,321	19,565
FUND BALANCE:			
BEGINNING OF YEAR	<u>10,878</u>	<u>(1,701)</u>	<u>(12,579)</u>
END OF YEAR	<u>\$ 5,634</u>	<u>\$ 12,620</u>	<u>\$ 6,986</u>

The notes to the financial statements are an integral part of these statements.

BBC METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 1: Summary of Significant Accounting Policies

The accounting policies of the BBC Metropolitan District, (the “District”), located in the City and County of Broomfield, Colorado (“the City”), conform to the accounting principles generally accepted in the United States of America (“GAAP”) as applicable to governmental units. The Governmental Accounting Standards Board (“GASB”) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The following is a summary of the more significant policies consistently applied in the preparation of financial statements.

Definition of Reporting Entity

The District was originally organized in 2002 as the BBC/Overlook Metropolitan District as a quasi-municipal organization established under the State of Colorado Special Districts Act. On March 15, 2012, the District Court of the City granted an order and decree legally changing the name to BBC Metropolitan District. The District operates under a First Amended and Restated Service Plan approved by the City on April 24, 2012. Under the First Amended and Restated Service Plan, the District has the power to provide for the design, acquisition, construction, installation and financing of certain water, sanitation, street, safety protection, park and recreation, transportation, television relay and translator, mosquito control and limited fire protection improvements and services within the District boundaries.

The District's primary revenues are property taxes. The District is governed by an elected Board of Directors.

As required by GAAP, these financial statements present the activities of the District, which is legally separate and financially independent of other state and local governments. The District follows the GASB pronouncements which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB sets forth the financial accountability of a governmental organization’s elected governing body as the basic criterion for including a possible component governmental organization in a primary government’s legal entity. Financial accountability includes, but is not limited to, appointment of a voting majority of the organization’s governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens and fiscal dependency. The pronouncements also require including a possible component unit if it would be misleading to exclude it.

The District is not financially accountable for any other organization. The District has no component units as defined by the GASB.

The District has no employees and all operations and administrative functions are contracted.

Basis of Presentation

The accompanying financial statements are presented per GASB Statement No. 34 - Special Purpose Governments.

BBC METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

The government-wide financial statements (i.e. the governmental funds balance sheet/statement of net position and the governmental funds statement of revenues, expenditures, and changes in fund balances/statement of activities) report information on all of the governmental activities of the District. The statement of net position reports all financial and capital resources of the District. The difference between the (a) assets and deferred outflows of resources and the (b) liabilities and deferred inflows of resources of the District is reported as net position. The statement of activities demonstrates the degree to which expenditures/expenses of the governmental funds are supported by general revenues. The effect of interfund activity has been removed from these statements.

The statement of activities demonstrates the degree to which the direct and indirect expenses of a given function or segment are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. The District had no *Program revenues* to report as of December 31, 2022. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

Major individual governmental funds are reported as separate columns in the fund financial statements.

Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. Property taxes are recognized as revenues in the year in which they are collected.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the District considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. The material sources of revenue subject to accrual are property taxes and interest. Expenditures, other than interest on long-term obligations, are recorded when the liability is incurred or the long-term obligation is paid.

BBC METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

The District reports the following major governmental funds:

General Fund - The General Fund is the general operating fund of the District. It is used to account for all financial resources not accounted for and reported in another fund.

Debt Service Fund – The Debt Service Fund is used to account for all financial resources that are restricted, committed or assigned to expenditures for principal and interest on long-term general obligation debt of the government funds.

Budgetary Accounting

In accordance with the State Budget Law of Colorado, the District's Board of Directors holds public hearings in the fall of each year to approve the budget and appropriate the funds for the ensuing year. The District's Board of Directors can modify the budget by line item within the total appropriation without notification. The appropriation can only be modified upon completion of notification and publication requirements. The budget includes each fund on its basis of accounting unless otherwise indicated. The appropriation is at the total fund expenditures level and lapses at year end.

The District had expenditures in the Debt Service Fund that exceeded the budgeted amounts. This may be in violation of State Budget laws.

