

232 METROPOLITAN DISTRICT

Weld County, Colorado

FINANCIAL STATEMENTS

DECEMBER 31, 2022

**232 METROPOLITAN DISTRICT
TABLE OF CONNTENTS
DECEMBER 31, 2022**

INDEPENDENT AUDITOR’S REPORT	I-II
BASIC FINANCIAL STATEMENTS	
GOVERNMENT – WIDE FINANCIAL STATEMENTS	
STATEMENT OF NET POSITION	1
STATEMENT OF ACTIVITIES	2
FUND FINANCIAL STATEMENTS	
BALANCE SHEET – GOVERNMENTAL FUNDS	3
STATEMENT OF REVENUES, EXPENDTURES, AND CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS	4
GENERAL FUND – STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES – BUDGET AND ACTUAL	5
NOTES TO BASIC FINANCIAL STATEMENTS	6-12



INDEPENDENT AUDITOR'S REPORT

To the Board of Directors
232 Metropolitan District
Weld County, Colorado

Opinions

We have audited the financial statements of the governmental activities and each major fund of 232 Metropolitan District (the District) as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District as of December 31, 2022, and the respective changes in financial position thereof, and the respective budgetary comparison for the general fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibility for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgement and maintain professional skepticism throughout the audit.
- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgement, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate to those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Management has omitted management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinions on the basic financial statements are not affected by this missing information.

Fiscal Focus Partners, LLC

Arvada, Colorado
July 19, 2023

BASIC FINANCIAL STATEMENTS

232 METROPOLITAN DISTRICT
STATEMENT OF NET POSITION
DECEMBER 31, 2022

ASSETS

Cash and cash equivalents	\$	3,303,071
Prepaid expenses		445
Property taxes receivable		1,228,729
		4,532,245
Total Assets		4,532,245

LIABILITIES

Accounts payable		240
Non-current liabilities		
Accrued interest - developer advances		35,903
Developer advance - due in more than one year		67,972
		104,115
Total Liabilities		104,115

DEFERRED INFLOWS OF RESOURCES

Deferred property taxes		1,224,738
		1,224,738
Total Deferred Inflows of Resources		1,224,738

NET POSITION

Restricted for emergencies		30,118
Unrestricted		3,173,274
		3,203,392
Total Net Position	\$	3,203,392

232 METROPOLITAN DISTRICT
STATEMENT OF ACTIVITIES
YEAR ENDED DECEMBER 31, 2022

Function/Program	Program Revenues			Net (Expense) Revenue and Changes in Net Position	
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities
Primary Government:					
Governmental activities:					
General government	\$ 74,478	\$ -	\$ -	\$ -	\$ (74,478)
Interest and related costs on long-term debt	5,098	-	-	-	(5,098)
Total Governmental Activities	\$ 79,576	\$ -	\$ -	\$ -	\$ (79,576)
General Revenues:					
Property Taxes					\$ 947,820
Specific Ownership Taxes					56,097
Total general revenues					1,003,917
Change in Net Position					924,341
Net Position, Beginning of Year					2,279,051
Net Position, End of Year					\$ 3,203,392

232 METROPOLITAN DISTRICT
BALANCE SHEET
GOVERNMENTAL FUND
DECEMBER 31, 2022

	GENERAL FUND
ASSETS	
Cash and cash equivalents	\$ 3,303,071
Prepaid expenses	445
Property taxes receivable	1,228,729
Total Assets	4,532,245
 LIABILITIES	
Accounts payable	240
Total Liabilities	240
 DEFERRED INFLOWS OF RESOURCES	
Deferred property tax revenue	1,224,738
Total Deferred Inflows of Resources	1,224,738
 FUND BALANCE	
Restricted for emergencies	30,118
Unassigned	3,277,149
Total Fund Balance	3,307,267
Total Liabilities, Deferred Outflows of Resources, and Fund Balances	\$ 4,532,245
 Reconciliation of the Governmental Funds Balance Sheet to the Statement of Net Position:	
Total fund balance - governmental funds	\$ 3,307,267
Amounts reported for governmental funds in the Statement of Net Position are different because:	
Long-term liabilities, including developer advances, are not due and payable in the current period and, therefore, are not recorded as liabilities in the funds.	
Development repayment obligations	(67,972)
Accrued interest - developer advances	(35,903)
Total Net Position Governmental Activities	\$ 3,203,392

