

**RESOLUTION**  
**ADOPTING BUDGET, IMPOSING MILL LEVY AND APPROPRIATING FUNDS**

**(2022)**

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The Board of Directors of Pinery Commercial Metropolitan District No. 1 (the “**Board**”), County of Douglas, Colorado (the “**District**”) held a special meeting via teleconference, on Friday, November 19, 2021, at the hour of 11:00 A.M.

Prior to the meeting, each of the directors was notified of the date, time and place of the budget meeting and the purpose for which it was called and a notice of the meeting was posted or published in accordance with § 29-1-106, C.R.S.

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NOTICE AS TO PROPOSED 2022 BUDGET

Colorado Community Media  
750 W. Hampden Ave. Suite 225  
Englewood, CO 80110

Public Notice

**NOTICE OF PUBLIC HEARING  
ON THE AMENDED 2021 BUDGET  
AND NOTICE OF PUBLIC HEARING  
ON THE PROPOSED 2022 BUDGET**

Pinery Commercial Metro Dist. 1- 2 \*\* (WBA)  
c/o White Bear Ankele  
2154 E. Commons Ave. Ste. 2000  
Centennial CO 80122

**NOTICE IS HEREBY GIVEN** that the Boards of Directors (collectively, the "Boards") of the PINERY COMMERCIAL METROPOLITAN DISTRICT NOS. 1 & 2 (collectively, the "Districts"), will hold a meeting via teleconference on Friday, November 19, 2021 at 11:00 A.M., for the purpose of conducting such business as may come before the Boards including a public hearing on the 2021 amended budgets (the "Amended Budgets") and 2022 proposed budgets (the "Proposed Budgets"). This meeting can be joined using the following teleconference information:

**https://us06web.zoom.us/j/89618373860**  
**Meeting ID: 896 1837 3860**  
**Call-In Number: 720-707-2699**

**NOTICE IS FURTHER GIVEN** that Amended Budgets and Proposed Budgets have been submitted to the Districts. A copy of the Amended Budgets and the Proposed Budgets are on file in the office of CliftonLarsonAllen LLP, 8390 E Crescent Parkway, Suite 300, Greenwood Village, Colorado, where the same are open for public inspection.

Any interested elector of the Districts may file any objections to the Amended Budgets and Proposed Budgets at any time prior to final adoption of the Amended Budgets and Proposed Budgets by the Boards. This meeting is open to the public and the agenda for any meeting may be obtained by calling (303) 858-1800.

**BY ORDER OF THE  
BOARDS OF DIRECTORS:  
PINERY COMMERCIAL  
METROPOLITAN DISTRICT NOS. 1 & 2**

**/s/ WHITE BEAR ANKELE  
TANAKA & WALDRON  
Attorneys at Law**


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Description: No. 940109 PROPOSED 2022 BUDGET

**AFFIDAVIT OF  
PUBLICATION**

State of Colorado        }  
County of Douglas       } ss

This Affidavit of Publication for the Douglas County News Press, a weekly newspaper, printed and published for the County of Douglas, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 11/18/2021, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



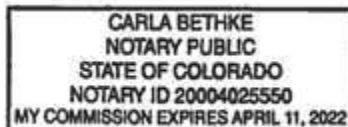
For the Douglas County News-Press

State of Colorado        }  
County of Douglas       } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 11/18/2021. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.

20004025550-777810

Carla Bethke  
Notary Public  
My commission ends April 11, 2022



A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET AND APPROPRIATING SUMS OF MONEY TO EACH FUND IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE DISTRICT FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2022 AND ENDING ON THE LAST DAY OF DECEMBER 2022.

WHEREAS, the Board has authorized its accountant to prepare and submit a proposed budget to the Board in accordance with Colorado law; and

WHEREAS, the proposed budget has been submitted to the Board for its review and consideration; and

WHEREAS, upon due and proper notice, provided in accordance with Colorado law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 19, 2021, interested electors were given the opportunity to file or present any objections to said proposed budget at any time prior to final adoption of the budget by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. Adoption of Budget. The budget attached hereto and incorporated herein is approved and adopted as the budget of the District for fiscal year 2022. In the event of recertification of values by the County Assessor's Office after the date of adoption hereof, staff is hereby directed to modify and/or adjust the budget and certification to reflect the recertification without the need for additional Board authorization. Any such modification to the budget or certification as contemplated by this Section 1 shall be deemed ratified by the Board.

