

HIGHLINE CROSSING METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
Tel: 303-987-0835 • 800-741-3254
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www.Colorado.gov/hcrossmd

NOTICE OF A REGULAR MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Daniel Payotelis	President	2023/May 2023
Brian O’Sullivan	Treasurer	2025/May 2023
VACANT		2023/May 2023
VACANT		2025/May 2023
VACANT		2023/May 2023

DATE: November 21, 2022
TIME: 6:00 P.M.
PLACE: ZOOM

THIS MEETING WILL BE HELD BY VIDEO/TELEPHONIC MEANS:

Join Zoom Meeting
<https://us02web.zoom.us/j/86267550643?pwd=V3RnRGRtWkRyUIZZc1VMWTJFZjFHdz09>
Meeting ID: 862 6755 0643
Passcode: 987572
Dial In: 1-719-359-4580

I. PUBLIC COMMENTS

A. _____

II. ADMINISTRATIVE MATTERS

A. Present Disclosures of Potential Conflicts of Interest.

B. Confirm Quorum. Approve Agenda, confirm location of the meeting and posting of meeting notices.

C. Consider approval of the Minutes from the July 6, 2022 special meeting (enclosure).

D. Acknowledge the resignation of David Solin as Secretary to the Board and consider appointment of Peggy Ripko as Secretary to the Board.

- E. Discuss business to be conducted in 2023 and location (**virtual and/or physical**) of meetings. Schedule regular meeting dates and consider adoption of Resolution Establishing Regular Meeting Dates, Time, Location, and Designating Location for Posting 24-Hour Notices (enclosure).
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- F. Discuss §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification.
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II. COVENANT CONTROL/COMMUNITY MANAGEMENT

- A. Community Manager's Report.
-

- B. Consider approval of Service Agreement between the District and CDI Environmental Contractor Inc. for 2022-2023 Snow Removal Services (enclosure).
-

III. FINANCIAL MATTERS

- A. Review and ratify the approval of the payment of claims as follows (enclosures):

Fund	Period Ending July 3, 2022	Period Ending Aug. 31, 2022	Period Ending Sept. 30, 2022	Period Ending Oct. 31, 2022
General	\$ 19,343.42	\$ 12,091.02	\$ 40,158.20	\$ 16,016.77
Debt	\$ 5,500.00	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total	\$ 24,843.42	\$ 12,091.02	\$ 40,158.20	\$ 16,016.77

- B. Review and accept unaudited financial statements through the period ending September 30, 2022 (enclosure).
-

- C. Discuss statutory requirements for an audit. Consider engagement of Schilling & Company, Inc. to perform 2022 Audit, for an amount not to exceed \$_____.
-

- D. Conduct Public Hearing to consider Amendment to 2022 Budget and (if necessary) consider adoption of Resolution to Amend the 2022 Budget and Appropriate Expenditures.
-

- E. Conduct Public Hearing on the proposed 2023 Budget and consider adoption of Resolution to Adopt the 2023 Budget and Appropriate Sums of Money and Resolution to Set Mill Levies (enclosures – preliminary assessed valuation, resolutions and draft 2023 Budget).
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- F. Consider authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.
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- G. Discuss and consider adoption of a Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan (enclosure).
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- H. Consider appointment of District Accountant to prepare the 2024 Budget and set date for public hearing to adopt the 2024 Budget (_____, 2023).
-

IV. LEGAL MATTERS

- A. Discuss May 2, 2023 Regular Directors’ election regarding new legislative requirements and related expenses for same. Consider adoption of Resolution Calling a Regular Election for Directors on May 2, 2023, appointing the Designated Election Official (“DEO”), and authorizing the DEO to perform all tasks required for the conduct of mail ballot election (enclosure). Self-Nomination forms are due by February 24, 2023. Discuss the need for ballot issues and/or questions.
-

V. OTHER BUSINESS

- A. _____
-

VI. ADJOURNMENT **THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2022.**

Informational Enclosure:

- Memo regarding New Rate Structure from Special District Management Services, Inc.
- Memo regarding New Rate Structure from McGeady Becher PC.

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE HIGHLINE CROSSING METROPOLITAN DISTRICT HELD JULY 6, 2022

A special meeting of the Board of Directors of the Highline Crossing Metropolitan District (referred to hereafter as the “Board”) was convened on Wednesday, July 6, 2022 at 6:30 p.m. This District Board meeting was held by conference call without any individuals (neither District representatives nor the general public) attending in person. The meeting was open to the public.

Directors In Attendance Were:

Daniel Payotelis

Also In Attendance Was:

David Solin and Jim Ruthven (for a portion of the meeting); Special District Management Services, Inc.

Paula Williams, Esq. and Tim O’Connor, Esq.; McGeady Becher P.C.

Brian O’Sullivan; Resident

**PUBLIC
COMMENTS**

Mr. O’Sullivan suggested that the community manager should schedule a time to be available to meet with residents during community inspections.

**DISCLOSURE OF
POTENTIAL
CONFLICTS OF
INTEREST**

Disclosure of Potential Conflicts of Interest: Mr. Solin noted a quorum was present and discussed the requirements under Colorado Statute to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest regarding any matters scheduled for discussion at this meeting. Attorney Williams noted that no disclosures were made as all Directors are residents of the District.

**ADMINISTRATIVE
MATTERS**

Agenda: Mr. Solin distributed for the Board’s review and approval, a proposed Agenda for the District's special meeting.

Following discussion, upon motion duly made and seconded by Director Payotelis and, upon vote, unanimously carried, the Agenda was approved, as amended.

RECORD OF PROCEEDINGS

Meeting Location and Posting of Notice: The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. Following discussion, the Board determined to conduct the meeting by conference call. The Board further noted that notice of this meeting and the conference call access was duly posted and that it had not received any objections to the format of the meeting or any requests that the meeting format be changed by taxing electors within the District's boundaries.

Results of the May 3, 2022 Director Election: Mr. Solin noted for the Board that the May 3, 2022 director election was cancelled, as allowed under Colorado law, by the Designated Election Official because there were no more candidates than positions available on the Board of Directors. Director Payotelis was deemed elected to a 1-year term ending in May 2023.

Oath of Directors: Mr. Solin confirmed that the Oath of Director was filed with all applicable entities as required by statute.

Board Vacancies: The Board discussed the vacancies and considered the appointment of Brian O'Sullivan to fill a vacancy on the Board of Directors.

Following discussion, upon motion duly made and seconded by Director Payotelis and, upon vote, unanimously carried, Brian O'Sullivan was appointed to fill a vacancy on the Board of Directors. The Oath of Office was administered.

Appointment of Officers: Following discussion, upon motion duly made and seconded by Director Payotelis and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Daniel Payotelis
Treasurer	Brian O'Sullivan
Secretary	David Solin

November 15, 2021 Special Meeting Minutes: The Board reviewed the Minutes of the November 15, 2021 Special Meeting.

Following discussion, upon motion duly made and seconded by Director Payotelis and, upon vote, unanimously carried, the Minutes of the November 15, 2021 Special Meeting were approved.

Payment of Director Fee: Attorney Williams discussed with the Board the option of paying Directors a small fee as compensation for serving on the Board. Following discussion, the Board determined to impose the Director Fee.

RECORD OF PROCEEDINGS

COVENANT CONTROL/ COMMUNITY MANAGEMENT

Community Managers Report: Mr. Solin presented the Community Managers Report to the Board. The Board directed Mr. Solin to set a scheduled day and time to have the community manager be available to meet residents at the mailbox to discuss landscape concerns that may arise from time to time. The Board further directed Mr. Solin to send an email to the community to let them know of the plan. Mr. Solin also offered to prepare a flyer to be posted in the community bulletin board near the mailboxes, and send that to Director Payotelis for posting. Finally, the Board directed Mr. Solin to send an email to residents to alert them to future District Board meetings and method(s) for attending.

Service Agreement between the District and CDI Environmental Contractor Inc. for 2022 Landscape Maintenance: The Board reviewed a Service Agreement between the District and CDI Environmental Contractor Inc. for 2022 Landscape Maintenance.

Following discussion, upon motion duly made and seconded by Director Payotelis and, upon vote, unanimously carried, the Board ratified approval of the Service Agreement between the District and CDI Environmental Contractor Inc. for 2022 Landscape Maintenance.

Change Order No. 1 to the Service Agreement between the District and CDI Environmental Contractor Inc. for Repairs to Privacy Wall and Monument: The Board reviewed Change Order No. 1 to the Service Agreement between the District and CDI Environmental Contractor Inc. for repairs to Privacy Wall and Monument.

Following discussion, upon motion duly made and seconded by Director Payotelis and, upon vote, unanimously carried, the Board ratified approval of Change Order No. 1 to the Service Agreement between the District and CDI Environmental Contractor Inc. for repairs to Privacy Wall and Monument.

Change Order No. 2 to the Service Agreement between the District and CDI Environmental Contractor Inc. for Additional Repairs to Privacy Wall and Monument: The Board reviewed Change Order No. 2 to the Service Agreement between the District and CDI Environmental Contractor Inc. for additional repairs to Privacy Wall and Monument.

Following discussion, upon motion duly made and seconded by Director Payotelis and, upon vote, unanimously carried, the Board ratified approval of Change Order No. 2 to the Service Agreement between the District and CDI Environmental Contractor Inc. for additional repairs to Privacy Wall and Monument.

Service Agreement between the District and CDI Environmental Contractor Inc. for 2021/2022 Snow Removal Services: The Board reviewed a Service

RECORD OF PROCEEDINGS

Agreement between the District and CDI Environmental Contractor Inc. for 2021/2022 Snow Removal Services.

Following discussion, upon motion duly made and seconded by Director Payotelis and, upon vote, unanimously carried, the Board ratified approval of the Service Agreement between the District and CDI Environmental Contractor Inc. for 2021/2022 Snow Removal Services.

