

RESOLUTION NO. 2024-11-03

RESOLUTION TO ADOPT BUDGET AND APPROPRIATE SUMS OF MONEY

RESOLUTION OF THE BOARD OF DIRECTORS OF SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4, 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 2025

A. The Board of Directors of Second Creek Farm Metropolitan District No. 4 (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, 2024, 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 November 11, 2024, 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. 4, 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 November 11, 2024.

**SECOND CREEK FARM
METROPOLITAN DISTRICT NO. 4**

By: 
President

Attest:

By: Jennifer S. Henry
Secretary

EXHIBIT A

Budget

SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4

ANNUAL BUDGET

FOR YEAR ENDING DECEMBER 31, 2025

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4
SUMMARY
2025 BUDGET
WITH 2023 ACTUAL AND 2024 ESTIMATED
For the Years Ended and Ending December 31,**

1/28/25

	ACTUAL 2023	ESTIMATED 2024	BUDGET 2025
BEGINNING FUND BALANCES	\$ 1	\$ 1	\$ 1,994
REVENUES			
Property taxes	-	2,562	10,886
Specific ownership taxes	-	36	762
Interest Income	-	36	300
Developer advance	-	1,650,000	-
Other Revenue	-	117	-
Bond issuance proceeds	-	1,650,000	-
Total revenues	-	3,302,751	11,948
Total funds available	1	3,302,752	13,942
EXPENDITURES			
General Fund	-	750	2,588
Debt Service Fund	-	8	127
Capital Projects Fund	-	3,300,000	-
Total expenditures	-	3,300,758	2,715
Total expenditures and transfers out requiring appropriation	-	3,300,758	2,715
ENDING FUND BALANCES	\$ 1	\$ 1,994	\$ 11,227

No assurance provided. See summary of significant assumptions.

SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4
PROPERTY TAX SUMMARY INFORMATION
2025 BUDGET
WITH 2023 ACTUAL AND 2024 ESTIMATED
For the Years Ended and Ending December 31,

1/28/25

	ACTUAL 2023	ESTIMATED 2024	BUDGET 2025
ASSESSED VALUATION			
Agricultural	1,070	1,070	920
State assessed	10,990	14,640	410
Vacant land	-	-	220,760
Personal property	-	-	10,610
Certified Assessed Value	\$ 12,060	\$ 15,710	\$ 232,700
MILL LEVY			
General	11.229	11.641	10.396
Debt Service	35.306	36.521	36.388
Total mill levy	46.535	48.162	46.784
PROPERTY TAXES			
General	\$ 135	\$ 183	\$ 2,419
Debt Service	426	574	8,467
Levied property taxes	561	757	10,886
Adjustments to actual/rounding	(561)	1,805	-
Budgeted property taxes	\$ -	\$ 2,562	\$ 10,886
BUDGETED PROPERTY TAXES			
General	\$ -	\$ 619	\$ 2,419
Debt Service	-	1,943	8,467
	\$ -	\$ 2,562	\$ 10,886

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4
GENERAL FUND
2025 BUDGET
WITH 2023 ACTUAL AND 2024 ESTIMATED
For the Years Ended and Ending December 31,**

1/28/25

	ACTUAL 2023	ESTIMATED 2024	BUDGET 2025
BEGINNING FUND BALANCES	\$ -	\$ -	\$ -
REVENUES			
Property taxes	-	619	2,419
Specific ownership taxes	-	8	169
Interest Income	-	6	-
Other Revenue	-	117	-
Total revenues	<u>-</u>	<u>750</u>	<u>2,588</u>
Total funds available	<u>-</u>	<u>750</u>	<u>2,588</u>
EXPENDITURES			
General and administrative			
County Treasurer's Fee	-	3	36
Intergovernmental expenditures	-	747	2,552
Total expenditures	<u>-</u>	<u>750</u>	<u>2,588</u>
Total expenditures and transfers out requiring appropriation	<u>-</u>	<u>750</u>	<u>2,588</u>
ENDING FUND BALANCES	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

No assurance provided. See summary of significant assumptions.

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4
DEBT SERVICE FUND
2025 BUDGET
WITH 2023 ACTUAL AND 2024 ESTIMATED
For the Years Ended and Ending December 31,**

1/28/25

	ACTUAL 2023	ESTIMATED 2024	BUDGET 2025
BEGINNING FUND BALANCES	\$ 1	\$ 1	\$ 1,994
REVENUES			
Property taxes	-	1,943	8,467
Specific ownership taxes	-	28	593
Interest Income	-	30	300
Total revenues	<u>-</u>	<u>2,001</u>	<u>9,360</u>
Total funds available	<u>1</u>	<u>2,002</u>	<u>11,354</u>
EXPENDITURES			
General and administrative			
County Treasurer's Fee	-	8	127
Total expenditures	<u>-</u>	<u>8</u>	<u>127</u>
Total expenditures and transfers out requiring appropriation	<u>-</u>	<u>8</u>	<u>127</u>
ENDING FUND BALANCES	<u>\$ 1</u>	<u>\$ 1,994</u>	<u>\$ 11,227</u>

No assurance provided. See summary of significant assumptions.