Section 2. Levy for General Operating Expenses. For the purpose of meeting all general operating expenses of the District during the 2022 budget year, there is hereby levied a tax of 10.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 3. Levy for Debt Service Obligations. For the purposes of meeting all debt service obligations of the District during the 2022 budget year, there is hereby levied a tax of 0.000

mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 4. Levy for Contractual Obligation Expenses. For the purposes of meeting all contractual obligations of the District during the 2022 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 5. Levy for Capital Project Expenses. For the purposes of meeting all capital project obligations of the District during the 2022 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 6. Certification to County Commissioners. The Board directs its legal counsel, manager, accountant or other designee to certify to the Board of County Commissioners of Douglas County, Colorado the mill levies for the District as set forth herein. Such certification shall be in compliance with the requirements of Colorado law.

Section 7. Appropriations. The amounts set forth as expenditures in the budget attached hereto are hereby appropriated.

Section 8. Filing of Budget and Budget Message. The Board hereby directs its legal counsel, manager or other designee to file a certified copy of the adopted budget resolution, the budget and budget message with the Division of Local Government by January 30 of the ensuing year.

Section 9. Budget Certification. The budget shall be certified by a member of the District, or a person appointed by the District, and made a part of the public records of the District.

***[Remainder of page intentionally left blank.]***

ADOPTED THIS 19<sup>TH</sup> DAY OF NOVEMBER, 2021.

PINERY COMMERCIAL METROPOLITAN DISTRICT  
NO. 1

*Craig Campbell*

Craig Campbell (Dec 8, 2021 12:30 MST)

Officer of the District

ATTEST:

*Tom Morton*

Tom Morton (Dec 8, 2021 05:20 MST)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

*BA WH*

General Counsel to the District

STATE OF COLORADO  
COUNTY OF DOUGLAS  
PINERY COMMERCIAL METROPOLITAN DISTRICT NO. 1

I hereby certify that the foregoing resolution constitutes a true and correct copy of the record of proceedings of the Board adopted by a majority of the Board at a District meeting held on Friday, November 19, 2021, via teleconference as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 19th day of November, 2021.

*Tom Morton*

Tom Morton (Dec 8, 2021 05:20 MST)

**EXHIBIT A**  
**BUDGET DOCUMENT**  
**BUDGET MESSAGE**

**PINERY COMMERCIAL METROPOLITAN DISTRICT NO. 1**  
**ANNUAL BUDGET**  
**FOR THE YEAR ENDING DECEMBER 31, 2022**



**PINERY COMMERCIAL METROPOLITAN DISTRICT NO.1  
SUMMARY  
2022 BUDGET  
WITH 2020 ACTUAL AND 2021 ESTIMATED  
For the Years Ended and Ending December 31,**

1/17/22

	ACTUAL 2020	ESTIMATED 2021	BUDGET 2022
BEGINNING FUND BALANCES	\$ (7,968)	\$ (15,984)	\$ 3,056
REVENUES			
Property taxes	950	950	190
Specific ownership tax	82	80	15
Interest income	-	9	10
Developer Advance	4,778,641	114,000	82,000
Transfers from District No. 2	7,543	31,087	32,313
Total revenues	<u>4,787,216</u>	<u>146,126</u>	<u>114,528</u>
Total funds available	<u>4,779,248</u>	<u>130,142</u>	<u>117,584</u>
EXPENDITURES			
General Fund	85,179	127,075	114,000
Debt Service Fund	11	11	-
Capital Projects Fund	4,710,042	-	-
Total expenditures	<u>4,795,232</u>	<u>127,086</u>	<u>114,000</u>
Total expenditures and transfers out requiring appropriation	<u>4,795,232</u>	<u>127,086</u>	<u>114,000</u>
ENDING FUND BALANCES	<u>\$ (15,984)</u>	<u>\$ 3,056</u>	<u>\$ 3,584</u>
EMERGENCY RESERVE	<u>\$ 300</u>	<u>\$ 1,000</u>	<u>\$ 1,000</u>
TOTAL RESERVE	<u>\$ 300</u>	<u>\$ 1,000</u>	<u>\$ 1,000</u>

No assurance provided. See summary of significant assumptions.

