

**BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
COUNTY OF ADAMS, STATE OF COLORADO**

**ANNUAL REPORT FOR FISCAL YEAR 2022**

Pursuant to the Service Plan for Bromley Park Metropolitan District No. 5 (the “District”), the District is required to provide an annual report to the 4430 S. Adams County Parkway. In accordance with the requirements of § 32-1-207(3)(c), C.R.S., the District hereby provides its’ annual report with regard to the following matters:

- a. Boundary changes made;
- b. Intergovernmental agreements entered into or terminated with other governmental entities;
- c. Access information to obtain a copy of rules and regulations adopted by the Board;
- d. A summary of any litigation involving public improvements owned by the District;
- e. The status of the construction of public improvements by the District;
- f. A list of facilities or improvements constructed by the District that were conveyed or dedicated to the County;
- g. The final assessed valuation of the District as of December 31 of the report year;
- h. A copy of the current year’s budget;
- i. A copy of the audited financial statements, if required by the “Colorado Local Government Audit Law”, Part 6 of Article 1 of Title 29, or the application for exemption;
- j. Notice of any uncured defaults existing for more than ninety (90) days under any debt instrument; and
- k. Any inability of the District to pay its obligations as they become due under any obligation which continue beyond a ninety (90) day period.

**For the year ending December 31, 2022, the District makes the following report:**

- a. Boundary changes made;

The District boundaries changed in 2022 to exclude the property as described in the exclusion orders recorded with the Adams County Clerk & Recorder on October 27, 2022 at Reception No. 2022000087635 and November 15, 2022 at Reception No. 2022000090847. A map of the current District boundaries is attached hereto as **Exhibit A**.

- b. Intergovernmental agreements entered into or terminated with other governmental entities;

During the report year the District entered into two new Statements of Work (“SOWs”) under an existing IGA with South Beebe Draw Metropolitan District, for roadway and storm drainage improvements related to the Lochbuie Center and Platte Valley Medical Center developments.

- c. Access information to obtain a copy of rules and regulations adopted by the Board;

There are no rules and regulations.

- d. A summary of any litigation involving public improvements owned by the District;

We are not aware of any litigation, pending or threatened, involving public improvements owned by the District.

- e. The status of the construction of public improvements by the District;

Certain roadway and storm drainage improvements related to the Lochbuie Center and Platte Valley Medical Center developments were completed during the report year.

- f. A list of facilities or improvements constructed by the District that were conveyed or dedicated to the County;

No Public Improvements were dedicated to the County during the report year.

- g. The final assessed valuation of the District as of December 31 of the report year;

The assessed value for 2022 was \$8,973,780.

- h. A copy of the current year’s budget;

The budget resolution for the current year is attached hereto as **Exhibit B**.

- i. A copy of the audited financial statements, if required by the “Colorado Local Government Audit Law”, Part 6 of Article 1 of Title 29, or the application for exemption;

The audited financial statements, as required by the "Colorado Local Government Audit Law," Part 6 of Article 1 of Title 29, are attached hereto as **Exhibit C**.