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4
CAPITAL PROJECTS FUND
2025 BUDGET
WITH 2023 ACTUAL AND 2024 ESTIMATED
For the Years Ended and Ending December 31,**

1/28/25

	ACTUAL 2023	ESTIMATED 2024	BUDGET 2025
BEGINNING FUND BALANCES	\$ -	\$ -	\$ -
REVENUES			
Bond issuance proceeds	-	1,650,000	-
Developer advance	-	1,650,000	-
Total revenues	<u>-</u>	<u>3,300,000</u>	<u>-</u>
Total funds available	<u>-</u>	<u>3,300,000</u>	<u>-</u>
EXPENDITURES			
General and Administrative			
Capital Projects			
Intergovernmental Expenditures	-	1,650,000	-
Capital outlay	-	1,650,000	-
Total expenditures	<u>-</u>	<u>3,300,000</u>	<u>-</u>
Total expenditures and transfers out requiring appropriation	<u>-</u>	<u>3,300,000</u>	<u>-</u>
ENDING FUND BALANCES	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

No assurance provided. See summary of significant assumptions.

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4
2025 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 February 3, 2006, 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 a Memorandum of Understanding between the District and Second Creek Farms Metropolitan District Nos. 1, 2 and 3, dated November 12, 2008, 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 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.

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.

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4
2025 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

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.

For property tax collection year 2025, SB22-238, SB 23B-001, SB 24-233, and HB24B-1001 set the assessment rates and actual value reductions as follows:

Category	Rate		Category	Rate		Actual Value Reduction	Amount
Single-Family Residential	6.70%		Agricultural Land	26.40%		Single-Family Residential	\$55,000
Multi-Family Residential	6.70%		Renewable Energy Land	26.40%		Multi-Family Residential	\$55,000
Commercial	27.90%		Vacant Land	27.90%		Commercial	\$30,000
Industrial	27.90%		Personal Property	27.90%		Industrial	\$30,000
Lodging	27.90%		State Assessed	27.90%		Lodging	\$30,000
			Oil & Gas Production	87.50%			

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 7.00% of the property taxes collected by the District.

Expenditures

County Treasurer’s Fees

County Treasurer’s fees have been computed at 1.50% of property tax collections.

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4
2025 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Expenditures (continued)

Transfer to District No. 1

The District is obligated to impose an operating mill levy and remit property taxes derived from such mill levy, together with specific ownership taxes applicable to property within the District, to District No. 1 for payment of administration, operations and maintenance costs for both Districts.

Debt and Leases

The District issued Limited Tax General Obligation Draw Down Bonds Series 2021A (Series 2021A Bonds) on April 26, 2021, of \$5,000,000 at a rate of 6.50% per annum. Proceeds from the sale of the 2021A Bonds are to be used to fund: (a) paying or reimbursing project costs and (b) paying costs incurred in connection with the issuance of the Series 2021A Bonds.

The Series 2021A Bonds constitute draw-down obligations of the District and the expected draw down amount as of December 31, 2023 is zero. When drawn upon, the Series 2021A Bonds are payable annually on December 1, beginning the first year of draw-down from, and to the extent of, Pledged Revenue available, if any, and mature on December 1, 2051. The Series 2021A Bonds are structured as cash flow bonds meaning that there are no scheduled payments of principal or interest prior to the final maturity date. Unpaid interest on the Series 2021A Bonds will compound annually on each December 1. All of the Series 2021A Bonds and interest thereon are to be deemed to be paid and discharged on December 2, 2061, regardless of the amount of principal and interest paid prior to that date.

The Series 2021A Bonds are subject to redemption prior to maturity, at the option of the District, on June 1, 2026, and any date thereafter, upon payment of par, accrued interest, and a redemption premium.

Pursuant to the Indenture, the District has covenanted to impose a Required Mill Levy upon all taxable property of the District each year in an amount which will fund the Bond Fund in an amount sufficient to pay all of the principal of; premium, if any, and interest on the Series 2021A Bonds in full, but not excess of 35.000 mills. The District has determined that, pursuant to the provisions of the Service Plan which permit mill levy adjustments due to changes on or after September 19, 2005 (being the date on which the Service Plan was approved by the City Council of the City), the minimum and maximum mill levy of 35.000 mills as set forth above is, as of the date of the Indenture, 36.521 mills. Inasmuch as the District also contains non-residential property, the adjustments to the Required Mill Levy shall be calculated accordingly.