Assets, Liabilities and Net Position

Fair Value of Financial Instruments

The District's financial instruments include cash and cash equivalents, accounts receivable and accounts payable. The District estimates that the fair value of all financial instruments at December 31, 2022 does not differ materially from the aggregate carrying values of its financial instruments recorded in the accompanying balance sheet. The carrying amount of these financial instruments approximates fair value because of the short maturity of these instruments.

Deposits and Investments

The District's cash and cash equivalents are considered to be cash on hand and short-term investments with maturities of three months or less from the date of acquisition. Investments for the government are reported at fair value.

The District follows the practice of pooling cash and investments of all funds to maximize investment earnings. Except when required by trust or other agreements, all cash is deposited to and disbursed from a minimum number of bank accounts. Cash in excess of immediate operating requirements is pooled for deposit and investment flexibility.

Interfund Balances

Activities between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as "due to/from other funds". These amounts are eliminated in the Statement of Net Position.

BBC METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

Estimates

The preparation of these financial statements in conformity with GAAP requires the District management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The District does not have items that qualify for reporting in this category.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The District deferred property taxes are the one item that qualifies for reporting in this category. Deferred property taxes are deferred and recognized as an inflow of resources in the period that the amounts become available.

Capital Assets

Capital assets, which include property, plant, equipment and infrastructure assets (e.g. roads, bridges, sidewalks, and similar items), are reported in the applicable governmental activities columns in the government-wide financial statements. Capital assets are recorded at cost.

The costs of normal maintenance and repairs that do not add to the value of the assets or materially extend the life of the asset are not capitalized. Improvements are capitalized and depreciated over the remaining useful lives of the related fixed assets, as applicable using the straight-line method. Land and certain improvements are not depreciated. Depreciation on property that will remain assets of the District is reported on the Statement of Activities as a current charge. Improvements that will be conveyed to other governmental entities are classified as construction in progress and are not depreciated.

Property Taxes

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April 30 or if in equal installments, at the taxpayers' election, in February and June. Delinquent taxpayers are notified in July or August and the sales of the resultant tax liens on delinquent properties are generally held in November or December. The County Treasurer remits the taxes collected monthly to the District.

BBC METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

Property taxes, net of estimated uncollectible taxes, are recorded initially as deferred inflows in the year they are levied and measurable since they are not normally available nor are they budgeted as a resource until the subsequent year. The deferred property taxes are recorded as revenue in the subsequent year when they are available or collected.

Long-Term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities.

Fund Balance

Fund balance of governmental funds is reported in various categories based on the nature of any limitations requiring the use of resources for specific purposes. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications make the nature and extent of the constraints placed on a government's fund balance more transparent:

Nonspendable Fund Balance

Nonspendable fund balance includes amounts that cannot be spent because they are either not spendable in form (such as inventory or prepaids) or are legally or contractually required to be maintained intact. Nonspendable balances of \$3,262 at year-end relates to prepaid insurance.

Restricted Fund Balance

The restricted fund balance includes amounts restricted for a specific purpose by external parties such as grantors, bondholders, constitutional provisions or enabling legislation.

The restricted fund balance in the General Fund in the amount of \$4,338 represents Emergency Reserves that have been provided as required by Article X, Section 20 of the Constitution of the State of Colorado.

The restricted fund balance in the Debt Service Fund in the amount of \$3,936 is restricted for the payment of capital improvements for the District.

Committed Fund Balance

The portion of fund balance that can only be used for specific purposes pursuant to constraints imposed by a formal action of the government's highest level of decision-making authority, the Board of Directors. The constraint may be removed or changed only through formal action of the Board of Directors. The District has no amounts to report as Committed Fund Balance as of December 31, 2022.

Assigned Fund Balance

Assigned fund balance includes amounts the District intends to use for a specific purpose. Intent can be expressed by the District's Board of Directors or by an official or body to which the Board of Directors delegates the authority. The District has no amounts to report as Assigned Fund Balance as of December 31, 2022.