**PINERY COMMERCIAL METROPOLITAN DISTRICT NO.1**  
**PROPERTY TAX SUMMARY INFORMATION**  
**2022 BUDGET**  
**WITH 2020 ACTUAL AND 2021 ESTIMATED**  
**For the Years Ended and Ending December 31,**

1/17/22

	ACTUAL 2020	ESTIMATED 2021	BUDGET 2022
<b>ASSESSED VALUATION</b>			
Vacant land	\$ 19,010	\$ 19,010	\$ 19,010
Certified Assessed Value	<u>\$ 19,010</u>	<u>\$ 19,010</u>	<u>\$ 19,010</u>
<b>MILL LEVY</b>			
General	10.000	10.000	10.000
Debt Service	40.000	40.000	0.000
Total mill levy	<u>50.000</u>	<u>50.000</u>	<u>10.000</u>
<b>PROPERTY TAXES</b>			
General	\$ 190	\$ 190	\$ 190
Debt Service	760	760	-
Budgeted property taxes	<u>\$ 950</u>	<u>\$ 950</u>	<u>\$ 190</u>
<b>BUDGETED PROPERTY TAXES</b>			
General	<b>\$ 190</b>	<b>\$ 190</b>	<b>\$ 190</b>
Debt Service	<b>760</b>	<b>760</b>	<b>-</b>
	<u><b>\$ 950</b></u>	<u><b>\$ 950</b></u>	<u><b>\$ 190</b></u>

No assurance provided. See summary of significant assumptions.

**PINERY COMMERCIAL METROPOLITAN DISTRICT NO.1  
GENERAL FUND  
2022 BUDGET  
WITH 2020 ACTUAL AND 2021 ESTIMATED  
For the Years Ended and Ending December 31,**

1/17/22

	ACTUAL 2020	ESTIMATED 2021	BUDGET 2022
BEGINNING FUND BALANCE	\$ (3,536)	\$ (16,799)	\$ 1,426
<b>REVENUES</b>			
Property taxes	190	190	190
Specific ownership tax	16	19	15
Interest income	-	4	10
Developer advance	64,167	114,000	82,000
Transfers from District No. 2	7,543	31,087	32,313
Total revenues	71,916	145,300	114,528
Total funds available	68,380	128,501	115,954
<b>EXPENDITURES</b>			
General and administrative			
Accounting	15,468	21,000	23,100
Auditing	-	4,700	4,900
County Treasurer's fee	3	3	3
Dues and licenses	567	631	750
Insurance and bonds	5,151	5,659	6,850
Legal services	21,317	25,000	27,000
Election expense	875	-	1,000
Miscellaneous	-	82	100
Contingency	-	-	5,297
Utilities	12,722	10,000	15,000
Landscaping	29,076	60,000	30,000
Total expenditures	85,179	127,075	114,000
Total expenditures and transfers out requiring appropriation	85,179	127,075	114,000
ENDING FUND BALANCE	\$ (16,799)	\$ 1,426	\$ 1,954
EMERGENCY RESERVE	\$ 300	\$ 1,000	\$ 1,000

No assurance provided. See summary of significant assumptions.

**PINERY COMMERCIAL METRO DISTRICT NO. 1  
DEBT SERVICE FUND  
2022 BUDGET  
WITH 2020 ACTUAL AND 2021 ESTIMATED  
For the Years Ended and Ending December 31,**

1/17/22

	ACTUAL 2020	ESTIMATED 2021	BUDGET 2022
BEGINNING FUND BALANCE	\$ -	\$ 815	\$ 1,630
REVENUES			
Property taxes	760	760	-
Specific ownership tax	66	61	-
Interest income	-	5	-
Total revenues	<u>826</u>	<u>826</u>	<u>-</u>
Total funds available	<u>826</u>	<u>1,641</u>	<u>1,630</u>
EXPENDITURES			
County Treasurer's fee	11	11	-
Bond interest	-	-	-
Paying agent fees	-	-	-
Contingency	-	-	-
Total expenditures	<u>11</u>	<u>11</u>	<u>-</u>
Total expenditures and transfers out requiring appropriation	<u>11</u>	<u>11</u>	<u>-</u>
ENDING FUND BALANCE	<u>\$ 815</u>	<u>\$ 1,630</u>	<u>\$ 1,630</u>

No assurance provided. See summary of significant assumptions.