2024A Bonds

The proceeds from the sale of the 2024A Bonds will be used for the purpose of: (a) refunding the Refunded Bonds and (b) paying costs incurred in connection with the issuance of the 2024A Bonds.

The 2024A Bonds are structured as cash flow bonds meaning that there are no scheduled payments of principal or interest prior to the final maturity date. Rather, principal on the 2024A Bonds is payable annually on each December 1, commencing December 1, 2025, from, and to the extent of available Pledged Revenue (defined below). To the extent principal of any bond is not paid when due, such principal is to remain outstanding until the earlier of its payment or December 2, 2064 (the "Termination Date") and is to continue to bear interest at the rate then borne by the 2024 Bond. The 2024A Bonds mature on December 1, 2054.

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4
2025 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Debt and Leases (continued)

The 2024A Bonds will bear interest at the rate of 6.750% per annum payable annually on each December 1, but only from and to the extent of available Pledged Revenue, beginning on December 1, 2025. In the event interest on any bond is not paid when due, such interest is to compound annually on each December 1, at the rate then borne by the 2024A Bond.

Pledged Revenue

The 2024A Bonds are secured by payable solely from Pledged Revenue, consisting of the moneys derived by the District from the following sources:

- (a) the Senior Required Mill Levy, net of fees of the County Treasurer and any tax refunds or abatements authorized by or on behalf of the County;
- (b) the portion of the Specific Ownership Tax which is collected as a result of imposition of the Senior Required Mill Levy; and
- (c) any other legally available moneys which the District determines, in its absolute discretion, to transfer to the Trustee for application as Senior Pledged Revenue.

Required Mill Levy

Subject to paragraph (b) below, an ad valorem mill levy (a mill being equal to 1/10 of 1 cent) imposed upon all taxable property of the District each year in the amount of 35.000 mills, or such lesser mill levy which will fund the Senior Bond Fund in an amount sufficient to pay all of the principal of, premium, if any, and interest on the Bonds in full; provided, however, that if:

- (a) on or after September 19, 2005, there are or were changes in the method of calculating assessed valuation with respect to any class or classes of property (as determined by the County Assessor) upon which the District is authorized to impose its mill levy, the minimum mill levy set forth above in this paragraph (a) shall be increased or decreased to reflect such changes, such increases or decreases to be determined by the Board in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenues generated by such mill levy, as adjusted for changes occurring after September 19, 2005, are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation to assessed valuation shall be deemed to be a change in the method of calculating assessed valuation.
- (b) Notwithstanding anything herein to the contrary, in no event may the Senior Required Mill Levy be established at a mill levy which would constitute a material departure from the requirements of the Service Plan, or cause the District to derive tax revenue in any year in excess of the maximum tax increases permitted by the District's electoral authorization, and if the Senior Required Mill Levy as calculated pursuant to the foregoing would cause the amount of taxes collected in any year to exceed the maximum tax increase permitted by the District's electoral authorization or create a material departure from the Service Plan, the Senior Required Mill Levy shall be reduced to the point that such maximum tax increase is not exceeded and no material departure from the Service Plan occurs.

**SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4
2025 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Debt and Leases (continued)

Optional Redemption

The 2024A Bonds are subject to redemption prior to maturity, at the option of the District, on December 1, 2029, and on any date thereafter, upon payment of par, accrued interest, and a redemption premium equal to a percentage of the principal amount so redeemed as follows:

<u>Date of Redemption</u>	<u>Redemption Premium</u>
December 1, 2029, to November 30, 2030	3.00%
December 1, 2030, to November 30, 2031	2.00
December 1, 2031, to November 30, 2032	1.00
December 1, 2032, and thereafter	0.00

Reserves

Emergency Reserves

TABOR requires local governments to establish Emergency Reserves. These reserves must be at least 3.00% of fiscal year spending. Since substantially all operating funds received by the District are transferred to District No. 1, which pays for all Districts' operations and maintenance costs, an emergency reserve is not reflected in the District's Budget.

This information is an integral part of the accompanying budget.

I, Jennifer S. Henry, hereby certify that I am the duly appointed Secretary of the Second Creek Farm Metropolitan District No. 4, and that the foregoing is a true and correct copy of the budget for the budget year 2025, duly adopted at a meeting of the Board of Directors of the Second Creek Farm Metropolitan District No. 4 held on November 11, 2024.

Jennifer S. Henry
Secretary