

**RESOLUTION NO. 2022-10-03**

**RESOLUTION TO ADOPT BUDGET AND APPROPRIATE SUMS OF MONEY**

**RESOLUTION OF THE BOARD OF DIRECTORS OF SECOND CREEK FARM METROPOLITAN DISTRICT NO. 1, ADAMS COUNTY, COLORADO, PURSUANT TO SECTION 29-1-108, C.R.S., SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND, ADOPTING A BUDGET AND APPROPRIATING SUMS OF MONEY FOR THE BUDGET YEAR 2023**

A. The Board of Directors of Second Creek Farm Metropolitan District No. 1 (the “**District**”) has appointed CliftonLarsonAllen LLP to prepare and submit a proposed budget to said governing body at the proper time.

B. CliftonLarsonAllen LLP has submitted a proposed budget to this governing body by October 15, 2022, for its consideration.

C. Upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on October 17, 2022, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget.

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

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

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

G. It is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, thereby establishing a limitation on expenditures for the operations of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SECOND CREEK FARM METROPOLITAN DISTRICT NO. 1, ADAMS COUNTY, COLORADO:

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

2. The budget is hereby approved and adopted, shall be certified by the Secretary of the District to all appropriate agencies and is made a part of the public records of the District.

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

**[SIGNATURE PAGE FOLLOWS]**

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

RESOLUTION APPROVED AND ADOPTED on October 17, 2022.

**SECOND CREEK FARM  
METROPOLITAN DISTRICT NO. 1**

By: Joel Farkas  
President

Attest:

By: Jon Dene  
Secretary

## **EXHIBIT A**

### **Budget**

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 1**  
**ANNUAL BUDGET**  
**FOR THE YEAR ENDING DECEMBER 31, 2023**

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 1**  
**SUMMARY**  
**2023 BUDGET**  
**WITH 2021 ACTUAL AND 2022 ESTIMATED**  
**For the Years Ended and Ending December 31,**

1/9/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCES	\$ 64,633	\$ 309,030	\$ 707,101
REVENUES			
Property taxes	-	-	12,614
Specific ownership taxes	-	-	883
Developer advance	6,198,451	3,421,477	20,000
ERU	558,608	-	-
Facility fees	160,500	600,000	600,000
Other revenue	399,501	-	-
Transfer from Second Creek Farm No. 2	226	50,948	74,697
Transfer from Second Creek Farm No. 3	9,284,212	755,247	267,079
Transfer from Second Creek Farm No. 4	-	-	142
Total revenues	16,601,498	4,827,672	975,415
Total funds available	16,666,131	5,136,702	1,682,516
EXPENDITURES			
General Fund	115,639	187,433	190,000
Capital Projects Fund	16,241,462	4,242,168	660,525
Total expenditures	16,357,101	4,429,601	850,525
Total expenditures and transfers out requiring appropriation	16,357,101	4,429,601	850,525
ENDING FUND BALANCES	\$ 309,030	\$ 707,101	\$ 831,991
EMERGENCY RESERVE	\$ -	\$ 1,500	\$ 3,800
TOTAL RESERVE	\$ -	\$ 1,500	\$ 3,800

No assurance provided. See summary of significant assumptions.

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 1**  
**PROPERTY TAX SUMMARY INFORMATION**  
**2023 BUDGET**  
**WITH 2021 ACTUAL AND 2022 ESTIMATED**  
**For the Years Ended and Ending December 31,**

1/9/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
<b>ASSESSED VALUATION</b>			
Agricultural	\$ 3,870	\$ 1,930	\$ 1,760
State assessed	140	1,050	1,540
Vacant land	-	19,390	1,094,230
Personal property	3,550	21,720	35,540
Certified Assessed Value	<u>\$ 7,560</u>	<u>\$ 44,090</u>	<u>\$ 1,133,070</u>
<b>MILL LEVY</b>			
General	11.132	11.132	11.133
Total mill levy	<u>11.132</u>	<u>11.132</u>	<u>11.133</u>
<b>PROPERTY TAXES</b>			
General	\$ 84	\$ 491	\$ 12,614
Levied property taxes	84	491	12,614
Adjustments to actual/rounding	(84)	(491)	-
Budgeted property taxes	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 12,614</u>
<b>BUDGETED PROPERTY TAXES</b>			
General	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 12,614</u>
	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 12,614</u>

No assurance provided. See summary of significant assumptions.