**PINERY COMMERCIAL METROPOLITAN DISTRICT NO.1**  
**CAPITAL PROJECTS FUND**  
**2022 BUDGET**  
**WITH 2020 ACTUAL AND 2021 ESTIMATED**  
**For the Years Ended and Ending December 31,**

1/17/22

	ACTUAL 2020	ESTIMATED 2021	BUDGET 2022
BEGINNING FUND BALANCE	\$ (4,432)	\$ -	\$ -
<b>REVENUES</b>			
Bond proceeds - Series 2022A	-	-	-
Bond proceeds - Series 2022B	-	-	-
Developer advance	4,714,474	-	-
Other revenue	-	-	-
Total revenues	4,714,474	-	-
Total funds available	4,710,042	-	-
<b>EXPENDITURES</b>			
Bond issue costs	43,761	-	-
Repay developer advance	-	-	-
Engineering	8,077	-	-
Capital outlay	4,658,204	-	-
Contingency	-	-	-
Total expenditures	4,710,042	-	-
Total expenditures and transfers out requiring appropriation	4,710,042	-	-
ENDING FUND BALANCE	\$ -	\$ -	\$ -

No assurance provided. See summary of significant assumptions.

**PINERY COMMERCIAL METROPOLITAN DISTRICT NO.1**  
**2022 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 Douglas County recorded on December 12, 2005 and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The District operates under a Consolidated Service Plan, with Pinery Commercial Metropolitan District No. 2, approved by Douglas County on September 26, 2005. The District's service area is located entirely within Douglas County.

The District was established to finance, construct, acquire, operate and maintain both onsite and offsite public facilities and improvements, including sanitation, water, streets, traffic and safety controls and parks and recreation.

Pursuant to the Consolidated Service Plan, the District is permitted to issue bond indebtedness of up to \$10,000,000. In the future, the District may issue a portion or all of the remaining authorized but unissued general obligation debt for purposes of providing public improvements to support development as it occurs within the District's service area; however, as of the date of this budget, the amount and timing of any debt issuances is not determinable.

At a special election of the eligible electors of the District on May 8, 2018, a majority of those qualified to vote voted in favor of certain ballot questions authorizing the issuance of indebtedness of \$600,000,000 for the above listed facilities. The District's qualified voters also authorized the issuance of indebtedness of \$150,000,000 for refunding debt and debt related to intergovernmental agreements and other contracts with public entities.

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 the 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 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, sale of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District.

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.

**PINERY COMMERCIAL METROPOLITAN DISTRICT NO.1  
2022 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Revenues (Continued)**

**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 8% of the property taxes collected.

**Net Interest Income**

Interest earned on the District's funds has been estimated based on historical earnings.

**Developer Advance**

The District is in the development stage. As such, operating and administrative expenditures of the District will be mainly funded by the Developer. Capital expenditures are also expected to be 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.

	Balance at December 31, 2020	Additions	Reductions	Balance at December 31, 2021*
Developer Advance O&M	\$ 154,167	\$ 114,000	\$ -	\$ 268,167
Developer Advance Capital	4,714,474	-	-	4,714,474
Developer Advance O&M - Interest	15,463	13,154	-	28,617
Developer Advance Capital - Interest	50,374	306,441	-	356,815
Total	<u>\$ 4,934,478</u>	<u>\$ 433,595</u>	<u>\$ -</u>	<u>\$ 5,368,073</u>

	Balance at December 31, 2021*	Additions	Reductions	Balance at December 31, 2022*
Developer Advance O&M	\$ 268,167	\$ 82,000	\$ -	\$ 350,167
Developer Advance Capital	4,714,474	-	-	4,714,474
Developer Advance O&M - Interest	28,617	22,308	-	50,925
Developer Advance Capital - Interest	356,815	306,441	-	663,256
Total	<u>\$ 5,368,073</u>	<u>\$ 410,749</u>	<u>\$ -</u>	<u>\$ 5,778,822</u>

\*Based on Estimates

**Intergovernmental Revenue – Transfers from Other Districts**

The District will handle operating and administrative functions for all Districts. Pinery Commercial Metropolitan District No. 2 is expected to remit net tax revenues from its operations mill levy to the District to cover its share of operating and administrative costs.

**PINERY COMMERCIAL METROPOLITAN DISTRICT NO.1  
2022 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Expenditures**

**General, Administrative and Operating Expenditures**

General and administrative expenditures include the estimated services necessary to maintain the District's administrative viability such as legal, accounting, insurance and meeting expense. Estimated operating expenditures, including landscaping and utilities, were also included in the General Fund budget.

**County Treasurer's Fees**

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

**Capital Outlay**

The District anticipates capital outlay as outlined in the Capital Project Fund.

**Debt and Leases**

The District has no outstanding debt currently, nor any capital or operating leases.

**Reserves**

**Emergency Reserve**

The District has provided for an emergency reserve fund equal to at least 3% of fiscal year spending as defined under TABOR.

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