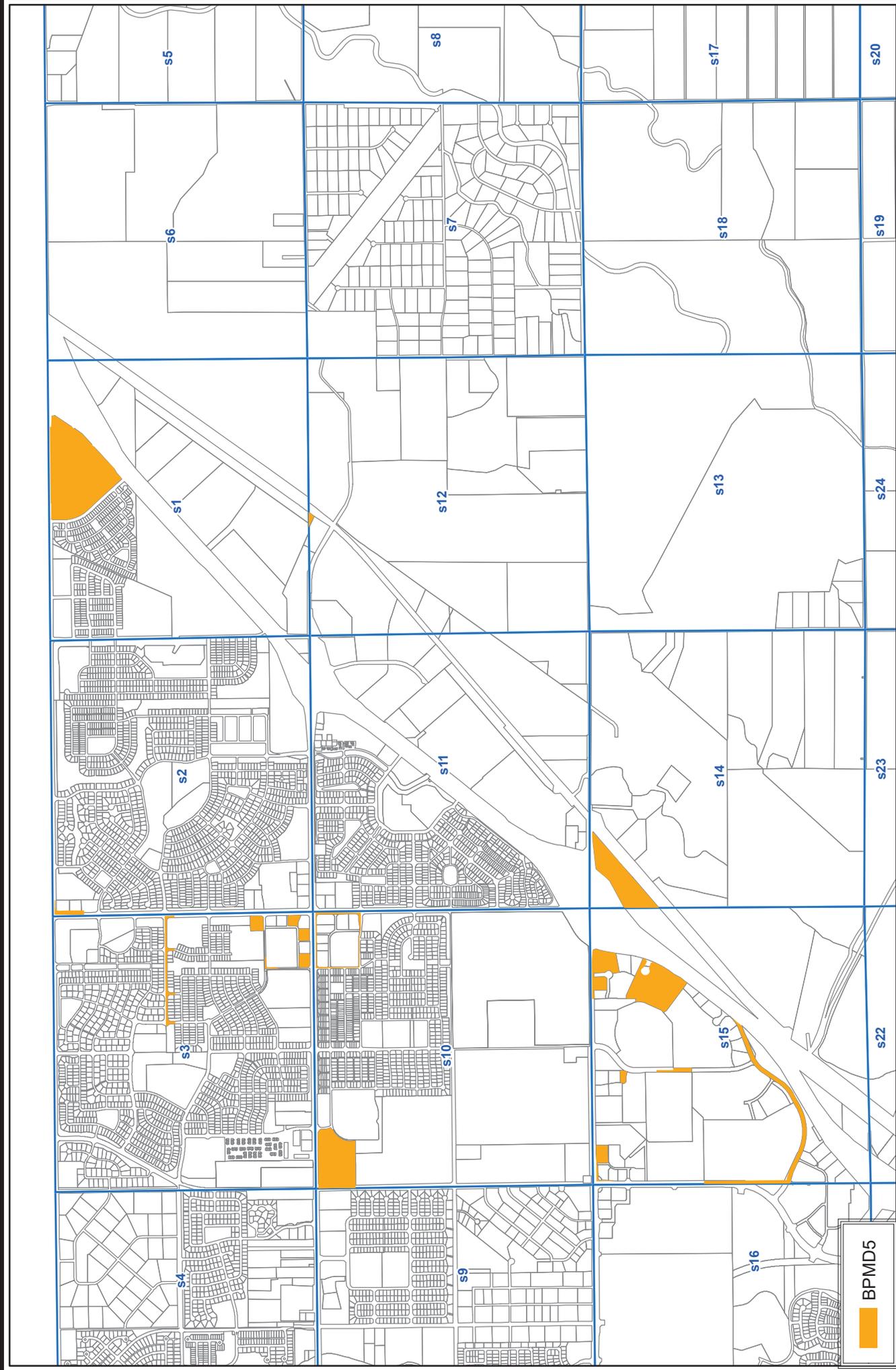
- j. Notice of any uncured defaults existing for more than ninety (90) days under any debt instrument;

The District has not received any notices of uncured events of default under any Debt instrument.

- k. Any inability of the District to pay its obligations as they become due under any obligation which continue beyond a ninety (90) day period.

The District is not aware of any conditions or events that prohibit or limit the District's ability to pay its obligations as they become due under any obligation which continues beyond a ninety (90) day period.

EXHIBIT A  
BOUNDARY MAP



**BROMLEY PARK METRO DISTRICT 5 (BPM5 182)  
DISTRICT BOUNDARY AS OF 11/15/2022**



Map Generation Date:  
11/15/2022



**ADAMS COUNTY**  
**ASSESSOR'S OFFICE**  
**ADAMS COUNTY, COLORADO**  
 4430 S. Adams County Pkwy., 2nd Floor  
 Brighton, CO 80601  
 Phone: (720) 523-6038; Fax (720) 523-6037  
 Police Response System (720) 523-6380  
 www.adco.gov

Disclaimer:  
 Although every reasonable effort has been made to ensure the accuracy of the public information data and graphic representation, Adams County cannot be responsible for consequences resulting from any omissions or errors contained herein. Adams County assumes no liability whatsoever associated with the use or misuse of this data.