FINANCIAL MATTERS

Payment of Claims: The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period Ending Nov. 31, 2021	Period Ending Dec. 31, 2021	Period Ending Jan. 31, 2022	Period Ending Feb. 28, 2022
General	\$ 3,815.69	\$ 4,403.22	\$ 10,766.82	\$ 8,752.53
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total	\$ 3,815.69	\$ 4,403.22	\$ 10,766.82	\$ 8,752.53

Fund	Period Ending March 31, 2022	Period Ending April 30, 2022	Period Ending May 31, 2022	Period Ending June 30, 2022
General	\$ 14,131.69	\$ 9,223.33	\$ 7,910.19	\$ 7,018.19
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total	\$ 14,131.69	\$ 9,223.33	\$ 7,910.19	\$ 7,018.19

Following discussion, upon motion duly made and seconded by Director Payotelis and, upon vote, unanimously carried, the Board ratified the payment of claims. as presented.

Following discussion, upon motion duly made and seconded by Director Payotelis and, upon vote, unanimously carried, the Board authorized Mr. O’Sullivan to be added as a signer on the District’s financial accounts and to be added as an approver on Bill.com.

Unaudited Financial Statements: Mr. Ruthven presented to the Board the unaudited financial statements and statement of cash position for the period ending March 31, 2022.

Following discussion, upon motion duly made and seconded by Director Payotelis and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and schedule of cash position for the period ending March 31, 2022.

2021 Audit: Mr. Ruthven reviewed the 2021 draft Audited Financial Statements with the Board.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made and seconded by Director Payotelis and, upon vote, unanimously carried, the Board approved the 2021 Audited Financial Statements, subject to final legal review, and authorized execution of the Representations Letter.

LEGAL MATTERS There were no legal matters to discuss.

OTHER BUSINESS Mr. Solin and the Board discussed resident concerns regarding maintenance of the native areas and landscaping maps. Director Payotelis directed Mr. Solin to provide a landscape responsibility map that Director Payotelis could post on the community bulletin board near the mailboxes.

ADJOURNMENT Following discussion, upon motion duly made and seconded by Director Payotelis and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: _____
Secretary for the Meeting

RESOLUTION NO. 2022-11-01

RESOLUTION OF THE BOARD OF DIRECTORS OF THE HIGHLINE CROSSING METROPOLITAN DISTRICT ESTABLISHING REGULAR MEETING DATES, TIME, AND LOCATION, AND DESIGNATING LOCATION FOR POSTING OF 24-HOUR NOTICES

- A. Pursuant to Section 32-1-903(1.5), C.R.S., special districts are required to designate a schedule for regular meetings, indicating the dates, time and location of said meetings.
- B. Pursuant to Section 32-1-903(5), C.R.S., “location” means the physical, telephonic, electronic, or virtual place, or a combination of such means where a meeting can be attended. “Meeting” has the same meaning as set forth in Section 24-6-402(1)(b), C.R.S., and means any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication.
- C. Pursuant to Section 24-6-402(2)(c)(I), C.R.S., special districts are required to designate annually at the board of directors of the district’s first regular meeting of each calendar year, the public place at which notice of the date, time and location of regular and special meetings (“**Notice of Meeting**”) will be physically posted at least 24 hours prior to each meeting (“**Designated Public Place**”). A special district is deemed to have given full and timely notice of a regular or special meeting if it posts its Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.
- D. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., special districts are relieved of the requirement to post the Notice of Meeting at the Designated Public Place, and are deemed to have given full and timely notice of a public meeting if a special district posts the Notice of Meeting online on a public website of the special district (“**District Website**”) at least 24 hours prior to each regular and special meeting.
- E. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., if a special district is unable to post a Notice of Meeting on the District Website at least 24 hours prior to the meeting due to exigent or emergency circumstances, then it must physically post the Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.
- F. Pursuant to Section 32-1-903(1.5), C.R.S., all meetings of the board that are held solely at physical locations must be held at physical locations that are within the boundaries of the district or that are within the boundaries of any county in which the district is located, in whole or in part, or in any county so long as the physical location does not exceed twenty (20) miles from the district boundaries unless such provision is waived.
- G. The provisions of Section 32-1-903(1.5), C.R.S., may be waived if: (1) the proposed change of the physical location of a meeting of the board appears on the agenda of a meeting; and (2) a resolution is adopted by the board stating the reason for which meetings of the board are to be held in a physical location other than under Section 32-1-903(1.5), C.R.S., and further stating the date, time and physical location of such meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Highline Crossing Metropolitan District (the “**District**”), Arapahoe County, Colorado:

1. That the provisions of Section 32-1-903(1.5), C.R.S., be waived pursuant to the adoption of this Resolution.

2. That the Board of Directors (the “**District Board**”) has determined that conducting meetings at a physical location pursuant to Section 32-1-903(1.5), C.R.S., would be inconvenient and costly for the directors and consultants of the District in that they live and/or work outside of the twenty (20) mile radius requirement.

3. That regular meetings of the District Board for the year 2023 shall be held on June __, 2023 and November __, 2023 at 6:00 p.m., via Zoom.

4. That special meetings of the District Board shall be held as often as the needs of the District require, upon notice to each director.

5. That, until circumstances change, and a future resolution of the District Board so designates, the physical location and/or method or procedure for attending meetings of the District Board virtually (including the conference number or link) shall appear on the agenda(s) of said meetings.

6. That the residents and taxpaying electors of the District shall be given an opportunity to object to the meeting(s) physical location(s), and any such objections shall be considered by the District Board in setting future meetings.

7. That the District has established the following District Website, <https://www.highlinecrossingmd.colorado.gov>, and the Notice of Meeting of the District Board shall be posted on the District Website at least 24 hours prior to meetings pursuant to Section 24-6-402(2)(c)(III), C.R.S. and Section 32-1-903(2), C.R.S.

8. That, if the District is unable to post the Notice of Meeting on the District Website at least 24 hours prior to each meeting due to exigent or emergency circumstances, the Notice of Meeting shall be posted within the boundaries of the District at least 24 hours prior to each meeting, pursuant to Section 24-6-402(2)(c)(I) and (III), C.R.S., at the following Designated Public Place:

(a) The corner of East Kansas Avenue and South Dayton Street.

9. Special District Management Services, Inc., or its designee, is hereby appointed to post the above-referenced notices.

**[SIGNATURE PAGE TO RESOLUTION ESTABLISHING REGULAR MEETING
DATES, TIME, AND LOCATION, AND DESIGNATING LOCATION FOR 24-HOUR
NOTICES]**

RESOLUTION APPROVED AND ADOPTED on November 21, 2022.

**HIGHLINE CROSSING
METROPOLITAN DISTRICT**

By: _____
President

Attest:

Secretary



5585 W. Airport Rd
Sedalia, Colorado 80135

☎ 303.471.1522 📠 303.470.3197 ✉ sales@cdi-services.com

To:	Highline Crossing Metro District	Contact:	Nick Moncada
Address:	9969 E Kansas Ave, Aurora, CO 80247	Phone:	(720) 270-9822
Project Name:	Highline Crossing Metro District Snow - 2022-2023	Fax:	
Project Location:	Denver Metro, CO	Bid Number:	SNOW-8101
Addendum #:	NA	Bid Date:	8/31/2022

Service	Scope	Ice Mitigation	Service	Scope	Ice Mitigation
Parking Area/ Drive Lanes	4"	Required	Private Sidewalks	4"	Required

Other/Special Requirements _____

AGREEMENT TERMS: October 1, 2022 – May 31, 2023

Contractor proposes to provide all labor and materials necessary to complete snow and ice management in accordance with the following details, specifications and estimates.

Line #	Item Description	Estimated Quantity	Unit	Unit Price
1	4x4 Pickup With Plow	1.00	HR	\$135.00
2	Sand Truck	1.00	HR	\$135.00
3	ATV With Plow	1.00	HR	\$110.00
4	Zero-Turn With Plow	1.00	HR	\$110.00
5	Skidsteer With Plow	1.00	HR	\$155.00
6	Loader With Box Or Bucket	1.00	HR	\$295.00
7	Snow Blower	1.00	HR	\$95.00
8	Dump Truck	1.00	HR	\$160.00
9	Tractor With Plow	1.00	HR	\$295.00
10	Laborer	1.00	HR	\$68.00
11	Snow Captain Site Supervision	1.00	HR	\$78.00
12	Ice Slicer (Granular)	1.00	TON	\$275.00
13	Ice Melt	1.00	BAG	\$48.00

Notes:

- **Note:** The above stated rates are based on time and material. All services are charged portal to portal. There is a minimum charge of 1 hour per push for each piece of equipment used, and such minimum charge shall also include 1 hour of snow supervision and 1 bag (50 lb) ice melt and/or 1/2 ton ice slicer. Client agrees to pay Contractor for time and materials utilized by the contractor, including the minimum charge stated herein. Items listed above include the operator fee in the hourly rate.
- **Fuel Surcharge:** If fuel prices exceed \$4.00 per gallon for gasoline or \$4.50 per gallon for diesel, a surcharge of 8% will be charged on top of the above rates. Additionally, if material costs exceed more than 20% of quoted vendor price and/or cost at the beginning of the season, material prices will be adjusted to reflect such increases and Client agrees to pay the increase. **By signing this Contract, Contractor and Client agree to the above pricing, including this fuel surcharge.**
- **Snow Staking:** Staking of the site(s) will be billed at the above hourly rate, which includes materials. In the event that Client elects to not have the site(s) staked by Contractor prior to commencement of snow/ice removal, then Contractor shall not be responsible for any damage to the site which occurs as a result of snow/ice removal operations.
- **Terms and Conditions.**
- 1. Contractor will furnish labor, materials, supervision and necessary equipment to perform snow/ice removal services as set forth on page one. Services will be provided for length of time specified in "agreement term." Contractor will provide only the services outlined and only at the locations ("site(s)") referenced on page one.
- 2. Contractor will not be responsible for anything that is not included on page one of this Contract. Contractor shall not be held responsible for any damage resulting from Client's (or its agent's) lack of or improper staking of the site(s). If Contractor provides land marking at the site(s), Contractor shall be responsible for items that are damaged by Contractor that have been land marked and will repair, replace, or credit client for such damages which were not present prior to contracted services. However, in order for this provision to apply, Contractor must be notified by Client in writing within 48 hours of such damage occurring, otherwise, any claim for such damage is irrevocably waived by Client.