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 1**  
**GENERAL FUND**  
**2023 BUDGET**  
**WITH 2021 ACTUAL AND 2022 ESTIMATED**  
**For the Years Ended and Ending December 31,**

1/18/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCE	\$ 22,972	\$ 67,559	\$ 56,074
REVENUES			
Property taxes	-	-	12,614
Specific ownership taxes	-	-	883
Developer advance	160,000	125,000	20,000
Transfer from Second Creek Farm No. 2	226	50,948	74,697
Transfer from Second Creek Farm No. 3	-	-	33,969
Transfer from Second Creek Farm No. 4	-	-	142
Total revenues	160,226	175,948	142,305
Total funds available	183,198	243,507	198,379
EXPENDITURES			
General and administrative			
Accounting	42,564	70,000	70,000
Auditing	13,150	15,000	15,000
Contingency	-	-	7,811
County Treasurer's fee	-	-	189
Dues and memberships	821	1,076	2,000
Election expense	100	4,849	2,500
Insurance and bonds	10,790	11,908	12,500
Legal services	37,214	75,000	70,000
Miscellaneous	-	100	500
Paying Agent Fees	11,000	9,500	9,500
Total expenditures	115,639	187,433	190,000
Total expenditures and transfers out requiring appropriation	115,639	187,433	190,000
ENDING FUND BALANCE	\$ 67,559	\$ 56,074	\$ 8,379
EMERGENCY RESERVE	\$ -	\$ 1,500	\$ 3,800
TOTAL RESERVE	\$ -	\$ 1,500	\$ 3,800

No assurance provided. See summary of significant assumptions.



**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 1**  
**CAPITAL PROJECTS FUND**  
**2023 BUDGET**  
**WITH 2021 ACTUAL AND 2022 ESTIMATED**  
**For the Years Ended and Ending December 31,**

1/9/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCE	\$ 41,661	\$ 241,471	\$ 651,027
REVENUES			
Developer advance	6,038,451	3,296,477	-
Facility fees	160,500	600,000	600,000
ERU	558,608	-	-
Other Income	399,501	-	-
Transfers from Second Creek Farm No. 3	9,284,212	755,247	233,110
Total revenues	16,441,272	4,651,724	833,110
Total funds available	16,482,933	4,893,195	1,484,137
EXPENDITURES			
Capital Projects			
Capital outlay	6,717,501	3,296,477	-
Engineering	113,065	53,670	-
Legal services	14,712	-	-
Repay developer advance - interest	440,998	39,707	-
Repay developer advance - principal	8,955,186	852,314	660,525
Total expenditures	16,241,462	4,242,168	660,525
Total expenditures and transfers out requiring appropriation	16,241,462	4,242,168	660,525
ENDING FUND BALANCE	\$ 241,471	\$ 651,027	\$ 823,612

No assurance provided. See summary of significant assumptions.

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 1**  
**2023 BUDGET**  
**SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Services Provided**

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 for Adams County on December 5, 2002, and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The District's service area is located entirely within the City of Commerce City, Adams County, Colorado.

The District was established to provide financing for the construction, installation, and operation of public improvements, including streets and safety controls, street lighting, landscaping, monuments, signage, mosquito control, television relay, water, sanitary-sewer, storm drainage, and park and recreation improvements and facilities.

Pursuant to an Amended and Restated Facilities Funding, Construction & Operations Agreement among the District and Second Creek Farms Metropolitan District Nos. 2, 3 and 4, dated July 15, 2019, with an effective date of January 1, 2019 ("FFCOA"), District No. 1 provides District Administration and Project Administration for all District Nos. 1-4 and District Nos. 2, 3 and 4 serve as the Financing Districts.

On November 5, 2002, the electorate approved general obligation indebtedness of \$3,539,171 for street improvements, \$5,870,144 for parks and recreation, \$2,670,360 for water supply system, \$1,920,323 for sanitary sewer system, \$14,000,000 for refinancing of District debt, and \$50,000 for general operations and maintenance. The election also approved an annual increase in taxes of \$50,000 for general operations and maintenance.

On November 1, 2005, the electorate approved general obligation indebtedness of \$560,000,000 representing \$70,000,000 for each of the following public improvements: streets, water, sewer, parks and recreation, traffic and safety, mosquito control, public transportation, and television relay and translation. The voters also approved general obligation indebtedness of \$70,000,000 for refinancing of District debt, \$70,000,000 for intergovernmental contracts and \$2,000,000 for general operations and maintenance. The election also approved an annual increase in taxes of \$2,000,000 for general operations and maintenance and \$2,000,000 for payments under intergovernmental agreements.