**BPM5**

EXHIBIT B  
2023 BUDGET RESOLUTION

**BUDGET RESOLUTION**

**(2023)**

**CERTIFIED COPY OF RESOLUTION**

STATE OF COLORADO )  
 ) ss.  
COUNTY OF ADAMS )

At the regular meeting of the Board of Directors of Bromley Park Metropolitan District No. 5, County of Adams, Colorado, held at 11:30 AM on Tuesday, November 22, 2022, at 8390 E Crescent Parkway, Suite 300, Greenwood Village, CO 80111, by videoconference at <https://us06web.zoom.us/j/83989598417>, and by teleconference at +1 669 900 6833, Meeting ID: 839 8959 8417, there were present:

Robert A. Lembke  
James A. Korpala  
Ronald E. von Lembke  
Richard E. Damiano  
Joshua Shipman

Also present was Michael Davis. Marisa Davis and Hilary Adams of the Law Office of Michael E. Davis, LLC (“District Counsel”); Debbie Genella, Front Range Metropolitan Maintenance & Administration; Kevin Collins; and Jason Carroll and Misty Raup, CliftonLarsonAllen, LLP.

District Counsel reported that, prior to the meeting, legal counsel had notified each of the directors of the date, time and place of this meeting and the purpose for which it was called. District Counsel further reported that this is a regular meeting of the Board of Directors of the District and that a notice of the meeting was posted on the District’s public website or at a public place within the boundaries of the District pursuant to applicable statutes and at the Adams County Clerk and Recorder’s Office, and to the best of their knowledge, remains posted to the date of this meeting.

Thereupon, Director Damiano introduced and moved the adoption of the following Resolution:

## RESOLUTION

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND, ADOPTING A BUDGET, LEVYING GENERAL PROPERTY TAXES FOR THE YEAR TO HELP DEFRAID THE COSTS OF THE GOVERNMENT, AND APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE BROMLEY PARK METROPOLITAN DISTRICT NO. 5, ADAMS COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2023 AND ENDING ON THE LAST DAY OF DECEMBER, 2023.

WHEREAS, the Board of Directors (the “Board”) of the Bromley Park Metropolitan District No. 5 (the “District”) has authorized its consultants, treasurer and legal counsel to prepare and submit a proposed budget to said governing body no later than October 15, 2022; and

WHEREAS, the proposed 2023 budget has been submitted to the Board for its consideration; and

WHEREAS, upon due and proper notice, posted in accordance with Colorado law and published on Thursday, October 27, 2022 in the Brighton Standard-Blade, said proposed budget was open for inspection by the public at a designated place, a public hearing was held at 11:30 AM on Tuesday, November 22, 2022, and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, the budget being adopted by the Board has been prepared based on the best information available to the Board regarding the effects of Article X, Section 20 of the Colorado Constitution; 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.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BROMLEY PARK METROPOLITAN DISTRICT NO. 5, ADAMS COUNTY, COLORADO, AS FOLLOWS:

Section 1. Summary of 2023 Revenues and 2023 Expenditures. That the estimated revenues and expenditures for each fund for fiscal year 2023, as more specifically set forth in the budget attached hereto, are accepted and approved.

Section 2. Adoption of Budget. That the budget as submitted, or as amended, and attached hereto and incorporated herein is approved and adopted as the budget of the District for fiscal year 2023.

Section 3. 2023 Levy of General Property Taxes. That the foregoing budget indicates that the amount of money from property tax revenue necessary to balance the budget for the General Fund for operating expenses is \$125,633, and that the 2022 valuation for assessment, as certified by the Adams County Assessor, is \$8,973,780. That for the purposes of meeting all general operating expenses of the District during the 2023 budget year, there is hereby levied a tax of 14.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District during the year 2022.

Section 4. 2023 Levy of Debt Retirement Expenses. That the foregoing budget indicates that the amount of money from property tax revenue necessary to balance the budget for the Debt Service Fund for debt retirement expense is \$233,318, and that the 2022 valuation for assessment, as certified by the Adams County Assessor, is \$8,973,780. That for the purposes of meeting all debt retirement expenses of the District during the 2023 budget year, there is hereby levied a tax of 26.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District during the year 2022.