ENVIRONMENTAL CONTRACTOR

5585 W. Airport Rd
Sedalia, Colorado 80135

☎ 303.471.1522 📠 303.470.3197 ✉ sales@cdi-services.com

To:	Highline Crossing Metro District	Contact:	Nick Moncada
Address:	9969 E Kansas Ave, Aurora, CO 80247	Phone:	(720) 270-9822
		Fax:	
Project Name:	Highline Crossing Metro District Snow - 2022-2023	Bid Number:	SNOW-8101
Project Location:	Denver Metro, CO	Bid Date:	8/31/2022
Addendum #:	NA		

- 3. Contractor shall not be liable for untimely notice of accumulation by Client for snow removal. Neither will Contractor be liable for any damages resulting from Client's failure to timely or appropriately request services from Contractor.
- 4. Contractor reserves the right to stop work, with or without notice, if Client does not pay each invoice in full within ten (10) days of the invoice date. In the event that Contractor stops work under this provision, Contractor shall have no obligation to maintain, care for, or provide any service for the site(s) unless and until all of Client's outstanding account is brought current. While Contractor has no responsibility for the sites(s), Contractor shall not be liable for any injuries to Client or to any invitee, guest, or licensee of Client related to accumulation or other hazardous conditions on the site(s). Further, Client acknowledges and agrees that Contractor has the right to record a mechanic's lien against any real property for which Contractor provides the services hereunder.
- 5. Client further agrees to pay Contractor a finance charge of 1.75% per month (21% per annum) for any amount which is not paid in full within fifteen (15) days of the invoice date. Client shall also pay Contractor's fees incurred in association with collection including, but not limited, to attorneys' fees, collection agency fees, and court costs.
- 6. This Contract shall be governed, construed and enforced in accordance with the laws of the State of Colorado. Any controversy or claim arising out of or relating to this contract shall be settled by Med-Arb, as defined in C.R.S. § 13-22-302 (mediation/arbitration) or in a court of competent jurisdiction in the State of Colorado, County of Douglas, at Contractor's sole discretion. If Med-Arb is selected by Contractor, then Contractor and Client shall mutually agree upon a mediator/arbitrator, or if they cannot agree, then Contractor shall select from a list of American Arbitration Association arbiters in Denver, Colorado. If applicable, Med-Arb shall be under the Construction Industry Arbitration Rules and Mediation Procedures of the American Arbitration Association and shall take place in Denver, Colorado. Any settlement agreement shall include reasonable attorney fees and costs incurred by the successful party plus interest at the legal rate. Judgment may be entered upon any such award in any Court of competent jurisdiction, which shall be final and binding upon the parties. **EACH PARTY WAIVES ANY RIGHT TO A TRIAL BY JURY IN ANY ACTION OR PROCEEDING TO ENFORCE OR DEFEND ANY RIGHTS UNDER THIS CONTRACT**
- 7. To the extent allowed by law, Contractor shall not be responsible or liable to Client or to any third-party for any damages to existing walks, curbs, driveways, speed bumps, expansion joints, rubber-coated decks, cesspools, septic tanks, utility lines, sprinkler systems, arches, shrubs, lawn, trees, or other personal property, appurtenances or improvements, or for any damage to the site(s) itself (collectively "Damages"), except in the case of Contractor's gross negligence. Client shall indemnify, defend and hold Contractor harmless for any and all Damages caused by Client or any of its agents, employees, suppliers, vendors, assigns, or anyone under Client's direction, permission or control.
- 8. If, after Contractor has declared the work completed, Client claims that work still remains to be done, Client shall give Contractor reasonable (in time and amount of detail) notice and opportunity to complete the work before proceeding to hire any other entity to complete the services. Upon Contractor's completion of any corrective work claimed by Client, Contractor shall be entitled to payment of the full of the Contract Price then remaining due.
- 9. This Contract may be amended by a written change order or other agreement signed by both parties, or by Client requesting additional services be performed, Contractor performing said services, and Client accepting such work from Contractor.
- 10. This Contract constitutes the entire contract between the parties and neither party shall be bound by any oral statements or representation by any party or agent
- 11. No action arising from or related to the Contract, or the performance thereof, shall be commenced by either party against the other more than one year after the completion or cessation of work under this Contract. This limitation applies to all actions of any character, whether a law or in equity, and whether sounding in contract, tort, or otherwise.
- 12. Contractor agrees to complete its work under this Contract in a good and workmanlike manner, but is not responsible for failures or defects which result from work done by others.
- 13. Contractor shall not be liable for any claim, loss, expense, damage or cause of action resulting in any matter whatsoever, directly or indirectly, from weather conditions, unless such claim is caused by negligence of Contractor.
- 14. In the event CDI mobilizes on a Holiday, as defined below, all rates are doubled. "Holidays" shall consist of the following days/times:
 - Thanksgiving Day 12:01 am – 11:59 pm
 - Christmas Day 12:01 am – 11:59 pm
 - New Years' Day 12:01 am – 11:59 pm
- 15. Client understands and agrees that Contractor's response time will be affected by events beyond Contractor's control (e.g. governmental emergency, equipment failure, unusually severe weather conditions, etc.) Client further understands that response time will be affected by Contractor's ability to travel to the site(s), and that Contractor may be delayed or even prevented from reaching the site(s). Client also acknowledges that the rate of snowfall and wind conditions dramatically affect snow/ice management operations. Accordingly, Client agrees that Contractor shall not be held to any specific level of performance, other than it shall make a reasonable, good faith effort to complete the work specified herein.



ENVIRONMENTAL CONTRACTOR

5585 W. Airport Rd
Sedalia, Colorado 80135

☎ 303.471.1522 📠 303.470.3197 ✉ sales@cdi-services.com

To: Highline Crossing Metro District	Contact: Nick Moncada
Address: 9969 E Kansas Ave, Aurora, CO 80247	Phone: (720) 270-9822
	Fax:
Project Name: Highline Crossing Metro District Snow - 2022-2023	Bid Number: SNOW-8101
Project Location: Denver Metro, CO	Bid Date: 8/31/2022
Addendum #: NA	

- 16. At no time will Contractor be liable for personal injury or property damage caused by changing winter weather conditions before, during or after the snow/ice removal has been completed.
- 17. Contractor may terminate this Contract at any time, upon ten (10) work days' written notice to Client, for non-payment and may terminate this Contract at any time, upon fifteen (15) work days' written notice to Client, for any other reason. Client may terminate this Contract upon fifteen (15) work days' written notice to Contractor if Contractor fails to cure or take reasonable steps to cure any defaults under this Contract within seven (7) work days of Contractor's receipt of written notice from Client specifying the alleged defaults.
- 18. Client understands and acknowledges that Contractor's crews may not work safely in blizzard or blizzard-like conditions, or if temperatures and/or wind conditions make the wind chill factor below 20 degrees Fahrenheit. Client understands that Contractor reserves the right to have its crew(s) cease working in such conditions.
- 19. If any provision of this Contract is determined to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not be affected or impaired thereby.
- 20. Whenever any provision of this Contract requires the giving of written notice, such notice shall be delivered to Client at the address stated on page one, or to Contractor at: CDI, 5585 Airport Rd, Sedalia, CO 80135, [INSERT EMAIL]. The notice shall be effective as of the date of personal delivery or email delivery, or on the fifth day after mailing (which mailing must be certified mail, postage prepaid and return receipt requested).

ACCEPTANCE OF CONTRACT

- The undersigned representative of Client hereby acknowledges, represents and warrants to Contractor that: i) he/she is authorized to represent Client with respect to this Contract and has been authorized to sign on Client's behalf; ii) Client is the owner of the site(s) listed on page one of this Contract ("Owner"), or is the authorized representative of the Owner and has the authority to enter into this Contract on behalf of Owner; iii) HE/SHE HAS READ AND UNDERSTOOD THE TERMS AND CONDITIONS OF THIS PROPOSAL, iv) he/she has received from Contractor a completed copy of this Contract, including the Job Estimate, if applicable, v) in consideration of the products, materials and services to be provided by Contractor, he/she accepts the terms and conditions of the Contract in its entirety and, on behalf of Client and Owner, authorizes Contractor to acquire the
- Billing Contact Info:
Contact Name and Phone Number _____
Email _____
Company information, (If different than proposal header) _____

Consolidated Divisions, Inc. dba **CDI** | ENVIRONMENTAL CONTRACTOR
An Equal Opportunity Employer

Payment Terms:

Payment due 30 days from invoice.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Consolidated Divisions, Inc Db a CDI Environmental Contractors</p> <p>Authorized Signature: _____</p> <p>Estimator: Jamie Salisbury 303.241.1853 jamies@cdi-services.com</p>
---	--

**Highline Crossing Metropolitan District
July-22**

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
Aurora Water	172296 6-2022	7/1/2022	7/1/2022	\$ 3,325.14	Utilities	1765
Backflow Consulting Testing and Repair Inc.	12457315	6/30/2022	6/30/2022	\$ 90.00	Repairs and Maintenance	1740
CDI Consolidated Divisions Inc.	2004926	6/30/2022	6/30/2022	\$ 2,320.78	Landscape Maintenance	1640
CDI Consolidated Divisions Inc.	2004817	5/31/2022	6/15/2022	\$ 4,252.00	Irrigation Repair	1642
McGeady Becher, P.C.	1303W 5-2022	5/31/2022	5/31/2022	\$ 342.50	Legal	1675
POOP 911	5682005	6/13/2022	6/13/2022	\$ 25.00	Repairs and Maintenance	1740
POOP 911	5682007	6/27/2022	6/27/2022	\$ 25.00	Repairs and Maintenance	1740
POOP 911	5682006	6/20/2022	6/20/2022	\$ 25.00	Repairs and Maintenance	1740
POOP 911	5682004	6/6/2022	6/6/2022	\$ 25.00	Repairs and Maintenance	1740
Schilling & Company, Inc	13354	6/13/2022	6/13/2022	\$ 4,700.00	Audit	1615
Special Dist Management Srvs	Jun-22	6/30/2022	6/30/2022	\$ 1,998.80	Management	1680
Special Dist Management Srvs	Jun-22	6/30/2022	6/30/2022	\$ 651.20	Accounting	1612
Special Dist Management Srvs	Jun-22	6/30/2022	6/30/2022	\$ 161.00	Billing	1616
Special Dist Management Srvs	Jun-22	6/30/2022	6/30/2022	\$ 1,190.00	Covenant Control	1610
Special Dist Management Srvs	Jun-22	6/30/2022	6/30/2022	\$ 14.80	Election	1635
Special Dist Management Srvs	Jun-22	6/30/2022	6/30/2022	\$ 166.24	Miscellaneous	1685
UMB Bank N.A	925436	7/11/2022	7/11/2022	\$ 2,000.00	Paying Agent Fees	2668
UMB Bank N.A	925435	7/11/2022	7/11/2022	\$ 3,500.00	Paying Agent Fees	2668
Xcel Energy	786344399	7/1/2022	7/1/2022	\$ 19.50	Utilities	1765
Xpress Bill Pay	66282	6/30/2022	6/30/2022	\$ 11.46	Billing	1616
				\$ 24,843.42		