BBC METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

Unassigned Fund Balance

Unassigned fund balance includes amounts that are available for any purpose.

For the classification of Governmental Fund balances, the District considers an expenditure to be made from the most restrictive first when more than one classification is available.

Net Position

Net Position represents the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources.

Net investment in capital assets – consists of net capital assets, reduced by outstanding balances of any related debt obligations and deferred inflows of resources attributable to the acquisition, construction, or improvement of those assets and increased by balance of deferred outflows or resources related to those assets. At December 31, 2022 the District did not have any amounts to report in this category.

Restricted net position – net position is considered restricted if their use is constrained to a particular purpose. Restrictions are imposed by external organizations such as federal or state laws. Restricted net position is reduced by liabilities and deferred inflows of resources related to the restricted assets.

Unrestricted net position – consists of all other net position that does not meet the definition of the above two components and is available for general use by the District.

When an expense is incurred for purposes for which both restricted and unrestricted net position are available, the District will use the most restrictive net position first.

Restatement of Net Position

The beginning net position for the District was restated to include accrued interest of \$62,364 on the 2021⁽³⁾ Bonds which was incorrectly not recorded in the prior year financial statements.

Note 2: Cash and Investments

As of December 31, 2022, cash and investments are classified in the accompanying financial statements as follows:

Statement of Net Position:

Cash	\$	7,376
Cash and investments - Restricted		<u>7,215</u>
Total	\$	<u>14,591</u>

BBC METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

Cash and investments as of December 31, 2022 consist of the following:

Deposits with financial institutions	\$	13,969
Investments – Colotrust		<u>622</u>
	\$	<u><u>14,591</u></u>

Deposits

Custodial Credit Risk

The Colorado Public Deposit Protection Act (“PDPA”), requires that all units of local government deposit cash in eligible public depositories. State regulators determine eligibility. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool is to be maintained by another institution, or held in trust for all the uninsured public deposits as a group. The market value of the collateral must be at least equal to 102% of the aggregate uninsured deposits. The State Commissioners for banks and financial services are required by statute to monitor the naming of eligible depositories and reporting of the uninsured deposits and assets maintained in the collateral pools.

The District follows state statutes for deposits. None of the District’s deposits were exposed to custodial credit risk.

Investments

Investment Valuation

The District categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs. The District’s investment is not required to be categorized within the fair value hierarchy. This investment’s value is calculated using the net asset value method (“NAV”) per share.

Credit Risk

The District’s investment policy requires that the District follow state statutes for investments. Colorado statutes specify the types of investments meeting defined rating and risk criteria in which local governments may invest. These investments include obligations of the United States and certain U.S. Government agency entities, certain money market funds, guaranteed investment contracts, and local government investment pools.

Custodial and Concentration of Credit Risk

None of the District’s investments are subject to custodial or concentration of credit risk.

Interest Rate Risk

Colorado revised statutes limit investment maturities to five years or less unless formally approved by the Board of Directors.

BBC METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

Colotrust

As of December 31, 2022, the District had the following investment:

The local government investment pool, Colorado Local Government Liquid Asset Trust (“Colotrust”) is rated AAAM by Standard & Poor’s with a weighted average maturity of under 60 days. Colotrust is an investment trust/joint venture established for local government entities in Colorado to pool surplus funds. The State Securities Commissioner administers and enforces all State statutes governing the Trust. Colotrust records its investments at fair value and the District records its investment in Colotrust using the net asset value method. The trusts operate similarly to a money market fund with each share maintaining a value of \$1.00. The Trust offers shares in two portfolios, Colotrust Prime and Colotrust Plus+. Both investments consist of U.S. Treasury bills and notes and repurchase agreements collateralized by U.S. Treasury securities. Colotrust Plus+ may also invest in certain obligations of U.S. government agencies, highest rated commercial paper and repurchase agreements collateralized by certain obligations of U.S. government agencies. Designated custodian banks provide safekeeping and depository services to the trusts. Substantially all securities owned by the trusts are held by the Federal Reserve Bank in the accounts maintained for the custodian banks. The custodians’ internal records identify the investments owned by Colotrust. At December 31, 2022, the District had \$622 invested in Colotrust.