Section 5. Certification to Board of County Commissioners. That the attorney, accountant or manager for the District is hereby authorized and directed to certify to the Adams County Board of County Commissioners, no later than December 15, 2022, the mill levies for the District hereinabove determined and set. That said certification shall be substantially in the same form as attached hereto and incorporated herein by this reference.

Section 6. Appropriations. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached hereto, are hereby appropriated from the revenue of each fund, to each fund, for the purposes stated and no other.

Section 7. Budget Certification. That the budget shall be certified by the Secretary/Treasurer of the District, and made a part of the public records of the District.

The foregoing Resolution was seconded by Director R von Lembke.

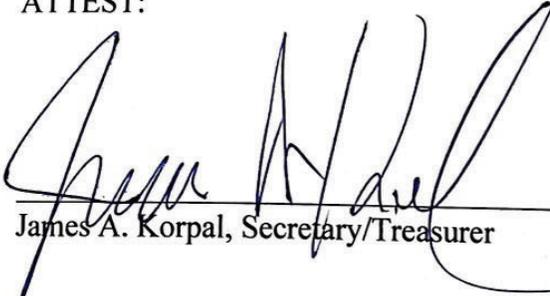
RESOLUTION APPROVED AND ADOPTED ON NOVEMBER 22, 2022.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5

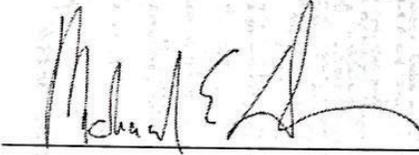
By:

  
\_\_\_\_\_  
Robert A. Lembke, President

ATTEST:

  
\_\_\_\_\_  
James A. Korpala, Secretary/Treasurer

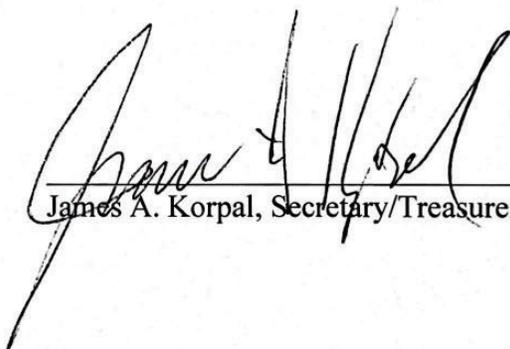
APPROVED AS TO FORM:  
LAW OFFICE OF MICHAEL E. DAVIS, LLC  
As General Counsel to the District

  
\_\_\_\_\_

STATE OF COLORADO  
COUNTY OF ADAMS  
BROMLEY PARK METROPOLITAN DISTRICT NO. 5

I, James A. Korpala, hereby certify that I am a director and the duly elected and qualified Secretary/Treasurer of Bromley Park Metropolitan District No. 5 (the "District"), and that the foregoing constitutes a true and correct copy of the record of proceedings of the Board of Directors of said District adopted at a meeting of the Board of Directors of the District held at 11:30 AM on Tuesday, November 22, 2022, at 8390 E Crescent Parkway, Suite 300, Greenwood Village, CO 80111, by videoconference at <https://us06web.zoom.us/j/83989598417>, and by teleconference at +1 669 900 6833, Meeting ID: 839 8959 8417, as recorded in the official record of the proceedings of the District, insofar as said proceedings relate to the budget hearing for fiscal year 2023; that said proceedings were duly had and taken; that the meeting was duly held; and that the persons were present at the meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto subscribed my name on November 22, 2022.



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James A. Korpala, Secretary/Treasurer

**EXHIBIT A**  
**2023 BUDGET DOCUMENT & BUDGET MESSAGE FOR**  
**BROMLEY PARK METROPOLITAN DISTRICT NO. 5**

**BROMLEY PARK METROPOLITAN DISTRICT NO. 5**  
**ANNUAL BUDGET**  
**FOR THE YEAR ENDING DECEMBER 31, 2023**

**BROMLEY PARK METRO DISTRICT NO. 5  
SUMMARY  
2023 BUDGET  
WITH 2021 ACTUAL AND 2022 ESTIMATED  
For the Years Ended and Ending December 31,**