On May 6, 2014, the electorate approved general obligation indebtedness of \$700,000,000 representing \$70,000,000 for each of the following public improvements: streets, water, sewer, parks and recreation, traffic and safety, mosquito control, public transportation, television relay and translation, fire protection, and security services. The voters also approved general obligation indebtedness of \$70,000,000 for refinancing of District debt, \$70,000,000 for intergovernmental contracts, and \$70,000,000 for general operations and maintenance. The election also approved an annual increase in taxes of \$2,000,000 for general operations and maintenance, \$70,000,000 for payments under intergovernmental agreements for regional improvements, and \$2,000,000 for payments under intergovernmental agreements. The election also approved the imposition of fees of \$2,000,000 for general operations and maintenance.

The Service Plan limits total general obligation indebtedness to \$70,000,000.

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

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 1**  
**2023 BUDGET**  
**SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Services Provided (Continued)**

The District prepares its budget on the modified accrual basis of accounting, in accordance with requirements of Colorado Revised Statutes C.R.S. 29-1-105 using its best estimates as of the date of the budget hearing. These estimates are based on expected conditions and its expected course of actions. The assumptions disclosed herein are those that the District believes are significant to the budget. There will usually be differences between the budget and actual results, because events and circumstances frequently do not occur as expected, and those differences may be material.

**Revenues**

**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 or, if in equal installments, at the taxpayer's election, in February and June. Delinquent taxpayers are notified in August and generally sales of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District.

Senate Bill 21-293 among other things, designates multi-family residential real property (defined generally, as property that is a multi-structure of four or more units) as a new subclass of residential real property. For tax collection year 2023, the assessment rate for single family residential property decreases to 6.95% from 7.15%. The rate for multifamily residential property, the newly created subclass, decreases to 6.80% from 7.15%. Agricultural and renewable energy production property decreases to 26.40% from 29.00%. Producing oil and gas remains at 87.50%. All other nonresidential property stays at 29.00%.

The calculation of the taxes levied is displayed on the Property Tax Summary page of the budget using the adopted mill levy imposed by the District.

**Specific Ownership Taxes**

Specific ownership taxes are set by the State and collected by the County Treasurer, primarily on vehicle licensing within the County as a whole. The specific ownership taxes are allocated by the County Treasurer to all taxing entities within the County. The budget assumes that the District's share will be equal to approximately 7.0% of the property taxes collected by the District.

**Developer Advances**

The District is in the development stage. As such, the operating and administrative costs for 2023 are to be partially funded by the Developer. Developer advances are recorded as revenue for budget purposes with an obligation for future repayment when the District is financially able to reimburse the Developer from bond proceeds and other legally available revenue.

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 1  
2023 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Revenues (Continued)**

**Transfers from District Nos. 2, 3 & 4**

The District anticipates the collection of taxes in District No. 2, 3 & 4 which will be transferred to the District to partially fund operations of the Districts. Per the FFCOA, District No. 1 provides Project Administration for the other Districts and monies associatedness with Project Administration is remitted to District No. 1.

**Interest Income**

Interest earned on the District's available funds has been estimated based on current and forecasted market conditions.

**Expenditures**

**County Treasurer's Fees**

County Treasurer's fees have been computed at 1.5% of property tax collections.

**Administrative and Operating Expenditures**

Operating and administrative expenditures include the estimated services necessary to maintain the District's administrative viability such as legal, accounting, engineering, insurance, banking, meeting expense and other administrative expenses.

**Debt and Leases**

The District has no debt or operating or capital leases.

**Reserves**

The District has provided for an Emergency Reserve fund equal to at least 3.0% of fiscal year spending for 2023 as defined under TABOR.

**This information is an integral part of the accompanying budget.**

I, Toni Serra, hereby certify that I am the duly appointed Secretary of the Second Creek Farm Metropolitan District No. 1, and that the foregoing is a true and correct copy of the budget for the budget year 2023, duly adopted at a meeting of the Board of Directors of the Second Creek Farm Metropolitan District No. 1 held on October 17, 2022.

A handwritten signature in cursive script, reading "Toni Serra", positioned above a horizontal line.

Secretary

**RESOLUTION NO. 2022-10-04**

**RESOLUTION TO SET MILL LEVIES**

**RESOLUTION OF THE SECOND CREEK FARM METROPOLITAN DISTRICT NO. 1  
LEVYING GENERAL PROPERTY TAXES, PURSUANT TO SECTION 39-1-111,  
C.R.S., FOR THE YEAR 2022, TO HELP DEFRAY THE COSTS OF GOVERNMENT  
FOR THE 2023 BUDGET YEAR**

A. The Board of Directors of Second Creek Farm Metropolitan District No. 1 (the “**District**”) has adopted an annual budget in accordance with the Local Government Budget Law, on October 17, 2022.