Note 3: Long-Term Obligations

A description of the long-term obligations as of December 31, 2022, is as follows:

General Obligation Limited Tax Refunding Bonds Series 2021⁽³⁾

On November 9, 2021, the District issued General Obligation Limited Tax Refunding Bonds Series 2021⁽³⁾ (the “2021 Bonds”) in the amount of \$15,745,000. The proceeds of the bonds were used to refund and pay the outstanding principal and accrued interest on the District’s prior 2012 Bonds and to pay the costs of issuing the 2021 Bonds. The issuance of the 2021 Bonds resulted in net present value and long-term savings to the District.

The 2021 Bonds bear interest at the rate of 4.75% per annum and are subject to mandatory redemption annually on December 1, beginning on December 1, 2022, but only to the extent of available Pledged Revenue. The 2021 Bonds mature on December 1, 2051. They are structured as ‘cash flow’ bonds meaning that there are no scheduled payments of principal or interest. Interest compounds each December 1 on any unpaid interest at the same rate as the 2021 Bonds. In the event any amount of principal or interest remains outstanding on the 2021 Bonds after application of all Pledged Revenues available therefor on December 2, 2061, such amounts shall be deemed discharged and no longer due and outstanding.

BBC METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

The 2021 Bonds are subject to redemption prior to maturity, at the option of the District, upon payment of par, accrued interest, and a redemption premium equal to a percentage of 1-3% of the principal redeemed on December 1, 2026 through November 30, 2029, and no premium on December 1, 2029 and thereafter.

The 2021 Bonds are secured and payable from moneys derived by the District from the following sources: (a) all Property Tax Revenues derived from imposition by the District of the Required Mill Levy; (b) all Specific Ownership Tax Revenues derived from imposition of the Required Mill Levy; and (c) any other legally available moneys which the District determines, in its absolute discretion, to credit to the Bond Fund.

Due to the uncertainty of future payments on the 2021 Bonds, no future annual debt service payments are disclosed.

Operation Funding Agreements

On March 13, 2012, the District entered into a 2012 OFA with Broomfield Business Center, LLC (the "Developer") for the purpose of funding the District's operation costs. The advances accrue simple interest at a rate of 8.0% per annum from the date of deposit into the District's account. The repayment obligations do not constitute a multiple fiscal year financial obligation and are subject to annual appropriation. The obligation of the Developer to advance funds under the 2012 OFA expired on February 1, 2013. In the event the District has not reimbursed the Developer for any Developer advances made pursuant to the 2012 OFA on or before December 31, 2052, any amount of principal and accrued interest outstanding on such date shall be deemed to be forever discharged and satisfied in full.

The District entered into 2013-2015 OFA agreements with the Developer under the same terms as the 2012 OFA. Obligation of the Developer to advance funds under each annual OFA expired on February 1 of the following year, and any amount of principal and accrued interest outstanding on December 31, 40 years after the agreement year will be deemed to be forever discharged and satisfied in full.

On May 17, 2016, with an effective date of January 1, 2016, the District entered into a 2016 OFA with Broomfield Commercial, LLC (the "New Developer") for the purpose of funding the District's operation costs. The advances accrue simple interest at a rate of 8.0% per annum from the date of deposit into the District's account. The repayment obligations do not constitute a multiple fiscal year financial obligation and are subject to annual appropriation. The obligation of the New Developer to advance funds under the 2016 OFA expired on March 15, 2017. In the event the District has not reimbursed the Developer for any Developer advances made pursuant to the 2016 OFA on or before December 31, 2056, any amount of principal and accrued interest outstanding on such date shall be deemed to be forever discharged and satisfied in full.