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCES	\$ 1,034,089	\$ 1,094,019	\$ 32,703
REVENUES			
Property Taxes	271,718	301,406	358,951
Specific Ownership Taxes	22,597	13,500	25,127
Interest Income	753	1,150	779
South Beebe reimbursement	-	147,000	-
Other	-	36,792	-
Payment in Lieu of Taxes	193,984	181,531	180,000
Total revenues	<u>489,052</u>	<u>681,379</u>	<u>564,857</u>
TRANSFERS IN	<u>-</u>	<u>425,000</u>	<u>50,000</u>
Total funds available	<u>1,523,141</u>	<u>2,200,398</u>	<u>647,560</u>
EXPENDITURES			
General Fund	79,685	133,882	151,584
Debt Service Fund	349,330	355,195	359,078
Capital Projects Fund	107	1,253,618	-
Total expenditures	<u>429,122</u>	<u>1,742,695</u>	<u>510,662</u>
TRANSFERS OUT	<u>-</u>	<u>425,000</u>	<u>50,000</u>
Total expenditures and transfers out requiring appropriation	<u>429,122</u>	<u>2,167,695</u>	<u>560,662</u>
ENDING FUND BALANCES	<u>\$ 1,094,019</u>	<u>\$ 32,703</u>	<u>\$ 86,897</u>
EMERGENCY RESERVE	\$ 3,700	\$ 3,200	\$ 3,800
AVAILABLE FOR OPERATIONS	136,788	9,098	32,947
	<u>\$ 140,488</u>	<u>\$ 12,298</u>	<u>\$ 36,747</u>
DEBT SERVICE	309,505	20,405	50,151
CAPITAL PROJECTS	644,026	-	-
TOTAL	<u>\$ 1,094,019</u>	<u>\$ 32,703</u>	<u>\$ 86,897</u>

No assurance provided. See summary of significant assumptions.

**BROMLEY PARK METRO DISTRICT NO. 5  
PROPERTY TAX SUMMARY INFORMATION  
2023 BUDGET  
WITH 2021 ACTUAL AND 2022 ESTIMATED  
For the Years Ended and Ending December 31,**

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
<b>ASSESSED VALUATION</b>	\$ 6,820,740	\$ 7,535,150	\$ -
Residential	-	-	32,900
Commercial	-	-	8,774,230
Agricultural	-	-	700
Vacant land	-	-	92,030
State Assessed	-	-	73,920
	<u>6,820,740</u>	<u>7,535,150</u>	<u>8,973,780</u>
Certified Assessed Value	<u>\$ 6,820,740</u>	<u>\$ 7,535,150</u>	<u>\$ 8,973,780</u>
 <b>MILL LEVY</b>			
General	14.000	14.000	14.000
Debt Service	26.000	26.000	26.000
Total mill levy	<u>40.000</u>	<u>40.000</u>	<u>40.000</u>
 <b>PROPERTY TAXES</b>			
General	\$ 95,490	\$ 105,492	\$ 125,633
Debt Service	177,339	195,914	233,318
Levied property taxes	<u>272,829</u>	<u>301,406</u>	<u>358,951</u>
Adjustments to actual/rounding	(1,111)	-	-
Budgeted property taxes	<u>\$ 271,718</u>	<u>\$ 301,406</u>	<u>\$ 358,951</u>
 <b>BUDGETED PROPERTY TAXES</b>			
General	<b>\$ 95,101</b>	<b>\$ 105,492</b>	<b>\$ 125,633</b>
Debt Service	<b>176,617</b>	<b>195,914</b>	<b>233,318</b>
	<u><b>\$ 271,718</b></u>	<u><b>\$ 301,406</b></u>	<u><b>\$ 358,951</b></u>

No assurance provided. See summary of significant assumptions.

**BROMLEY PARK METRO DISTRICT NO. 5  
GENERAL FUND  
2023 BUDGET  
WITH 2021 ACTUAL AND 2022 ESTIMATED  
For the Years Ended and Ending December 31,**