232 METROPOLITAN DISTRICT
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUND
FOR THE YEAR ENDED DECEMBER 31, 2022

	GENERAL FUND
Revenues	
Property taxes	\$ 947,820
Specific ownership taxes	56,097
Total Revenues	1,003,917
 Expenditures	
Accounting and auditing	10,815
Consulting	8,117
County treasurer fees	14,218
Dues and memberships	462
Insurance	2,727
Legal	37,367
Office Supplies	772
Total Expenditures	74,478
Net Change in Fund Balance	929,439
Fund Balance, Beginning of year	2,377,828
Fund Balance, End of year	\$ 3,307,267

RECONCILIATION OF STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO STATEMENT OF ACTIVITIES:

Net Change in Fund Balance - Governmental Funds	\$ 929,439
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The issuance of long-term debt provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. This amount is the net effect of these differences in the treatment of long-term debt and related items.

Change in Accrued Interest - Developer Advances	(5,098)
Change in Net Position of Governmental Activities	\$ 924,341

232 METROPOLITAN DISTRICT
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES -
BUDGET TO ACTUAL
GENERAL FUND
FOR THE YEAR ENDED DECEMBER 31, 2022

	<u>Original and Final Budget</u>	<u>Actual</u>	<u>Variance with final budget favorable (unfavorable)</u>
Revenues			
Property taxes	\$ 947,820	\$ 947,820	\$ -
Specific ownership taxes	71,086	56,097	(14,989)
Total Revenues	<u>1,018,906</u>	<u>1,003,917</u>	<u>(14,989)</u>
Expenditures			
Operations:			
Accounting and auditing	9,000	10,815	(1,815)
Bank fees	100	-	100
Consulting	5,000	8,117	(3,117)
County treasurer fees	14,217	14,218	(1)
Dues and memberships	400	462	(62)
Election expense	3,000	-	3,000
Insurance	3,500	2,727	773
Infrastructure design and permitting	75,000	-	75,000
Interest	5,100	-	5,100
Legal	50,000	37,367	12,633
Office Supplies	100	772	(672)
Reimbursement of organization costs	100,000	-	100,000
Capital expenditures	2,500,000	-	2,500,000
Contingency	25,000	-	25,000
TABOR reserve	83,713	-	83,713
Total Expenditures	<u>2,874,130</u>	<u>74,478</u>	<u>2,799,652</u>
Net Change in Fund Balance	\$ (1,855,224)	\$ 929,439	\$ 2,784,663
Fund Balance, Beginning of year	<u>2,368,941</u>	<u>2,377,828</u>	<u>8,887</u>
Fund Balance, End of year	<u>\$ 513,717</u>	<u>\$ 3,307,267</u>	<u>\$ 2,793,550</u>

**232 METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022**

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Financial Reporting Entity

232 Metropolitan District (the District), a quasi-municipal corporation and a political subdivision of the state of Colorado, was organized by order and decree of the District Court in and for Weld County, Colorado, on November 24, 2015, and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The District was established to finance and construct certain public infrastructure improvements including sanitary and storm sewers, streets, water, safety protection, and other improvements that benefit the citizens of the District. The District's primary revenues are property taxes. The District is governed by an elected Board of Directors consisting of three Directors.

The District follows the Governmental Accounting Standards Board (GASB) accounting pronouncements which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB pronouncements set 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 District is not financially accountable for any other organization, nor is the District a component unit of any other primary governmental entity.