Highline Crossing Metropolitan District
July-22

	General	Debt	Capital	Totals
Disbursements	\$ 15,987.32	\$ 5,500.00		\$ 21,487.32
Auto-payments	3,356.10	-	-	3,356.10
<hr/>				
Total Disbursements	\$ 19,343.42	\$ 5,500.00	\$ -	\$ 24,843.42

Highline Crossing Metropolitan District
August-22

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
Aurora Water	172296 7-2022	8/1/2022	8/1/2022	\$ 3,742.90	Utilities	1765
CDI Consolidated Divisions Inc.	2005051	6/30/2022	6/30/2022	\$ 144.00	Irrigation Repair	1642
Daniel Payotelis	ACE 792022	7/9/2022	7/10/2022	\$ 9.00	Miscellaneous	1685
McGeady Becher, P.C.	1303W 6-2022	6/30/2022	6/30/2022	\$ 3,649.00	Legal	1675
POOP 911	5798164	7/25/2022	7/25/2022	\$ 25.00	Repairs and Maintenance	1740
POOP 911	5798162	7/11/2022	7/11/2022	\$ 25.00	Repairs and Maintenance	1740
POOP 911	5798163	7/18/2022	7/18/2022	\$ 25.00	Repairs and Maintenance	1740
Special Dist Management Srvs	Jul-22	7/31/2022	7/31/2022	\$ 1,645.20	Management	1680
Special Dist Management Srvs	Jul-22	7/31/2022	7/31/2022	\$ 1,050.80	Accounting	1612
Special Dist Management Srvs	Jul-22	7/31/2022	7/31/2022	\$ 273.00	Billing	1616
Special Dist Management Srvs	Jul-22	7/31/2022	7/31/2022	\$ 1,220.00	Covenant Control	1610
Special Dist Management Srvs	Jul-22	7/31/2022	7/31/2022	\$ 186.45	Miscellaneous	1685
UNCC	222060743	6/30/2022	6/30/2022	\$ 5.20	Miscellaneous	1685
UNCC	222070725	7/31/2022	7/31/2022	\$ 5.20	Miscellaneous	1685
UNCC	222040739	4/30/2022	4/30/2022	\$ 22.10	Miscellaneous	1685
UNCC	222050732	5/31/2022	5/31/2022	\$ 13.00	Miscellaneous	1685
Xcel Energy	790232638	8/1/2022	8/1/2022	\$ 16.99	Utilities	1765
Xpress Bill Pay	67015	7/31/2022	7/31/2022	\$ 33.18	Billing	1616
				\$ 12,091.02		

Highline Crossing Metropolitan District
August-22

	General	Debt	Capital	Totals
Disbursements	\$ 8,297.95			\$ 8,297.95
Auto-payments	3,793.07	-	-	3,793.07
Total Disbursements	\$ 12,091.02	\$ -	\$ -	\$ 12,091.02

Highline Crossing Metropolitan District
September-22

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
Aurora Water	172296 8-2022	8/30/2022	8/30/2022	\$ 4,691.02	Utilities	1765
CDI Consolidated Divisions Inc.	2005160	7/30/2022	8/14/2022	\$ 2,320.78	Landscape Maintenance	1640
CDI Consolidated Divisions Inc.	2005240	7/31/2022	8/15/2022	\$ 27,151.18	Insurance Claim Repairs	1745
Colorado Special Districts P&L	23WC-61534-0039	8/26/2022	8/26/2022	\$ 450.00	Prepaid Expenses	1143
McGeady Becher, P.C.	1303W 7-2022	7/31/2022	7/31/2022	\$ 2,250.50	Legal	1675
POOP 911	5911165	8/8/2022	8/8/2022	\$ 25.00	Repairs and Maintenance	1740
POOP 911	5911167	8/22/2022	8/22/2022	\$ 25.00	Repairs and Maintenance	1740
POOP 911	5911168	8/29/2022	8/29/2022	\$ 25.00	Repairs and Maintenance	1740
POOP 911	5911166	8/15/2022	8/15/2022	\$ 25.00	Repairs and Maintenance	1740
POOP 911	5911164	8/1/2022	8/1/2022	\$ 25.00	Repairs and Maintenance	1740
Special Dist Management Svcs	Aug-22	8/31/2022	8/31/2022	\$ 874.40	Management	1680
Special Dist Management Svcs	Aug-22	8/31/2022	8/31/2022	\$ 917.60	Accounting	1612
Special Dist Management Svcs	Aug-22	8/31/2022	8/31/2022	\$ 266.00	Billing	1616
Special Dist Management Svcs	Aug-22	8/31/2022	8/31/2022	\$ 1,020.00	Covenant Control	1610
Special Dist Management Svcs	Aug-22	8/31/2022	8/31/2022	\$ 60.46	Miscellaneous	1685
UNCC	222080724	8/31/2022	8/31/2022	\$ 2.60	Miscellaneous	1685
Xcel Energy	794618606	9/1/2022	9/1/2022	\$ 16.91	Utilities	1765
Xpress Bill Pay	67754	8/31/2022	8/31/2022	\$ 11.75	Billing	1616
				\$ 40,158.20		

**Highline Crossing Metropolitan District
September-22**

	<u>General</u>	<u>Debt</u>	<u>Capital</u>	<u>Totals</u>
Disbursements	\$ 35,438.52			\$ 35,438.52
Auto-payments	4,719.68	-	-	4,719.68
<hr/>				
Total Disbursements	\$ 40,158.20	\$ -	\$ -	\$ 40,158.20

**Highline Crossing Metropolitan District
October-22**

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
Aurora Water	172296 9-2022	9/27/2022	9/27/2022	\$ 5,380.74	Utilities	1765
CDI Consolidated Divisions Inc.	2005540	8/1/2022	8/1/2022	\$ 1,056.76	Irrigation Repair	1642
CDI Consolidated Divisions Inc.	2005772	9/30/2022	10/15/2022	\$ 2,320.78	Landscape Maintenance	1640
CDI Consolidated Divisions Inc.	2005483	8/31/2022	9/1/2022	\$ 2,320.78	Landscape Maintenance	1640
McGeady Becher, P.C.	1303W 8-2022	8/31/2022	8/31/2022	\$ 1,421.00	Legal	1675
POOP 911	6027443	9/19/2022	9/19/2022	\$ 25.00	Repairs and Maintenance	1740
POOP 911	6027441	9/5/2022	9/5/2022	\$ 25.00	Repairs and Maintenance	1740
POOP 911	6027442	9/12/2022	9/12/2022	\$ 25.00	Repairs and Maintenance	1740
POOP 911	6027444	9/26/2022	9/26/2022	\$ 25.00	Repairs and Maintenance	1740
Special Dist Management Srvs	Sep-22	9/30/2022	9/30/2022	\$ 1,052.00	Management	1680
Special Dist Management Srvs	Sep-22	9/30/2022	9/30/2022	\$ 769.60	Accounting	1612
Special Dist Management Srvs	Sep-22	9/30/2022	9/30/2022	\$ 259.00	Billing	1616
Special Dist Management Srvs	Sep-22	9/30/2022	9/30/2022	\$ 1,200.00	Covenant Control	1610
Special Dist Management Srvs	Sep-22	9/30/2022	9/30/2022	\$ 122.05	Miscellaneous	1685
UNCC	222090720	9/30/2022	9/30/2022	\$ 2.60	Miscellaneous	1685
Xpress Bill Pay	68491	9/30/2022	9/30/2022	\$ 11.46	Billing	1616
				\$ 16,016.77		

Highline Crossing Metropolitan District
October-22

	<u>General</u>	<u>Debt</u>	<u>Capital</u>	<u>Totals</u>
Disbursements	\$ 10,624.57			\$ 10,624.57
Auto-payments	5,392.20	-	-	5,392.20
<hr/>				
Total Disbursements	\$ 16,016.77	\$ -	\$ -	\$ 16,016.77

HIGHLINE CROSSING METROPOLITAN DISTRICT
Schedule of Cash Position
September 30, 2022

	Operating	Debt Service	Total
Checking:			
Cash in Bank-First Bank	\$ 4,220.67	\$ 288,385.27	\$ 292,605.94
Xpress Deposit Account	25,520.00	-	25,520.00
UMB Trust Accounts:			
Bond Surplus Fund	-	59,501.67	59,501.67
Bond Fund	-	231.73	231.73
Reserve Fund	-	130,445.42	130,445.42
 TOTAL FUNDS:	\$ 29,740.67	\$ 478,564.09	\$ 508,304.76

2022 Mill Levy Information

General Fund	18.000
Debt Service Fund	56.778
Total Certified Mill Levy	74.778

Board of Directors

* Daniel J. Payotelis
 Brian P. O'Sullivan

HIGHLINE CROSSING METROPOLITAN DISTRICT

FINANCIAL STATEMENTS

September 30, 2022

HIGHLINE CROSSING METROPOLITAN DISTRICT
Combined Balance Sheet - All Fund Types and Account Groups
September 30, 2022