BBC METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

On November 16, 2016, with an effective date of January 1, 2017, the District entered into a 2017-2021 OFA with the New Developer containing the same advance and reimbursement terms as the previous OFAs and anticipating a shortfall in operations revenues of \$250,000 for the fiscal years 2017 – 2021. The obligation of the New Developer to advance funds under the 2017 – 2021 OFA expired on March 15, 2022. In the event the District has not reimbursed the New Developer for any Developer advances made pursuant to the 2017 – 2021 OFA on or before December 31, 2021, any amount of principal and accrued interest outstanding on such date shall be deemed to be forever discharged and satisfied in full.

Priority of payments to reimburse the Developer and New Developer under the various OFAs begin with the oldest agreement, with the 2017 – 2021 the last priority. Payments on the agreements are first applied to the accrued and unpaid interest and then to the outstanding principal.

Facilities Funding and Acquisition Agreements

Executed January 7, 2016, the District and the New Developer entered into a Facilities Funding and Acquisition Agreement (the “2016 FFAA”). The 2016 FFAA anticipates that the New Developer will expend funds for the design, construction and completion of public improvements and obligated the New Developer to advance up to \$200,000 for construction related expenses between fiscal year 2016 and 2021. The advances accrue simple interest at a rate of 8% per annum from the date of deposit in the District’s account. The 2016 FFAA also acknowledges the District’s obligation to reimburse the New Developer for \$36,441 outstanding under a previously terminated 2012 FFAA agreement. In the event the District has not paid or reimbursed the Developer for any Construction Related Expenses and/or Verified Costs by December 31, 2021, whether invoiced or not invoiced by such date, any amount of principal and accrued interest outstanding on such date shall be deemed to be forever discharged and satisfied in full.

The following is an analysis of the changes in the District’s long-term obligations for the year ended December 31, 2022:

	Balance 1/1/2022	Additions	Deletions	Balance 12/31/2022	Current Portion
<u>General Obligation Bonds</u>					
G.O Bonds, Series 2021	\$ 15,745,000	\$ -	\$ -	\$ 15,745,000	\$ -
<u>Developer Advances</u>					
Capital – Principal	29,405	-	-	29,405	-
Capital - Interest	20,220	2,352	-	22,572	-
Operating – Principal	380,313	-	-	380,313	-
Operating – Interest	126,483	31,520	-	158,003	-
	<u>\$ 16,301,421</u>	<u>\$ 33,872</u>	<u>\$ -</u>	<u>\$ 16,335,293</u>	<u>\$ -</u>

BBC METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

Note 4: Debt Authorization

On November 5, 2002, a majority of the qualified electors of the District who voted in the election authorized the issuance of indebtedness of \$36,000,000 at an interest rate not to exceed 18% per annum with a maturity date not to exceed 40 years from the date of issuance. On November 4, 2014, a majority of the qualified electors of the District who voted in the election authorized the issuance of indebtedness of \$312,000,000 at an interest rate not to exceed 18% per annum

As of December 31, 2022, the amount of debt authorized by the District's electorate but unissued was approximately \$296,255,000. Per the District's First Amended and Restated Service Plan, the District debt is limited to \$24,000,000 of which \$8,255,000 is remaining. The District has not budgeted to issue any debt in 2023.

Note 5: Related Parties

The Board members are owners or members of or are otherwise associated with the Developer. Management believes that all potential conflicts, if any, have been disclosed to the Board.

Note 6: Agreements

Amended and Restated Intergovernmental Agreement with the City

On April 24, 2012, the District entered into an Amended and Restated Intergovernmental Agreement (the "Agreement") with the City whereby the District agreed to various restrictions and notification requirements related to areas such as district dissolution, tax or fee impositions, bond issuances, boundary expansions and service expansions. This Agreement supersedes the Intergovernmental Agreement entered into on May 13, 2008 with the City.

Note 7: Tax, Spending and Debt Limitations

Article X, Section 20 of the Colorado Constitution, commonly known as the Taxpayer Bill of Rights ("TABOR"), contains tax, spending, revenue and debt limitations which apply to the State of Colorado and all local governments.

Spending and revenue limits are determined based on the prior year's Fiscal Year Spending adjusted for allowable increases based upon inflation and local growth. Fiscal Year Spending is generally defined as expenditures plus reserve increases with certain exceptions. Revenue in excess of the Fiscal Year Spending limit must be refunded unless the voters approve retention of such revenue.