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCE	\$ 99,887	\$ 140,488	\$ 12,298
REVENUES			
Property taxes	95,101	105,492	125,633
Specific ownership tax	7,909	-	-
Payment in Lieu of Taxes	16,995	-	-
Interest income	281	200	400
Total revenues	<u>120,286</u>	<u>105,692</u>	<u>126,033</u>
TRANSFERS IN			
Transfers from other funds	-	-	50,000
Total funds available	<u>220,173</u>	<u>246,180</u>	<u>188,331</u>
EXPENDITURES			
General and administrative			
Accounting	-	25,000	30,000
Auditing	19,000	15,500	9,000
Accounting Consulting	-	28,000	15,000
County Treasurer's fee	1,429	1,582	1,884
District management	19,482	20,000	25,000
Directors' fees	2,500	3,000	3,000
Dues and licenses	1,355	1,300	1,500
Insurance and bonds	3,126	-	6,000
Legal services	30,512	30,000	30,000
Miscellaneous	292	3,000	5,000
PILOT Payment	-	-	-
Contingency	-	-	13,200
Operations and maintenance			
Support services	1,989	6,500	7,000
Maintenance	-	-	5,000
Total expenditures	<u>79,685</u>	<u>133,882</u>	<u>151,584</u>
TRANSFERS OUT			
Transfers to other fund	-	100,000	-
Total expenditures and transfers out requiring appropriation	<u>79,685</u>	<u>233,882</u>	<u>151,584</u>
ENDING FUND BALANCE	<u>\$ 140,488</u>	<u>\$ 12,298</u>	<u>\$ 36,747</u>
EMERGENCY RESERVE	\$ 3,700	\$ 3,200	\$ 3,800
AVAILABLE FOR OPERATIONS	136,788	9,098	32,947
TOTAL RESERVE	<u>\$ 140,488</u>	<u>\$ 12,298</u>	<u>\$ 36,747</u>

No assurance provided. See summary of significant assumptions.

**BROMLEY PARK METRO DISTRICT NO. 5  
DEBT SERVICE FUND  
2023 BUDGET  
WITH 2021 ACTUAL AND 2022 ESTIMATED  
For the Years Ended and Ending December 31,**

1/4/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCE	\$ 290,225	\$ 309,505	\$ 20,405
REVENUES			
Property taxes	176,617	195,914	233,318
Specific ownership tax	14,688	13,500	25,127
Interest income	316	150	379
Payment in Lieu of Taxes	176,989	181,531	180,000
Total revenues	368,610	391,095	438,824
TRANSFERS IN			
Transfers from other funds	-	-	-
Total funds available	658,835	700,600	459,229
EXPENDITURES			
General and administrative			
County Treasurer's fee	2,654	3,050	3,500
Debt Service			
Loan Principal - Series 2019	101,700	109,600	117,800
Loan Interest - Series 2019	244,976	239,045	234,278
Paying agent fees	-	3,500	3,500
Total expenditures	349,330	355,195	359,078
TRANSFERS OUT			
Transfers to other fund	-	325,000	50,000
Total expenditures and transfers out requiring appropriation	349,330	680,195	409,078
ENDING FUND BALANCE	\$ 309,505	\$ 20,405	\$ 50,151

No assurance provided. See summary of significant assumptions.

**BROMLEY PARK METRO DISTRICT NO. 5  
CAPITAL PROJECTS FUND  
2023 BUDGET  
WITH 2021 ACTUAL AND 2022 ESTIMATED  
For the Years Ended and Ending December 31,**

1/4/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCE	\$ 643,977	\$ 644,026	\$ -
<b>REVENUES</b>			
Interest income	156	800	-
South Beebe reimbursement	-	147,000	-
Other	-	36,792	-
Total revenues	156	184,592	-
<b>TRANSFERS IN</b>			
Transfers from other funds	-	425,000	-
Total funds available	644,133	1,253,618	-
<b>EXPENDITURES</b>			
General and Administrative			
Engineering	-	88,204	-
Miscellaneous	107	-	-
Banking Fees	-	10	-
Repay developer advance	-	5,904	-
Medical center drive	-	174,000	-
Lochbuie Center	-	983,000	-
Capital Projects			
Capital outlay	-	-	-
Custodian fees	-	2,500	-
Total expenditures	107	1,253,618	-
<b>TRANSFERS OUT</b>			
Transfers to other fund	-	-	-
Total expenditures and transfers out requiring appropriation	107	1,253,618	-
ENDING FUND BALANCE	\$ 644,026	\$ -	\$ -

No assurance provided. See summary of significant assumptions.