	<u>General</u>	<u>Debt Service</u>	<u>Long-Term Debt</u>	<u>Total</u>
Assets				
Cash in Bank-First Bank	\$ 4,221	\$ 288,385	\$ -	\$ 292,606
Xpress Deposit Account	25,520	-	-	25,520
Bond Surplus Fund	-	59,502	-	59,502
Bond Fund	-	232	-	232
Reserve Fund	-	130,445	-	130,445
Accounts Receivable	4,239	-	-	4,239
Prepaid Expenses	450	-	-	450
Total Current Assets	<u>34,430</u>	<u>478,564</u>	<u>-</u>	<u>512,994</u>
Other Debits				
Amount in Debt Service Fund	-	-	470,561	470,561
Amount to be Provided for Debt	-	-	1,684,951	1,684,951
Total Other Debits	<u>-</u>	<u>-</u>	<u>2,155,512</u>	<u>2,155,512</u>
Total Assets	<u>\$ 34,430</u>	<u>\$ 478,564</u>	<u>\$ 2,155,512</u>	<u>\$ 2,668,506</u>
Liabilities				
Due to City of Aurora	\$ -	\$ 8,003	\$ -	\$ 8,003
Bonds Payable - 2017A	-	-	1,565,000	1,565,000
Bonds Payable - 2017B	-	-	336,000	336,000
Unpaid Interest - 2017B Bonds	-	-	133,237	133,237
Developer Advance- Operations	-	-	94,563	94,563
Developer Advance- Interest	-	-	26,712	26,712
Total Liabilities	<u>-</u>	<u>8,003</u>	<u>2,155,512</u>	<u>2,163,516</u>
Fund Balance	29,829	353,615	-	383,444
Current Year Earnings	4,601	116,946	-	121,547
Total Fund Balances	<u>34,430</u>	<u>470,561</u>	<u>-</u>	<u>504,990</u>
Total Liabilities, Deferred Inflows of Resources and Fund Balance	<u>\$ 34,430</u>	<u>\$ 478,564</u>	<u>\$ 2,155,512</u>	<u>\$ 2,668,506</u>

HIGHLINE CROSSING METROPOLITAN DISTRICT
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual
For the 9 Months Ending
September 30, 2022
General Fund

	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Budget</u>	<u>(Unfavorable)</u>	<u>Budget</u>
Revenues					
Property Tax Revenue	\$ 18,571	\$ 50,563	\$ 50,563	\$ (0)	100%
Specific Ownership Taxes	826	2,130	2,750	(620)	77%
Developer Advance	-	-	-	-	0%
Interest Income	59	78	15	63	521%
Working Capital Fee	-	1,800	200	1,600	900%
Operations Fee	13,735	45,560	63,000	(17,440)	72%
Design Review Fees	50	250	50	200	500%
Miscellaneous Income	-	-	-	-	-
Total Revenues	<u>33,242</u>	<u>100,381</u>	<u>116,578</u>	<u>(16,197)</u>	<u>86%</u>
Expenditures					
Covenant Control	3,430	6,760	7,200	440	94%
Billing	756	2,764	4,000	1,236	69%
Accounting	2,620	7,726	10,000	2,274	77%
Audit	4,700	4,700	5,500	800	85%
Election	15	903	3,000	2,097	30%
Landscape Maintenance	4,642	16,245	28,000	11,755	58%
Landscape Improvements	-	-	5,000	5,000	0%
Irrigation Repair	4,396	4,396	5,000	604	88%
Snow Removal	-	7,961	10,000	2,040	80%
Detention Pond Maintenance	-	-	-	-	0%
Insurance/SDA Dues	-	7,829	9,000	1,171	87%
Legal	6,242	9,578	7,000	(2,578)	137%
Management	4,518	9,168	9,000	(168)	102%
District Engineer	-	-	-	-	0%
Miscellaneous	799	2,606	2,000	(606)	130%
Office, Dues & Other	-	-	-	-	0%
Treasurer's Fees	279	760	758	(2)	100%
Operations and Maint Reserve	-	-	-	-	0%
Repairs and Maintenance	390	940	2,000	1,060	47%
Fence Repairs	-	-	2,000	2,000	0%
Utilities	11,812	12,446	12,000	(446)	104%
Contingency	-	-	5,000	5,000	0%
Emergency Reserve	-	-	3,497	3,497	0%
Total Expenditures	<u>44,600</u>	<u>94,780</u>	<u>129,955</u>	<u>35,175</u>	<u>73%</u>
Excess (Deficiency) of Revenues Over Expenditures	(11,358)	5,601	(13,377)	18,978	
Other Financing Sources (Uses)					
Transfer to Capital Projects	-	-	-	-	
Insurance Claims	13,812	30,943	-	30,943	
Insurance Claims Repairs	(27,151)	(31,943)	-	(31,943)	
Total Other Financing Sources (Uses)	<u>(13,339)</u>	<u>(1,000)</u>	<u>-</u>	<u>(1,000)</u>	
Change in Fund Balance	(24,698)	4,601	(13,377)	17,978	
Beginning Fund Balance	59,127	29,829	19,332	10,497	
Ending Fund Balance	<u>\$ 34,430</u>	<u>\$ 34,430</u>	<u>\$ 5,955</u>	<u>\$ 28,475</u>	

HIGHLINE CROSSING METROPOLITAN DISTRICT
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual
For the 9 Months Ending
September 30, 2022
Debt Service Fund

	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Budget</u>	<u>Favorable (Unfavorable) Variance</u>	<u>% of Budget</u>
Revenues					
Property Tax Revenue	\$ 57,431	\$ 156,363	\$ 156,363	\$ (0)	100%
Regional Improvement	1,149	3,129	3,129	0	100%
Specific Ownership Tax	2,605	6,718	7,600	(882)	88%
Interest Income/Other	1,216	1,728	400	1,328	432%
Total Revenues	<u>62,402</u>	<u>167,938</u>	<u>167,492</u>	<u>446</u>	<u>100%</u>
Expenditures					
Bond Principal	-	-	15,000	15,000	0%
Bond Interest	-	43,038	86,075	43,038	50%
Paying Agent Fees	5,547	5,559	5,500	(59)	101%
Miscellaneous Expense	-	-	250	250	0%
Aurora Expense	-	-	3,082	3,082	0%
Contingency	-	-	10,000	10,000	0%
Treasurer's Fees	864	2,349	2,392	43	98%
Treasurer Fee- Reg Imp	17	47	50	3	94%
Total Expenditures	<u>6,429</u>	<u>50,992</u>	<u>122,349</u>	<u>71,357</u>	<u>42%</u>
Excess (Deficiency) of Revenues Over Expenditures	55,973	116,946	45,143	71,803	
Beginning Fund Balance	414,588	353,615	350,720	2,895	
Ending Fund Balance	<u>\$ 470,561</u>	<u>\$ 470,561</u>	<u>\$ 395,863</u>	<u>\$ 74,698</u>	



PK Kaiser, MBA, MS

Assessor

AUG 29 2022

August 24, 2022

OFFICE OF THE ASSESSOR
5334 S. Prince Street
Littleton, CO 80120-1136
Phone: 303-795-4650
TDD: Relay-711

Fax:303-738-7863
<http://co-arapahoe-ptoc.publicaccessnow.com>
arapahoep@arapahoegov.com

AUTH 4414 HIGHLINE CROSSING METRO
DIST
C/O DAVID SOLIN
141 UNION BLVD SUITE 150
LAKEWOOD CO 80228

Code # 4414

CERTIFICATION OF VALUATION

The Arapahoe County Assessor reports a taxable assessed valuation for your taxing entity for 2022 of:

\$2,759,220

The breakdown of the taxable valuation of your property is enclosed.

As further required by CRS 39-5-128(1), you are hereby notified to officially certify your levy to the Board of County Commissioners no later than December 15.

CRS 39-1-111(5) requires that this office transmit a notification by December 10 of any changes to valuation made after the original certification.

PK Kaiser, MBA, MS
Arapahoe County Assessor

enc

CERTIFICATION OF VALUATION BY ARAPAHOE COUNTY ASSESSOR

New Tax Entity YES NO

Date: August 24, 2022

NAME OF TAX ENTITY: HIGHLINE CROSSING METRO DIST

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATION ("5.5%" LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) AND 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR 2022:

1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	1.	\$	2,809,048
2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: ‡	2.	\$	2,759,220
3. LESS TOTAL TIF AREA INCREMENTS, IF ANY:	3.	\$	0
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	4.	\$	2,759,220
5. NEW CONSTRUCTION: *	5.	\$	19,238
6. INCREASED PRODUCTION OF PRODUCING MINE: ≈	6.	\$	0
7. ANNEXATIONS/INCLUSIONS:	7.	\$	0
8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: ≈	8.	\$	0
9. NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND (29-1-301(1)(b), C.R.S.): Φ	9.	\$	0
10. TAXES RECEIVED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1)(A), C.R.S.). Includes all revenue collected on valuation not previously certified:	10.	\$	0
11. TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a), C.R.S.) and (39-10-114(1)(a)(I)(B), C.R.S.):	11.	\$	0

‡ This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec 20(8)(b), Colo. Constitution

* New construction is defined as: Taxable real property structures and the personal property connected with the structure.

≈ Jurisdiction must submit to the Division of Local Government respective Certifications of Impact in order for the values to be treated as growth in the limit calculation; use Forms DLG 52 & 52A.

Φ Jurisdiction must apply to the Division of Local Government before the value can be treated as growth in the limit calculation; use Form DLG 52B.

USE FOR TABOR "LOCAL GROWTH" CALCULATION ONLY

IN ACCORDANCE WITH ART X, SEC.20, COLO. CONSTITUTION AND 39-5-121(2)(b), C.R.S., THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2022:

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: ¶	1.	\$	38,999,852
--	----	----	------------

ADDITIONS TO TAXABLE REAL PROPERTY

2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	2.	\$	276,800
3. ANNEXATIONS/INCLUSIONS:	3.	\$	0
4. INCREASED MINING PRODUCTION: §	4.	\$	0
5. PREVIOUSLY EXEMPT PROPERTY:	5.	\$	0
6. OIL OR GAS PRODUCTION FROM A NEW WELL:	6.	\$	0
7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT: (If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.):	7.	\$	0

DELETIONS FROM TAXABLE REAL PROPERTY

8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	8.	\$	0
9. DISCONNECTIONS/EXCLUSIONS:	9.	\$	0
10. PREVIOUSLY TAXABLE PROPERTY:	10.	\$	0

¶ This includes the actual value of all taxable real property plus the actual value of religious, private school, and charitable real property.

