

RESOLUTION NO. 2024-10-07

**RESOLUTION
ADOPTING BUDGET, APPROPRIATING SUMS OF MONEY AND CERTIFYING
MILL LEVIES FOR THE CALENDAR YEAR 2025**

The Board of Directors of Brighton Ridge Metropolitan District No. 2 (the “**Board**”), City of Brighton, Adams County, Colorado (the “**District**”), held a special meeting, via teleconference on October 15, 2024, at the hour of 10:30 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 2025 BUDGET



AFFIDAVIT

Invoice #: 340748426
Account #: A30032496
Invoice Date: 10/11/2024

BILL TO:

White Bear Ankele Tanaka & Waldron
Abby J Franz
2154 East Commons Ave Ste 2000
Denver CO 80122

ADVERTISER:

PUBLICATION: Denver Daily Journal - Legal

STATE OF COLORADO
COUNTY OF DENVER

I, Cynthia Serrano, OF THE COUNTY OF MERCER, STATE OF NEW JERSEY, HAVING DULY BEEN SWORN, DEPOSES AND SAYS:

I AM NOW AND AT ALL TIMES HEREINAFTER MENTIONED A CITIZEN OF THE UNITED STATES OF AMERICA, OVER TWENTY-ONE YEARS OF AGE, AND COMPETENT TO BE A WITNESS ON THE HEARING OF THE MATTERS MENTIONED IN THE ANNEXED PRINTED COPY NOTICE HEREINAFTER SET FORTH; I HAVE NO INTEREST WHATSOEVER IN ANY OF THE SAID MATTERS; I AM NOW AND DURING ALL TIMES EMBRACED IN THE PUBLICATION HERIN MENTIONED AS THE CHIEF CLERK OF THE NEWSPAPER, A NEWSPAPER OF GENERAL CIRCULATION PRINTED AND PUBLISHED IN SAID COUNTY; AS CLERK DURING ALL TIMES MENTIONED IN THE AFFIDAVIT I HAVE HAD AND STILL HAVE CHARGE OF ALL ADVERTISEMENT AND NOTICES PUBLISHED IN SAID NEWSPAPER; THAT SAID LEGAL NOTICE OF WHICH THE ANNEXED IS A TRUE PRODUCTION COPY OF THE PRINTED PAGE IN WHICH THE ADVERTISEMENT WAS PUBLISHED IN THE ABOVE NAMED NEWSPAPER ON THE FOLLOWING DAYS TO WIT:

10/11/2024

Ad Caption: NOTICE OF PUBLIC HEARING ON THE PROPOSED 2025 BUDGETS AND NOTICE OF PUBLIC HEARING ON THE AMENDED 2024 BUDGET; BRIGHTON RIDGE METROPOLITAN DISTRICT 1 & 2

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

SIGNED,

CLERK

WHEREAS, the Board has appointed 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 available for inspection by the public at a designated place, a public hearing was held and interested electors of the District were provided a public comment period and given the opportunity to file any objections to the proposed budget prior to the 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 2025. 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 of Property Taxes. The Board does hereby certify the levy of property taxes for collection in 2025 as more specifically set out in the budget attached hereto.

Section 3. Mill Levy Adjustment. When developing the attached budget, consideration was given to any changes in the method of calculating assessed valuation, including any changes to the assessment ratios, or any constitutionally mandated tax credit, cut, or abatement, as authorized in the District's service plan. The Board hereby determines in good faith (such determination to be binding and final), that to the extent possible, the adjustments to the mill levies made to account for changes in Colorado law described in the prior sentence, and the actual tax revenues generated by the mill levies, are neither diminished nor enhanced as a result of those changes.

Section 4. Certification to County Commissioners. The Board directs its legal counsel, manager, accountant, or other designee to certify to the Board of County Commissioners of Adams 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 5. Appropriations. The amounts set forth as expenditures in the budget attached hereto are hereby appropriated from the revenue of each fund for the purposes stated.