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

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

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

NOW, THEREFORE, PURSUANT TO SECTIONS 39-1-111(5) and 39-5-128(1), C.R.S., BE IT RESOLVED by the Board of Directors of the Second Creek Farm Metropolitan District No. 1, Adams County, Colorado, that:

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

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

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

4. That the Secretary is hereby authorized and directed to immediately certify to the Board of County Commissioners of Adams County, Colorado, the mill levies for the District as set forth in the District’s Certification of Mill Levies, attached hereto as **Exhibit 1** and incorporated herein by reference, recalculated as needed upon receipt of the final certification of valuation from the County Assessor in order to comply with any applicable revenue and other budgetary limits.

**[SIGNATURE PAGE OF RESOLUTION TO SET MILL LEVIES]**

RESOLUTION APPROVED AND ADOPTED on October 17, 2022.

**SECOND CREEK FARM  
METROPOLITAN DISTRICT NO. 1**

By: Joel Farkas  
President

Attest:

By: Jon Dene  
Secretary

## **EXHIBIT 1**

### Certification of Tax Levies



**CERTIFICATION OF TAX LEVIES<sup>1,2</sup> for NON-SCHOOL Governments****TO:** County Commissioners<sup>1</sup> of Adams County, Colorado.**On** behalf of the Second Creek Farm Metropolitan District No. 1,  
(taxing entity)<sup>A</sup>the Board of Directors(governing body)<sup>B</sup>of the Second Creek Farm Metropolitan District No. 1(local government)<sup>C</sup>**Hereby** officially certifies the following millsto be levied against the taxing entity's GROSS \$ 1,133,070

assessed valuation of:

(GROSS<sup>D</sup> assessed valuation, Line 2 of the Certification of Valuation Form DLG 57<sup>E</sup>)**Note:** If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area<sup>F</sup> 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:\$ 1,133,070(NET<sup>G</sup> 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:** 12/5/2022 for budget/fiscal year 2023.  
(no later than Dec. 15) (mm/dd/yyyy) (yyyy)**PURPOSE** (see end notes for definitions and examples)**LEVY<sup>2</sup>****REVENUE<sup>2</sup>**

1. General Operating Expenses <sup>H</sup>	<u>11.133</u> mills	<u>\$ 12,614</u>
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction <sup>I</sup>	< > mills	\$ < >
<b>SUBTOTAL FOR GENERAL OPERATING:</b>	<u>11.133</u> mills	<u>\$ 12,614</u>
3. General Obligation Bonds and Interest <sup>J</sup>	_____ mills	\$ _____
4. Contractual Obligations <sup>K</sup>	_____ mills	\$ _____
5. Capital Expenditures <sup>L</sup>	_____ mills	\$ _____
6. Refunds/Abatements <sup>M</sup>	_____ mills	\$ _____
7. Other <sup>N</sup> (specify): _____	_____ mills	\$ _____
	_____ mills	\$ _____
<b>TOTAL:</b> [ Sum of General Operating Subtotal and Lines 3 to 7 ]	<u>11.133</u> mills	<u>\$12,614</u>

Contact person: \_\_\_\_\_ Daytime  
(print) Joel Farkas phone: (303)-779-5710  
Signed: Joel Farkas Title: Board Member  
6C67CF5CE2A7459...

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-I-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.

<sup>1</sup> 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.

<sup>2</sup> 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<sup>J</sup>:**

1. Purpose of Issue: \_\_\_\_\_  
 Series: \_\_\_\_\_  
 Date of Issue: \_\_\_\_\_  
 Coupon Rate: \_\_\_\_\_  
 Maturity Date: \_\_\_\_\_  
 Levy: \_\_\_\_\_  
 Revenue: \_\_\_\_\_
2. Purpose of Issue: \_\_\_\_\_  
 Series: \_\_\_\_\_  
 Date of Issue: \_\_\_\_\_  
 Coupon Rate: \_\_\_\_\_  
 Maturity Date: \_\_\_\_\_  
 Levy: \_\_\_\_\_  
 Revenue: \_\_\_\_\_

**CONTRACTS<sup>K</sup>:**

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.

I, Toni Serra, hereby certify that I am the duly appointed Secretary of the Second Creek Farm Metropolitan District No. 1, and that the foregoing is a true and correct copy of the Certification of Mill Levies for the budget year 2023, duly adopted at a meeting of the Board of Directors of the Second Creek Farm Metropolitan District No. 1 held on October 17, 2022.

A handwritten signature in black ink, appearing to read "Toni Serra", is positioned above a horizontal line.

Secretary