* Construction is defined as newly constructed taxable real property structures.

§ Includes production from new mines and increases in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS:

1. TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY	1.	\$	0
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IN ACCORDANCE WITH 39-5-128(1.5), C.R.S., THE ASSESSOR PROVIDES:

HB21-1312 VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): **		\$	0
--	--	----	---

** The tax revenue lost due to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119.5(3), C.R.S.

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners¹ of _____, Colorado.

On behalf of the _____
(taxing entity)^A

the _____
(governing body)^B

of the _____
(local government)^C

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ _____ assessed valuation of: (GROSS^D assessed valuation, Line 2 of the Certification of Valuation Form DLG 57^E)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area^F 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: \$ _____ (NET^G 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: _____ for budget/fiscal year _____ (no later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)	LEVY ²	REVENUE ²
1. General Operating Expenses ^H	_____ mills	\$ _____
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction ^I	< _____ > mills	\$ < _____ >
SUBTOTAL FOR GENERAL OPERATING:	<input type="text"/> mills	\$ <input type="text"/>
3. General Obligation Bonds and Interest ^J	_____ mills	\$ _____
4. Contractual Obligations ^K	_____ mills	\$ _____
5. Capital Expenditures ^L	_____ mills	\$ _____
6. Refunds/Abatements ^M	_____ mills	\$ _____
7. Other ^N (specify): _____	_____ mills	\$ _____
	_____ mills	\$ _____
TOTAL: [Sum of General Operating Subtotal and Lines 3 to 7]	<input type="text"/> mills	\$ <input type="text"/>

Contact person: _____ Daytime phone: () _____
Signed: _____ Title: _____

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 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.

¹ 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.
² 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^J:

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^K:

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.

Notes:

^A **Taxing Entity**—A jurisdiction authorized by law to impose ad valorem property taxes on taxable property located within its territorial limits (please see notes B, C, and H below). For purposes of the DLG 70 only, a *taxing entity* is also a geographic area formerly located within a *taxing entity's* boundaries for which the county assessor certifies a valuation for assessment and which is responsible for payment of its share until retirement of financial obligations incurred by the *taxing entity* when the area was part of the *taxing entity*. For example: an area of excluded property formerly within a special district with outstanding general obligation debt at the time of the exclusion or the area located within the former boundaries of a dissolved district whose outstanding general obligation debt service is administered by another local government^C.

^B **Governing Body**—The board of county commissioners, the city council, the board of trustees, the board of directors, or the board of any other entity that is responsible for the certification of the *taxing entity's* mill levy. For example: the board of county commissioners is the governing board ex officio of a county public improvement district (PID); the board of a water and sanitation district constitutes ex officio the board of directors of the water subdistrict.

^C **Local Government** - For purposes of this line on Page 1 of the DLG 70, the *local government* is the political subdivision under whose authority and within whose boundaries the *taxing entity* was created. The *local government* is authorized to levy property taxes on behalf of the *taxing entity*. For example, for the purposes of this form:

1. a municipality is both the *local government* and the *taxing entity* when levying its own levy for its entire jurisdiction;
2. a city is the *local government* when levying a tax on behalf of a business improvement district (BID) *taxing entity* which it created and whose city council is the BID board;
3. a fire district is the *local government* if it created a subdistrict, the *taxing entity*, on whose behalf the fire district levies property taxes.
4. a town is the *local government* when it provides the service for a dissolved water district and the town board serves as the board of a dissolved water district, the *taxing entity*, for the purpose of certifying a levy for the annual debt service on outstanding obligations.

^D **GROSS Assessed Value** - There will be a difference between gross assessed valuation and net assessed valuation reported by the county assessor only if there is a “tax increment financing” entity (see below), such as a downtown development authority or an urban renewal authority, within the boundaries of the *taxing entity*. The board of county commissioners certifies each *taxing entity's* total mills upon the *taxing entity's* *Gross Assessed Value* found on Line 2 of Form DLG 57.

^E **Certification of Valuation by County Assessor, Form DLG 57** - The county assessor(s) uses this form (or one similar) to provide valuation for assessment information to a *taxing entity*. The county assessor must provide this certification no later than August 25th each year and may amend it, one time, prior to December 10th. Each entity must use the **FINAL** valuation provided by assessor when certifying a tax levy.

^F **TIF Area**—A downtown development authority (DDA) or urban renewal authority (URA), may form plan areas that use “tax increment financing” to derive revenue from increases in assessed valuation (gross minus net, Form DLG 57 Line 3) attributed to the activities/improvements within the plan area. The DDA or URA receives the differential revenue of each overlapping *taxing entity's* mill levy applied against the *taxing entity's* gross assessed value after subtracting the *taxing entity's* revenues derived from its mill levy applied against the net assessed value.

^G **NET Assessed Value**—The total taxable assessed valuation from which the *taxing entity* will derive revenues for its uses. It is found on Line 4 of Form DLG 57. **Please Note:** A downtown development authority (DDA) may be both a *taxing entity* and have also created its own *TIF area* and/or have a URA *TIF Area* within the DDA's boundaries. As a result DDAs may both receive operating revenue from their levy applied to their certified *NET assessed value* and also receive TIF revenue generated by any *tax entity* levies overlapping the DDA's *TIF Area*, including the DDA's own operating levy.

^H General Operating Expenses (DLG 70 Page 1 Line 1)—The levy and accompanying revenue reported on Line 1 is for general operations and includes, in aggregate, all levies for and revenues raised by a *taxing entity* for purposes not lawfully exempted and detailed in Lines 3 through 7 on Page 1 of the DLG 70. For example: a fire pension levy is included in general operating expenses, unless the pension is voter-approved, if voter-approved, use Line 7 (Other).

^I Temporary Tax Credit for Operations (DLG 70 Page 1 Line 2)—The Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction of 39-1-111.5, C.R.S. may be applied to the *taxing entity*'s levy for general operations to effect refunds. Temporary Tax Credits (TTCs) are not applicable to other types of levies (non-general operations) certified on this form because these levies are adjusted from year to year as specified by the provisions of any contract or schedule of payments established for the payment of any obligation incurred by the *taxing entity* per 29-1-301(1.7), C.R.S., or they are certified as authorized at election per 29-1-302(2)(b), C.R.S.

^J General Obligation Bonds and Interest (DLG 70 Page 1 Line 3)—Enter on this line the total levy required to pay the annual debt service of all general obligation bonds. Per 29-1-301(1.7) C.R.S., the amount of revenue levied for this purpose cannot be greater than the amount of revenue required for such purpose as specified by the provisions of any contract or schedule of payments. Title 32, Article 1 Special districts and subdistricts must complete Page 2 of the DLG 70.

^K Contractual Obligation (DLG 70 Page 1 Line 4)—If repayment of a contractual obligation with property tax has been approved at election and it is not a general obligation bond (shown on Line 3), the mill levy is entered on this line. Per 29-1-301(1.7) C.R.S., the amount of revenue levied for this purpose cannot be greater than the amount of revenue required for such purpose as specified by the provisions of any contract or schedule of payments.

^L Capital Expenditures (DLG 70 Page 1 Line 5)—These revenues are not subject to the statutory property tax revenue limit if they are approved by counties and municipalities through public hearings pursuant to 29-1-301(1.2) C.R.S. and for special districts through approval from the Division of Local Government pursuant to 29-1-302(1.5) C.R.S. or for any *taxing entity* if approved at election. Only levies approved by these methods should be entered on Line 5.

^M Refunds/Abatements (DLG 70 Page 1 Line 6)—The county assessor reports on the *Certification of Valuation* (DLG 57 Line 11) the amount of revenue from property tax that the local government did not receive in the prior year because taxpayers were given refunds for taxes they had paid or they were given abatements for taxes originally charged to them due to errors made in their property valuation. The local government was due the tax revenue and would have collected it through an adjusted mill levy if the valuation errors had not occurred. Since the government was due the revenue, it may levy, in the subsequent year, a mill to collect the refund/abatement revenue. An abatement/refund mill levy may generate revenues up to, but not exceeding, the refund/abatement amount from Form DLG 57 Line 11.

1. Please Note: Pursuant to Article X, Section 3 of the Colorado Constitution, if the *taxing entity* is in more than one county, as with all levies, the abatement levy must be uniform throughout the entity's boundaries and certified the same to each county. To calculate the abatement/refund levy for a *taxing entity* that is located in more than one county, first total the abatement/refund amounts reported by each county assessor, then divide by the *taxing entity*'s total net assessed value, then multiply by 1,000 and round down to the nearest three decimals to prevent levying for more revenue than was abated/refunded. This results in an abatement/refund mill levy that will be uniformly certified to all of the counties in which the *taxing entity* is located even though the abatement/refund did not occur in all the counties.

^N Other (DLG 70 Page 1 Line 7)—Report other levies and revenue not subject to 29-1-301 C.R.S. that were not reported above. For example: a levy for the purposes of television relay or translator facilities as specified in sections 29-7-101, 29-7-102, and 29-7-105 and 32-1-1005 (1) (a), C.R.S.; a voter-approved fire pension levy; a levy for special purposes such as developmental disabilities, open space, etc.

IMPORTANT POINTS TO REMEMBER

Please use the "Certification of Tax Levies for Non-School Governments" form enclosed. Include a contact name and a daytime telephone number.

All taxing authorities are required to certify their levies to the Commissioners no later than December 15. Signed mill levies will be accepted via email, mail or FAX.

Submitting your "Certification of Tax Levies for Non-School Governments" form by email is the best way to ensure the information is delivered directly to the Budget Division.