Section 6. 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 7. 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 OCTOBER 15, 2024.

DISTRICT:

BRIGHTON RIDGE METROPOLITAN DISTRICT NO. 2, a quasi-municipal corporation and political subdivision of the State of Colorado

Signed by:
By: Megan Waldschmidt
Officer of the District

ATTEST:

Signed by:
By: Jason J.W. Pock
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APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

Signed by:
Andrey G. Johnson
General Counsel to the District

STATE OF COLORADO
COUNTY OF ADAMS
BRIGHTON RIDGE METROPOLITAN DISTRICT NO. 2

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 via teleconference on Tuesday, October 15, 2024, as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this ___ day of October, 2024.

Signed by:
Jason J.W. Pock
Signature

EXHIBIT A
BUDGET DOCUMENT
BUDGET MESSAGE

BRIGHTON RIDGE METROPOLITAN DISTRICT NO. 2
ANNUAL BUDGET
FOR THE YEAR ENDING DECEMBER 31, 2025



SCHILLING & COMPANY, INC.

Certified Public Accountants

P.O. Box 631579
HIGHLANDS RANCH, CO 80163

PHONE: 720.348.1086
FAX: 720.348.2920

Accountant's Compilation Report

Board of Directors
Brighton Ridge Metropolitan District No. 2
Adams County, Colorado

Management is responsible for the accompanying budget of revenues, expenditures, and fund balances of Brighton Ridge Metropolitan District No. 2 (District), for the year ending December 31, 2025, including the estimate of comparative information for the year ending December 31, 2024, and the actual comparative information for the year ending December 31, 2023, in the format required by Colorado Revised Statutes (C.R.S.) 29-1-105. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants. We did not audit or review the budget nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on the accompanying budget.

The actual comparative information for the year ending December 31, 2023 is presented for comparative purposes as required by Colorado Revised Statutes (C.R.S.) 29-1-105. Such information was obtained from the Application for Exemption from Audit of the District for the year ended December 31, 2023. Schilling & Company, Inc. compiled the Application for Exemption from Audit for the year ended December 31, 2023, whose report was dated March 25, 2024.

The budget is presented in accordance with the requirements of Colorado Revised Statutes 29-1-105, and is not intended to be a presentation in accordance with accounting principles generally accepted in the United States of America.

We are not independent with respect to Brighton Ridge Metropolitan District No. 2.

SCHILLING & COMPANY, INC.

Highlands Ranch, Colorado
December 11, 2024

**BRIGHTON RIDGE METROPOLITAN DISTRICT NO. 2
PROPERTY TAX SUMMARY INFORMATION
2025 BUDGET AS ADOPTED
WITH 2023 ACTUAL AND 2024 ESTIMATED
FOR THE YEARS ENDED AND ENDING DECEMBER 31,**

	<u>ACTUAL 2023</u>	<u>ADOPTED BUDGET 2024</u>	<u>ADOPTED BUDGET 2025</u>
ASSESSED VALUATION			
Weld County			
State assessed	\$ 2,520	\$ 10,080	\$ 4,880
Vacant land	289,690	407,580	790,060
Certified Assessed Value	<u>\$ 292,210</u>	<u>\$ 417,660</u>	<u>\$ 794,940</u>
MILL LEVY			
General Fund	<u>60.000</u>	<u>62.365</u>	<u>62.366</u>
Total Mill Levy	<u>60.000</u>	<u>62.365</u>	<u>62.366</u>
PROPERTY TAXES			
General Fund	<u>\$ 17,533</u>	<u>\$ 26,047</u>	<u>\$ 49,577</u>
Levied property taxes	17,533	26,047	49,577
Adjustments to actual/rounding	-	1	-
Budgeted/actual property taxes	<u>\$ 17,533</u>	<u>\$ 26,048</u>	<u>\$ 49,577</u>
BUDGETED/ACTUAL PROPERTY TAXES			
General Fund	<u>\$ 17,533</u>	<u>\$ 26,048</u>	<u>\$ 49,577</u>

This financial information should be read only in connection with the accompanying accountant's compilation report and the summary of significant assumptions.