TABOR requires local governments to establish Emergency Reserves. These reserves must be at least 3% of Fiscal Year Spending (excluding bonded debt service). Local governments are not allowed to use the emergency reserves to compensate for economic conditions, revenue shortfalls, or salary or benefit increases.

BBC METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

The District's management believes it is in compliance with the provisions of TABOR. However, TABOR is complex and subject to interpretation. Many of the provisions, including the interpretation of how to calculate Fiscal Year Spending limits will require judicial interpretation.

On November 5, 2002, a majority of the District's electors authorized the District to collect and spend or retain in a reserve all current levied taxes and fees of the District without regard to any limitations under Article X, Section 20 of the Colorado Constitution.

Note 8: Risk Management

Except as provided in the Colorado Governmental Immunity Act, 24-10-101, et seq., CRS, the District may be exposed to various risks of loss related to torts, theft of, damage to, or destruction of assets; errors or omissions; injuries to agents; and natural disasters. The District has elected to participate in the Colorado Special Districts Property and Liability Pool ("Pool") which is an organization created by intergovernmental agreement to provide common liability and casualty insurance coverage to its members at a cost that is considered economically appropriate. Settled claims have not exceeded this commercial coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for auto, public officials' liability, and property and general liability coverage. In the event aggregated losses incurred by the Pool exceed its amounts recoverable from reinsurance contracts and its accumulated reserves, the District may be called upon to make additional contributions to the Pool on the basis proportionate to other members. Any excess funds which the Pool determines are not needed for purposes of the Pool may be returned to the members pursuant to a distribution formula.

Note 8: Reconciliation of Government-Wide Financial Statements and Fund Financial Statements

The Governmental Funds Balance Sheet/Statement of Net Position includes an adjustments column. The adjustments may have the following elements:

- 1) Long-term liabilities such as bonds payable and accrued bond/loan interest payable are not due and payable in the current period and, therefore, are not in the funds.

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Notes to Financial Statements December 31, 2022

The Governmental Funds Statement of Revenues, Expenditures, and Changes in Fund Balances/Statement of Activities includes an adjustments column. The adjustments may have the following elements:

- 1) Governmental funds report interest expense on the modified accrual basis; however, interest expense is reported on the full accrual method on the Statement of Activities; and,
- 2) governmental funds report developer advances, loan and/or bond proceeds as revenue, which are as changes to long term liabilities on the Statement of Net Position; and,
- 3) governmental funds report capital outlays as expenditures, however, in the statement of activities, the costs of those assets are held as construction in process pending transfer to other governmental entities.

SUPPLEMENTAL INFORMATION

BBC Metropolitan District

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - DEBT SERVICE FUND

For the year ended December 31, 2022

	<u>Original and</u> <u>Final Budget</u>	<u>Actual</u>	<u>Variance</u> <u>Favorable</u> <u>(Unfavorable)</u>
REVENUES			
Property tax revenue	\$ 340,373	\$ 340,427	\$ 54
Specific ownership tax	18,000	16,880	(1,120)
Interest income	<u>-</u>	<u>793</u>	<u>793</u>
Total Revenues	<u>358,373</u>	<u>358,100</u>	<u>(273)</u>
EXPENDITURES			
Bond interest	357,000	379,228	(22,228)
Paying agent fees	4,000	-	4,000
Miscellaneous	-	42	(42)
Treasurer's fees	<u>5,106</u>	<u>5,106</u>	<u>-</u>
Total Expenditures	<u>366,106</u>	<u>384,376</u>	<u>(18,270)</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	(7,733)	(26,276)	(18,543)
FUND BALANCE:			
BEGINNING OF YEAR	<u>17,881</u>	<u>30,212</u>	<u>12,331</u>
END OF YEAR	<u>\$ 10,148</u>	<u>\$ 3,936</u>	<u>\$ (6,212)</u>

The notes to the financial statements are an integral part of these statements.