Email forms to financebudgeting@arapahoegov.com

Mail: Board of County Commissioners
c/o Budget Division
5334 S. Prince St.
Littleton, CO 80120

FAX: 303-738-7929
Attn: Budget Division

Mill levies should be calculated to three decimal places.

If the levy has been determined to equal zero, please certify a zero mill levy to eliminate any confusion.

For questions concerning "Certification of Tax Levies for Non-School Governments," please contact our Budget Division by telephone at 303-795-4690 or via e-mail at financebudgeting@arapahoegov.com or visit our website at:

<https://www.arapahoegov.com/1186/>

For questions concerning certified taxable values, please contact:

Julia McQueen
Arapahoe County Assessor's Office
5334 S. Prince St.
Littleton, CO 80120
Phone: 303-795-4672

HIGHLINE CROSSING METROPOLITAN DISTRICT
Assessed Value, Property Tax and Mill Levy Information

	2021 Actual	2022 Adopted Budget	2023 Preliminary Budget
Assessed Valuation	\$ 2,587,213	\$ 2,809,048	\$ 2,759,220
Mill Levy			
General Fund	18.000	18.000	18.000
ARI	1.114	1.114	1.114
Debt Service Fund	55.664	55.664	55.664
Temporary Mill Levy Reduction	-	-	-
Refunds and Abatements	-	-	-
Total Mill Levy	<u>74.778</u>	<u>74.778</u>	<u>74.778</u>
Property Taxes			
General Fund	\$ 46,570	\$ 50,563	\$ 49,666
ARI	2,882	3,129	3,074
Debt Service Fund	144,015	156,363	153,589
Temporary Mill Levy Reduction	-	-	-
Refunds and Abatements	-	-	-
Actual/Budgeted Property Taxes	<u>\$ 193,467</u>	<u>\$ 210,055</u>	<u>\$ 206,329</u>

HIGHLINE CROSSING METROPOLITAN DISTRICT

**GENERAL FUND
2023 Preliminary Budget
with 2021 Actual, 2022 Adopted Budget, and 2022 Estimated**

	2021 Actual	01/22-07/22 YTD Actual	2022 Adopted Budget	2022 Estimated	2023 Preliminary Budget
BEGINNING FUND BALANCE	\$ 24,026	\$ 31,348	\$ 19,332	\$ 31,348	\$ 24,999
REVENUE					
Property Tax Revenue	46,570	48,599	50,563	50,563	49,666
Specific Ownership Taxes	3,210	1,556	2,750	2,750	2,980
Interest Income	122	19	15	25	25
Working Capital Fee	900	1,800	200	1,800	200
Operations Fee	51,315	44,675	63,000	63,000	63,000
Design Review Fees	150	200	50	200	50
Total Revenue	102,266	96,849	116,578	118,338	115,921
Total Funds Available	126,292	128,197	135,910	149,686	140,920
EXPENDITURES					
Accounting	10,178	5,757	10,000	10,000	10,900
Audit	4,700	4,700	5,500	4,700	5,200
Insurance/SDA Dues	8,270	7,829	9,000	7,829	8,500
Legal	8,525	3,678	7,000	7,000	7,000
Election	-	903	3,000	3,000	1,000
Management	13,649	6,648	9,000	9,000	9,800
Miscellaneous	4,138	2,059	2,000	2,200	2,000
Treasurer's Fees	700	729	758	758	745
Covenant Control	4,209	4,520	7,200	7,200	7,200
Billing	3,227	2,181	4,000	4,000	4,400
Landscape Maintenance	14,958	13,925	28,000	28,000	30,800
Landscape Improvements	1,435	-	5,000	5,000	5,500
Irrigation Repair	5,000	4,252	5,000	5,000	5,000
Snow Removal	5,975	7,961	10,000	10,000	10,000
Repairs and Maintenance	1,150	740	2,000	2,000	2,200
Fence Repairs	-	-	2,000	2,000	2,000
Insurance Claims Repairs	-	4,792	-	-	-
Utilities	8,830	3,978	12,000	12,000	12,000
Contingency	-	-	5,000	5,000	5,000
Total Expenditures	94,944	74,651	126,458	124,687	129,245
Transfers and Other Sources (Uses)					
Emergency Reserve	-	-	(3,497)	-	(3,478)
Insurance Claims	-	30,943	-	-	-
Total Expenditures Requiring Appropriation	94,944	74,651	129,955	124,687	132,723
ENDING FUND BALANCE	\$ 31,348	\$ 84,490	\$ 5,955	\$ 24,999	\$ 8,197

HIGHLINE CROSSING METROPOLITAN DISTRICT

DEBT SERVICE FUND 2023 Preliminary Budget with 2021 Actual, 2022 Adopted Budget, and 2022 Estimated

	2021 Actual	01/22-07/22 YTD Actual	2022 Adopted Budget	2022 Estimated	2023 Preliminary Budget
BEGINNING FUND BALANCE	\$ 308,584	\$ 356,454	\$ 350,720	\$ 356,454	\$ 412,378
REVENUE					
Property Tax Revenue	144,015	150,289	156,363	156,363	153,589
Regional Improvement	2,882	3,008	3,129	3,129	3,074
Specific Ownership Tax	10,124	4,910	7,600	7,600	9,215
Interest Income/Other	477	754	400	1,200	1,200
Total Revenue	157,498	158,961	167,492	168,292	167,078
Total Funds Available	466,082	515,415	518,212	524,746	579,456
EXPENDITURES					
Bond Principal	15,000	-	15,000	15,000	15,000
Bond Interest	86,900	43,038	86,075	86,075	85,250
Paying Agent Fees	5,519	5,519	5,500	5,519	5,500
Miscellaneous Expense	-	-	250	250	250
Treasurer's Fees	2,166	2,255	2,392	2,392	2,350
Aurora Expense	-	-	3,082	3,082	3,028
Treasurer Fee- Reg Imp	43	45	50	50	50
Contingency	-	-	10,000	-	10,000
Total Expenditures	109,627	50,857	122,349	112,368	121,428
Total Expenditures Requiring Appropriation	109,627	50,857	122,349	112,368	121,428
ENDING FUND BALANCE	\$ 356,454	\$ 464,558	\$ 395,863	\$ 412,378	\$ 458,029

RESOLUTION NO. 2022- 11 - 02

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE HIGHLINE CROSSING METROPOLITAN DISTRICT
TO ADOPT THE 2023 BUDGET AND APPROPRIATE SUMS OF MONEY

WHEREAS, the Board of Directors of the Highline Crossing Metropolitan District (“District”) has appointed the District Accountant to prepare and submit a proposed 2023 budget to the Board at the proper time; and

WHEREAS, the District Accountant has submitted a proposed budget to this Board on or before October 15, 2022, for its consideration; and

WHEREAS, 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 21, 2022 and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, 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; and

WHEREAS, 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.

WHEREAS, the Board of Directors of the District has made provisions therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and

WHEREAS, 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, as more fully set forth in the budget, including any inter-fund transfers listed therein, so as not to impair the operations of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Highline Crossing Metropolitan District:

1. That the budget as submitted, amended, and summarized by fund, hereby is approved and adopted as the budget of the Highline Crossing Metropolitan District for the 2023 fiscal year.

2. That the budget, as 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. That 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.

ADOPTED this 21st day of November, 2022.

Secretary

(SEAL)

EXHIBIT A
(Budget)

I, _____, hereby certify that I am the duly appointed Secretary of the Highline Crossing Metropolitan District, 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 Highline Crossing Metropolitan District held on November 21, 2022.

By: _____
Secretary

RESOLUTION NO. 2022 - 11 - _

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE HIGHLINE CROSSING METROPOLITAN DISTRICT
TO SET MILL LEVIES

WHEREAS, the Board of Directors of the Highline Crossing Metropolitan District (“District”) has adopted the 2023 annual budget in accordance with the Local Government Budget Law on November 21, 2022; and

WHEREAS, the adopted budget is attached to the Resolution of the Board of Directors to Adopt the 2023 Budget and Appropriate Sums of Money, and such budget is incorporated herein by this reference; and

WHEREAS, the amount of money necessary to balance the budget for general fund expenses from property tax revenue is identified in the budget; and

WHEREAS, the amount of money necessary to balance the budget for debt service fund expenses from property tax revenue is identified in the budget; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Highline Crossing Metropolitan District:

1. That for the purposes of meeting all general fund 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 purposes of meeting all debt service fund 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 the District Accountant of the District is hereby authorized and directed to immediately certify to the County Commissioners of Arapahoe County, Colorado, the mill levies for the District as set forth in the District’s Certification of Tax Levies (attached hereto as **EXHIBIT A** 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.

ADOPTED this 21st day of November, 2022.

Secretary

(SEAL)

EXHIBIT A
(Certification of Tax Levies)

RESOLUTION NO. 2022-11-__

**RESOLUTION OF THE BOARD OF DIRECTORS OF HIGHLINE CROSSING
METROPOLITAN DISTRICT AUTHORIZING ADJUSTMENT OF THE DISTRICT
MILL LEVY IN ACCORDANCE WITH THE SERVICE PLAN**

- A. Highline Crossing Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado pursuant to Title 32, Colorado Revised Statutes.
- B. The District operates pursuant to its Service Plan approved by the City Council of the City of Aurora, Colorado, on March 21, 2021⁶ (the “**Service Plan**”), which provides the District with the authority to impose mill levies on taxable property. Such mill levies will be the primary source of revenue for repayment of debt service, public improvements, and operations and maintenance costs of the District.
- C. The Service Plan authorizes a maximum mill levy of fifty (50) mills for the payment of Debt (as defined in the Service Plan) (the “**Maximum Debt Mill Levy**”) and requires the District to impose the ARI Mill Levy (as defined in the Service Plan) upon the taxable property within the District pursuant to the provisions of the Service Plan (the ARI Mill Levy with the Maximum Debt Mill Levy are collectively referred to herein as the “**Maximum Mill Levies**”).
- D. Pursuant to the Service Plan, the Maximum Debt Mill Levy shall not apply to the District’s ability to increase its mill levy as necessary for the provision of operations and maintenance services.
- E. The Service Plan authorizes adjustment of the Maximum Mill Levies if, on or after January 1, 2004 (the “**Baseline Year**”), there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut, or abatement. The Maximum Mill Levies may be increased or decreased to reflect such changes. Such increases or decreases shall be determined by the Board of Directors (the “**Board**”) in good faith (such determination to be binding and final) so that, to the extent possible, the actual tax revenues generated by the respective mill levy, as adjusted, are neither diminished nor enhanced as a result of such changes.
- F. The Service Plan provides that, for purposes of the foregoing, a change in the ratio of actual valuation shall be deemed to be a change in the method of calculating assessed valuation.
- G. At the time of the Baseline Year, the residential assessment ratio set by the Colorado General Assembly (the “**General Assembly**”) was 7.96%.
- H. In 2017, the General Assembly passed House Bill 17-1349, which amended Section 39-1-104.2, C.R.S. by setting the ratio of valuation for assessment for real residential property at 7.2% (decreased from 7.96%) for property tax years commencing on and after

January 1, 2017, until the next property tax year that the General Assembly determined to adjust the ratio of valuation for assessment for residential real property.