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

The more significant accounting policies of the District are described as follows:

Government-Wide and Fund Financial Statements

The government-wide financial statements include the statement of net position and the statement of activities. These financial statements include all activities of the District. The effect of interfund activity has been removed from these statements. Governmental activities are normally supported by property taxes and intergovernmental revenues.

The statement of net position reports all financial and capital resources of the District. The difference between the sum of assets and deferred outflows and the sum of liabilities and deferred inflows, is reported as net position.

The statement of activities presents a comparison between direct expenses and program revenues for each function of the District's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Program revenues include (a) grants and contributions that are restricted to meeting the operational needs of a particular program and (b) fees, grants and contributions that are restricted to financing the acquisition or construction of capital assets. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

Separate financial statements are provided for the governmental funds. Funds are organized into three major categories: governmental, proprietary, and fiduciary. The District has one governmental fund (below) and does not maintain proprietary or fiduciary funds. Major individual governmental funds are reported as separate columns in the fund financial statements.

**232 METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022**

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Major funds are defined as funds that have either assets, liabilities, revenues, or expenditures/expenses equal to ten percent of their fund-type total and five percent of the grand total. The general fund is always a major fund. The District may also select other funds it believes should be presented as major funds.

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 related cash flows.

Governmental fund financial statements are accounted for 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 major sources of revenue susceptible to accrual are property taxes. All other revenue items are considered to be measurable and available only when cash is received by the District. Expenditures, other than interest on long-term obligations, are recorded when the liability is incurred or the long-term obligation due.

The District reports the following major governmental fund:

The *General Fund* is the District's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

Budgets

In accordance with the Colorado Budget Law, the District follows these procedures in establishing the budgetary data reflected in the financial statements:

1. On or prior to October 15th the budget is submitted to the Board of Directors of the District.
2. A public hearing on the budget is held prior to its adoption.
3. On the date of the hearing, the Board reviews the proposed budget and formally adopts it by resolution.
4. At the time of adopting the budget the Board also adopts the mill levies.
5. Prior to the beginning of the calendar year, the Board passes an appropriating ordinance giving the District legal authority to spend.
6. The District adopts budgets for the general and debt service funds on a basis consistent with generally accepted accounting principles. The District's Board of Directors can modify the budget and appropriations resolutions upon completion of notification and publication requirements. The appropriation is at the total fund expenditures and other financing uses level and lapses at year-end and lapses at year end.

Budgeted amounts reported in the accompanying financial statements are as originally adopted and as amended by the Board of Directors.

**232 METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022**

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Use of Estimates

The preparation of basic financial statements, in conformity with GAAP, requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, deferred inflows and outflows of resources and disclosure of contingent assets and liabilities at the date of the basic financial statements and reported amounts of revenues and expenses/expenditures during the reporting period. Actual results could differ from those estimates.

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 1st of each year. The levy is normally set by December 15th by certification to the County Commissioners to put the tax lien on the individual properties as of January 1st of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April or if in equal installments, at the taxpayer's election, in February and June. Delinquent taxpayers are notified in August, and generally sales of tax liens on delinquent properties are held in November or December. The County Treasurer remits property tax collections to the District monthly.

Property taxes, net of estimated uncollectible taxes, are recorded initially as deferred inflow of resources in the year they are levied and measurable. The unearned property tax revenues are recorded as revenue in the year they are available or collected.

Deferred Inflows/Outflows of Resources

In addition to assets, the statement of net position reports a separate section for deferred outflows of resources. Deferred outflows of resources represent a consumption of net position that applies to future periods and will not be recognized as an outflow of resources (expenditure) until then. The District currently does not have any deferred outflows of resources reported in the accompanying financial statements.

In addition to liabilities, the statement of net position reports a section for deferred inflows of resources. Deferred inflows of resources represent an acquisition of net position that applies to future periods and will not be recognized as an inflow of resources (revenue) until that time. The District reports deferred property tax revenue as an inflow of resources in the period the amounts become available.

Net Position

For government-wide presentation purposes, when both restricted and unrestricted resources are available for use, it is the District's practice to use restricted resources first, then unrestricted resources. In the government-wide financial statements, fund equity is classified as net position. Net position may be classified into three components: net investment in capital assets, restricted, and unrestricted.