**BROMLEY PARK METRO DISTRICT NO. 5  
2023 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Services Provided**

The District was organized to provide construction, installation, financing, and operation of public improvements, including streets and safety control, street lighting, landscaping, water, sanitary sewer, storm drainage, television relay facilities, park and recreation, transportation and mosquito control improvements for primarily commercial, retail, and office development within Bromley Park. The District operates under a Service Plan approved by the City on March 7<sup>th</sup>, 2000. The District's service area is located in Adams County, Colorado.

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

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

**Revenues**

**Property Taxes**

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April or, if in equal installments, at the taxpayer's election, in February and June. Delinquent taxpayers are notified in August and generally sales of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District.

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.

Senate Bill 21-293 among other things, designates multi-family residential real property (defined generally, as property that is a multi-structure of four or more units) as a new subclass of residential real property. For tax collection year 2023, the assessment rate for single family residential property decreases to 6.95% from 7.15%. The rate for multifamily residential property, the newly created subclass, decreases to 6.80% from 7.15%. Agricultural and renewable energy production property decreases to 26.4% from 29.0%. Producing oil and gas remains at 87.5%. All other nonresidential property stays at 29%.

**BROMLEY PARK METRO DISTRICT NO. 5  
2023 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Revenues (continued)**

**Specific Ownership Taxes**

Specific ownership taxes are set by the State and collected by the County Treasurer, primarily on vehicle licensing within the County as a whole. The specific ownership taxes are allocated by the County Treasurer to all taxing entities within the County. The budget assumes that the District's share will be equal to approximately 7% of the property taxes collected.

**Net Investment Income**

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

**Expenditures**

**Administrative and Operating Expenditures**

Administrative expenses have been budgeted to include the services traditionally associated with government such as legal, accounting, support services, insurance, maintenance and other administrative expenses.

**County Treasurer's Fees**

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

**Capital Outlay**

Anticipated capital outlay expenditures are based on potential capital projects the district may construct.

**Debt Service Expenditures**

On July 24, 2019, the District issued a \$5,750,000 Refunding and Improvement Revenue Note Series 2019 (Series 2019 Note). The Series 2019 Note matures on July 24, 2029. The interest rate on the Series 2019 Note is 4.35% per annum. Principal and interest payments on the Series 2019 Note are due annually on December 1. The Series 2019 Note is secured by and payable from pledged revenues, which consist primarily of ad valorem property taxes, payments in lieu of taxes and specific ownership taxes remitted to the District from collections by the county primarily from motor vehicle licensing. The note is currently callable without Premium.

**Leases**

The District has no operating or capital leases.

**BROMLEY PARK METRO DISTRICT NO. 5  
2023 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Reserves**

**Emergency Reserve**

The District has provided for an emergency reserve fund equal to 3% or more of its fiscal year spending for 2023 (excluding any bonded debt service) pursuant to TABOR.

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

**BROMLEY PARK METRO DISTRICT NO. 5  
2023 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Schedule of Long-Term Obligations**

	<b>Balance at December 31, 2021</b>	<b>Additions</b>	<b>Reductions</b>	<b>Balance at December 31, 2022</b>
Direct borrowing debt:				
Series 2019 Refunding and Improvement Revenue Note	\$ 5,495,300	\$ -	\$ 109,600	\$ 5,385,700
Direct placement debt:				
Promissory Note Series 2010A				
Principal	4,860,260	-		4,860,260
Interest	4,000,435	388,821		4,389,256
Developer advances				
Principal	5,000	-	5,000	-
Interest	2,047	-	2,047	-
	<u>\$ 14,075,571</u>	<u>\$ 388,821</u>	<u>\$ 116,647</u>	<u>\$ 14,635,216</u>

**BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY**

**\$5,750,000 Series 2019  
Refunding and Improvement Revenue Note  
Dated July 1, 2019  
Interest Rate of 4.35%  
Principal and Interest Due December 1**

	<b>Principal</b>	<b>Interest</b>	<b>Total Debt Service Payments</b>
2023	\$ 117,800	\$ 234,278	\$ 352,078
2024	126,400	229,154	355,554
2025	135,500	223,655	359,155
2026	144,900	217,761	362,661
2027	154,900	211,458	366,358
2028	165,200	204,720	369,920
2029	4,541,000	127,848	4,668,848
	<b>\$ 5,385,700</b>	<b>\$ 1,448,874</b>	<b>\$ 6,834,574</b>