I. In 2019, the General Assembly passed Senate Bill 19-255, further amending Section 39-1-104.2, C.R.S. by setting the ratio of valuation for assessment for real residential property at 7.15% (decreased from 7.2%) for property tax years commencing on or after January 1, 2019, until the next property tax year that the General Assembly determines to adjust the ratio of valuation for assessment for residential real property.

J. In 2020, the voters of the State of Colorado passed Amendment B, which repealed Article X, Section 3 of the Colorado Constitution such that the ratio of valuation for assessment of real property for 2021 and thereafter, unless further amended by the General Assembly or voters of the State, is 7.15%.

K. In 2021, the General Assembly passed Senate Bill 21-293, further amending Section 39-1-104.2, C.R.S. by, among other things: (i) creating two classes of residential real property, being single family residential real property and multifamily residential real property, and (ii) for property tax year 2023, setting the ratio of valuation for assessment for single family residential real property at 6.95% (decreased from 7.15%) and setting the ratio of valuation for assessment for multifamily residential real property at 6.80% (decreased from 7.15%).

L. The Arapahoe County Assessor has indicated that the real property within the District shall be categorized for the tax year 2023 as **[[single family OR multifamily]]** residential real property and shall therefore have a ratio of valuation for assessment for residential real property at **[[6.95% OR 6.80%]]** (decreased from 7.15%).

M. In compliance with the Service Plan, in order to mitigate the effect of the reduction in the ratio of valuation for residential real property as set by Senate Bill 21-293 for property tax year 2022 (for collection year 2023), the Board determines it to be in the best interest of the District, its residents, users, property owners, and the public, to adjust the Maximum Mill Levies, so that the actual tax revenues to be received by the District are neither diminished nor enhanced as a result of the change in the ratio of valuation for assessment since the Baseline Year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Highline Crossing Metropolitan District, City of Aurora, Arapahoe County, Colorado:

1. The Board hereby authorizes the adjustment of the Maximum Debt Mill Levy and the ARI Mill Levy to reflect that Senate Bill 21-293 set the ratio of valuation for assessment for **[[single family OR multifamily]]** residential real property to **[[6.95% OR 6.80%]]**, which is a change from the 7.96% ratio of valuation for assessment of residential property as of the Baseline Year.

2. The Service Plan allows for a mill levy imposition of **_____** mills for the payment of Debt (the “**Adjusted Debt Mill Levy**”) and a mill levy imposition of **_____** mills for the ARI Mill Levy (the “**Adjusted ARI Mill Levy**”) and with the Adjusted Debt Mill Levy, the “**Adjusted Mill Levies**”) so that District revenues shall be neither diminished nor enhanced as a

result of the ratio of valuation for assessment being set at **[[6.95% OR 6.80%]]** for collection year 2023.

3. The Adjusted Mill Levies shall be reflected in the District's Certification of Tax Levies to be submitted to the Arapahoe County Board of County Commissioners on or before December 15, 2022, for collection in 2023.

[SIGNATURE PAGE FOLLOWS]

**[SIGNATURE PAGE TO RESOLUTION AUTHORIZING ADJUSTMENT OF THE
DISTRICT MILL LEVY IN ACCORDANCE WITH THE SERVICE PLAN]**

RESOLUTION APPROVED AND ADOPTED ON November 21, 2022.

**HIGHLINE CROSSING METROPOLITAN
DISTRICT**

President

Attest:

Secretary

RESOLUTION NO. 2022-11-____

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
HIGHLINE CROSSING METROPOLITAN DISTRICT
CALLING A REGULAR ELECTION FOR DIRECTORS
MAY 2, 2023**

A. The term of the office to which Director O’Sullivan has previously been appointed expires upon his re-election, or the election of his successor at the regular election, to be held on May 2, 2023 (“Election”), and upon such successor taking office.

B. Vacancies currently exist on the Board of Directors of the District.

C. In accordance with the provisions of the Special District Act (“Act”) and the Uniform Election Code (“Code”), the Election must be conducted to elect two (2) Directors to serve until the next regular election, to occur May 6, 2025, and two (2) Directors to serve until the second regular election, to occur May 4, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Highline Crossing Metropolitan District (the “District”) of the County of Arapahoe, Colorado:

1. Date and Time of Election. The Election shall be held on May 2, 2023, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, and other applicable laws. At that time, two (2) Directors shall be elected to serve until the next regular election, to occur May 6, 2025, and two (2) Directors shall be elected to serve until the second regular election, to occur May 4, 2027.

2. Precinct. The District shall consist of one (1) election precinct for the convenience of the eligible electors of the District.

3. Conduct of Election. The Election shall be conducted as an independent mail ballot election in accordance with all relevant provisions of the Code. The Designated Election Official shall have on file, no later than fifty-five (55) days prior to the Election, a plan for conducting the independent mail ballot Election.

4. Designated Election Official. _____ shall be the Designated Election Official and is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, Code or other applicable laws. The Election shall be conducted in accordance with the Act, Code and other applicable laws. Among other matters, the Designated Election Official shall appoint election judges as necessary, arrange for the required notices of election (either by mail or publication) and printing of ballots, and direct that all other appropriate actions be accomplished.

5. Call for Nominations. The Designated Election Official shall provide Call for Nominations as required under Section 1-13.5-501, C.R.S., as applicable.

6. Absentee Ballot Applications. NOTICE IS FURTHER GIVEN, pursuant to Section 1-13.5-1002, C.R.S., that applications for and return of absentee ballots may be filed with the Designated Election Official of the District, c/o Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, between the hours of 8:00 a.m. and 5:00 p.m., until the close of business on the Tuesday immediately preceding the Election (April 25, 2023).

7. Self-Nomination and Acceptance Forms. Self-Nomination and Acceptance Forms are available and can be obtained from the Designated Election Official for the District at the above address and on the District's website at <https://highlinecrossingmd.colorado.gov>.

8. Cancellation of Election. If the only matter before the electors is the election of Directors of the District and if, at 5:00 P.M. on February 28, 2023, the sixty-third day prior to the regular election, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent, the Designated Election Official shall cancel the Election and declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with law.

9. Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board of Director's intention that the various provisions hereof are severable.

10. Repealer. All acts, orders and resolutions, or parts thereof, of the Board of Directors which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

11. Effective Date. The provisions of this Resolution shall take effect as of the date adopted and approved by the Board of Directors of the District.

[SIGNATURE PAGE FOLLOWS]

**[SIGNATURE PAGE TO RESOLUTION
CALLING A REGULAR ELECTION FOR DIRECTORS
MAY 2, 2023]**

RESOLUTION APPROVED AND ADOPTED on November 21, 2022.

**HIGHLINE CROSSING
METROPOLITAN DISTRICT**

By: _____
President

Attest:

Secretary



141 Union Boulevard, Suite 150
Lakewood, CO 80228-1898
303-987-0835 • Fax: 303-987-2032

MEMORANDUM

TO: Board of Directors

FROM: Christel Gemski
Executive Vice-President

DATE: September 2, 2022

RE: Notice of 2023 Rate Increase

A rectangular box containing a handwritten signature in blue ink that reads "Christel Gemski".

In accordance with the Management Agreement (“Agreement”) between the District and Special District Management Services, Inc. (“SDMS”), at the time of the annual renewal of the Agreement, the hourly rate described in Article III for management and all services shall increase by the CPI (8.5%) per hour.

We hope you will understand that it is necessary to increase our rates due to increasing gas and operating costs along with new laws and rules implemented by our legislature.



October 15, 2022

Dear Client:

Our Firm prides itself on providing the highest level of service in the most efficient manner. In the current economic environment, we are facing increased costs in all areas of the business. In order to continue to provide consistent high-level service we have found it necessary to implement a rate increase.

In accordance with the Firm's fee engagement letter, this letter is to advise you that effective January 1, 2023, the hourly rates of selected attorneys and staff will be adjusted. Hourly rates will be as follows: Shareholders \$425 - \$550; Of Counsel \$380 - \$425; Associates \$275 - \$375; Paralegals and Directors \$225 - \$240; Law Clerks \$150; File Clerks \$30.

Commencing on January 1, 2023, we will begin charging most costs incurred on your behalf as an administrative fee equal to 1% of the legal fees charged in a given month. This fee includes such costs as long-distance telephone calls, research requiring a subscription database, in-office photocopies and faxes, ordinary postage, and messenger and delivery services, and includes a small overhead component. This fee may be adjusted with notice.

This fee is based on our historic experience, as well as client feedback, that invoices that itemize every photocopy, fax, and delivery charge are confusing. Any advances made on behalf of the client as well as major costs, such as major travel expenses, application/submittal/recording fees, election expenses, court costs, publication costs, express delivery, and conference calls and videoconferencing where a third-party provider is used, will be separately invoiced at our actual cost. If you have any questions or concerns about this change, please let us know.

We appreciate your continued trust and confidence in our Firm and look forward to representing your interests in 2023 and beyond.

Very truly yours,

McGEADY BECHER P.C.

A handwritten signature in blue ink that reads "Cheryl L. Matlosz". The signature is written in a cursive, flowing style.

Cheryl L. Matlosz
Firm Administrator