Fund Balance – Governmental Funds

Fund balance for governmental funds should be reported in classifications that comprise a hierarchy based on the extent to which the government is bound to honor constraints on the specific purposes for which spending can occur. Governmental funds report up to five classifications of fund balance: nonspendable, restricted, committed, assigned, and unassigned. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications describe the relative strength of the spending constraints:

232 METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Fund Balance – Governmental Funds (continued)

Nonspendable Fund Balance – The portion of fund balance that cannot be spent because it is either not in spendable form (such as prepaid amounts or inventory) or legally or contractually required to be maintained intact.

Restricted Fund Balance – The portion of fund balance that is constrained to being used for a specific purpose by external parties (such as bondholders), constitutional provisions, or enabling legislation.

Committed Fund Balance – The portion of fund balance that can only be used for specific purposes pursuant to constraints imposed by 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.

Assigned Fund Balance – The portion of fund balance that is constrained by the government’s intent to be used for specific purposes but is neither restricted nor committed. Intent is expressed by the Board of Directors to be used for a specific purpose. Constraints imposed on the use of assigned amounts are more easily removed or modified than those imposed on amounts that are classified as committed.

Unassigned Fund Balance – The residual portion of fund balance that does not meet any of the criteria described above.

If more than one classification of fund balance is available for use when an expenditure is incurred, it is the District’s practice to use the most restrictive classification first.

Reconciliation of Government-wide and Fund Financial Statements

The governmental funds balance sheet includes a reconciliation between fund balances of the governmental funds and the net position of governmental activities as reported in the government-wide statement of net position. Additionally, the governmental fund statement of revenues, expenditures, and changes in fund balances includes a reconciliation between the net change in fund balances of the governmental funds and the changes in net position of governmental activities as reported in the government-wide statement of activities.

These reconciliations detail items that require adjustment to convert from the current resources measurement and modified accrual basis for government fund statements to the economic resources measurement and full accrual basis used for government-wide statements.

NOTE 2: CASH AND INVESTMENTS

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

Statement of Net Position:

Cash and cash equivalents	\$ 3,303,071
Total Cash and Investments	<u>\$ 3,303,071</u>

232 METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 2: CASH AND INVESTMENTS (CONTINUED)

Cash Deposits

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. Eligibility is determined by state regulators. 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 for all the uninsured public deposits as a group is to be maintained by another institution or held in trust. The market value of the collateral must be at least 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.

At December 31, 2022, the District's cash deposits had a bank balance and carrying balance of \$3,303,071.

NOTE 3: LONG-TERM OBLIGATIONS, COMMITMENTS AND AGREEMENTS

2016 – 2020 Operation Funding Agreement – On December 12, 2016, the District entered into the 2016-2020 Operation Funding Agreement with Erie Exchange, LLC (the “Developer”), whereby the Developer agreed to advance up to \$100,000 for District operations and maintenance expenditures incurred in fiscal years 2016 through 2020. Such advances will accrue simple interest from the date of deposit or advance at the rate of 7.5% per annum. The District agreed to reimburse the Developer for amounts advanced under the agreement, subject to annual budget and appropriation. The obligation of the District to reimburse the Developer expires on December 31, 2046. In the event the District does not have sufficient funds to repay the advances and accrued interest, any amounts of principal and accrued interest outstanding as of December 31, 2046, shall be deemed forever discharged and satisfied in full. At December 31, 2022, the District had no amounts due to the developer under this funding agreement.

Facilities Funding and Acquisition Agreement – The District and the Developer entered into a Facilities Funding and Acquisition Agreement on December 12, 2016, whereby the District has agreed to reimburse the Developer for organizational costs, construction costs, and costs to acquire certain public improvements to benefit properties within its boundaries and/or service area. Simple interest shall accrue on organizational costs and construction related costs funded by the Developer at the rate of 7.5% per annum. Payments made by the District shall be credited first against any accrued and unpaid interest, and then to the principal amount due.