**BRIGHTON RIDGE METROPOLITAN DISTRICT NO. 2
GENERAL FUND
2025 BUDGET AS ADOPTED
WITH 2023 ACTUAL AND 2024 ESTIMATED
FOR THE YEARS ENDED AND ENDING DECEMBER 31,**

	<u>ACTUAL 2023</u>	<u>ESTIMATED 2024</u>	<u>ADOPTED BUDGET 2025</u>
Beginning Funds Available	\$ 18,383	\$ 895	\$ 840
Revenue			
Property taxes	17,533	26,048	49,577
Specific ownership taxes	1,198	1,232	2,479
Sentate Bill backfill	-	642	-
Net investment income	1	-	-
Total Revenue	<u>18,732</u>	<u>27,922</u>	<u>52,056</u>
Total Funds Available	<u>37,115</u>	<u>28,817</u>	<u>52,896</u>
Expenditures			
General and administrative			
County Treasurer's fee	220	400	-
Transfers to other Districts	36,000	27,577	51,326
Total expenditures	<u>36,220</u>	<u>27,977</u>	<u>51,326</u>
Total expenditures requiring appropriation	<u>36,220</u>	<u>27,977</u>	<u>51,326</u>
Ending Funds Available	<u>\$ 895</u>	<u>\$ 840</u>	<u>\$ 1,570</u>
Emergency Reserve	<u>\$ 570</u>	<u>\$ 840</u>	<u>\$ 1,570</u>

This financial information should be read only in connection with the accompanying accountant's compilation report and the summary of significant assumptions.

BRIGHTON RIDGE METROPOLITAN DISTRICT NO. 2
2025 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS

Disclosures contained in this summary as presented by management, are those that are believed to be significant as of the date of the compilation report and are not intended to be all-inclusive. The disclosures are intended to describe assumptions used during the preparation of the 2025 annual budget. Actual results may differ from the prospective results contained in the budget.

SERVICES PROVIDED

The District, a quasi-municipal corporation and a political subdivision of the State of Colorado, was organized by order and decree and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The District operates under a Service Plan approved by the City of Brighton on September 7, 2021.

The District was established to provide financing for the design, acquisition, installation, construction and completion of public improvements and services, including water, sanitation, street, safety protection, park and recreation, transportation, television relay and translation and mosquito control improvements and services.

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.

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.

The District's service plan imposes a Debt Service Mill Levy cap of 50 mills and has a requirement that the Debt Service Mill Levy shall not be imposed for more than 40 years. The maximum combined mill levy for Operations and Maintenance and Debt Service shall not exceed 60 mills subject to the Mill Levy Adjustment.

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

This information is an integral part of the accompanying budget.

**BRIGHTON RIDGE METROPOLITAN DISTRICT NO. 2
2025 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

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 5% of all the property taxes collected.

Developer Advances

The District is in the development stage. As such, the operating and administrative expenditures will be mainly funded by the Developer. A portion of the 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.

EXPENDITURES

Administrative and Operating Expenditures

Operating and administrative expenditures include the estimated services necessary to maintain the District's administrative viability such as legal, management, accounting, insurance and meeting expense. Estimated expenditures related to street repairs and maintenance, street lights, street sweeping, landscaping, mowing, parks and open space maintenance, utilities and snow removal were also included the General Fund budget. Currently Brighton Ridge Metropolitan District No. 1 (District No. 1) is paying all operational, administrative and other expenditures of the District and therefore the District budgets for an intergovernmental transfer to District No. 1 to fund those expenditures.

County Treasurer's Fees

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

CAPITAL OUTLAY

The District does not anticipate any capital outlay during 2025.

DEBT AND LEASES

Debt and Leases

The District does not have any outstanding debt or 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.