Pursuant to this funding agreement, the Developer's agrees to fund the organizational and construction costs for fiscal years 2016 through 2030, up to an amount not to exceed Nine Million Eight Hundred Eighty-Three Thousand, Four Hundred Eighteen Dollars (\$9,883,418). In the event the District does not have sufficient funds to repay the organizational and construction costs advanced by the Developer, including any accrued interest, all principal and accrued interest outstanding as of December 31, 2056, shall be deemed forever discharged and satisfied in full.

On October 18, 2022, the Board of Directors approved a repayment to the Developer under the Facilities Funding and Acquisition Agreement, in the amount of \$67,972, pursuant to a cost verification report. The developer advances and accrued interest are expected to be repaid in 2023.

As of December 31, 2022, the District had developer advances and related accrued interest payable under this facilities funding and acquisition agreement totaling \$67,972 and \$35,903, respectively.

**232 METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022**

NOTE 3: LONG-TERM OBLIGATIONS, COMMITMENTS AND AGREEMENTS (CONTINUED)

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

	Balance			Balance		
	December 31, 2021	Additions	Retirements	December 31, 2022	Current Portion	
Developer Advances:						
Facilities Funding & Acquisition						
Developer Advances - FFA	\$ 67,972	\$ -	\$ -	\$ 67,972	\$ -	-
Accrued Interest - FFA	30,805	5,098	-	35,903	-	-
Total Developer Advances	\$ 98,777	\$ 5,098	\$ -	\$ 103,875	\$ -	-

Authorized Debt

On November 3, 2015, the majority of the qualified electors of the District voted to approve debt authorization not to exceed \$35,000,000. As of December 31, 2022, the District had remaining voted debt authorization of approximately \$35,000,000. The District's Service Plan limits the issuance of debt to principal amounts not to exceed \$35,000,000, and also limits the combined mill levy for operations and debt service to a maximum of fifty (50) mills.

On October 11, 2022, the Town Board of Trustees for the Town of Erie approved the District's Amended and Restated Service Plan to delete a requirement for the District to issue debt within a certain time frame, but retain the original debt authorization of \$35,000,000.

NOTE 4: RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; thefts of, damage to, or destruction of assets; errors or omissions; injuries to employees; or acts of God.

The District is a member of the Colorado Special Districts Property and Liability Pool (the Pool). The Pool is an organization created by intergovernmental agreement to provide property, liability, public officials' liability, boiler and machinery, and workers' compensation coverage to its members. Settled claims have not exceeded this coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for liability, property, and public officials' liability coverage. In the event aggregated losses incurred by the Pool exceed amounts recoverable from reinsurance contracts and funds accumulated by the Pool, the Pool may require additional contributions from the Pool 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 5: RELATED PARTIES

Two of the Board of Directors are an employee, owner, or is otherwise associated with the Developer, and may have conflicts of interest in dealing with the District. Management believes that all potential conflicts, if any, have been disclosed to the Board.

**232 METROPOLITAN DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022**

NOTE 6: NET POSITION

The District has net position consisting of two components – restricted and unrestricted. As of December 31, 2022, the District had restricted net position totaling \$30,118, and unrestricted net position totaling \$3,173,274. Restricted net position includes amounts that are restricted for use either by creditors, grantors, contributors, or laws and regulations of other governments, or as imposed by law through constitutional provisions or enabling legislation. The District’s restricted net position consists of emergency reserves required by TABOR.

NOTE 7: TAX, SPENDING, AND DEBT LIMITATIONS

Article X, Section 20 of the Colorado Constitution, commonly known as the Taxpayer’s 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.

On November 3, 2015, a majority of the District’s electors authorized the District to collect and spend or retain in a reserve all currently levied taxes and fees of the District without regard to any limitations under Article X, Section 20 of the Colorado Constitution.

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. On December 31, 2022, the District determined its required emergency reserve to be approximately \$30,118.

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.