**CERTIFICATION OF TAX LEVIES<sup>1</sup> for NON-SCHOOL Governments**

**TO:** County Commissioners<sup>1</sup> of ADAMS COUNTY, Colorado.

On behalf of the BROMLEY PARK METROPOLITAN DISTRICT NO. 5,  
 (taxing entity)<sup>A</sup>

the BOARD OF DIRECTORS  
 (governing body)<sup>B</sup>

of the BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
 (local government)<sup>C</sup>

**Hereby** officially certifies the following mills to be levied against the taxing entity's GROSS \$ 8,973,780 assessed valuation of: (GROSS<sup>D</sup> assessed valuation, Line 2 of the Certification of Valuation Form DLG 57<sup>E</sup>)

**Note:** If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area<sup>F</sup> the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ 8,973,780 (NET<sup>G</sup> assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)  
**USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10**

**Submitted:** 12/05/2022 for budget/fiscal year 2023.  
 (no later than Dec. 15) (mm/dd/yyyy) (yyyy)

<b>PURPOSE</b> (see end notes for definitions and examples)	<b>LEVY<sup>2</sup></b>	<b>REVENUE<sup>2</sup></b>
1. General Operating Expenses <sup>H</sup>	<u>14.000</u> mills	<u>\$ 125,633</u>
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction <sup>I</sup>	< > mills	\$ < >
<b>SUBTOTAL FOR GENERAL OPERATING:</b>	<b><u>14.000</u> mills</b>	<b><u>\$ 125,633</u></b>
3. General Obligation Bonds and Interest <sup>J</sup>	<u>26.000</u> mills	<u>\$ 233,318</u>
4. Contractual Obligations <sup>K</sup>	_____ mills	\$ _____
5. Capital Expenditures <sup>L</sup>	_____ mills	\$ _____
6. Refunds/Abatements <sup>M</sup>	_____ mills	\$ _____
7. Other <sup>N</sup> (specify): _____	_____ mills	\$ _____
	_____ mills	\$ _____
<b>TOTAL:</b> [ Sum of General Operating Subtotal and Lines 3 to 7 ]	<b><u>40.000</u> mills</b>	<b><u>\$358,951</u></b>

Contact person: Kevin Collins Daytime phone: (303) 521-8625

Signed: Kevin Collins Title: CFO

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.

<sup>1</sup> If the taxing entity's boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.  
<sup>2</sup> Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's **FINAL** certification of valuation).



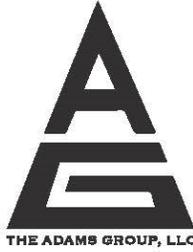
EXHIBIT C  
2022 AUDIT FINANCIAL STATEMENTS

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
Adams County, Colorado

FINANCIAL STATEMENTS  
DECEMBER 31, 2022

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CERTIFIED PUBLIC ACCOUNTANTS

## INDEPENDENT AUDITORS' REPORT

Board of Directors  
Bromley Park Metropolitan District No. 5  
Adams County, Colorado

### **Opinions**

We have audited the accompanying financial statements of the governmental activities and each major fund of the Bromley Park Metropolitan District No. 5 (the District) as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District, as of December 31, 2022, and the respective changes in financial position and the respective budgetary comparison schedule for the General Fund, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

### **Basis for Opinions**

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### **Responsibilities of Management for the Financial Statements**

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

## **Auditors' Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

### **Required Supplementary Information**

Management has omitted the Management's Discussion and Analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinions on the basic financial statements are not affected by this missing information.

### **Supplementary Information**

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's basic financial statements. The budgetary comparison schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the

underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the budgetary comparison schedules are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

**Other Information**

Management is responsible for the other information included in the basic financial statements. The other information comprises the schedule of debt service requirements to maturity and the schedule of assessed valuation, mill levy, and property taxes collected, but does not include the basic financial statements and our auditors' report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

*The Adams Group, LLC*

Denver, Colorado  
March 27, 2023

## BASIC FINANCIAL STATEMENTS

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
STATEMENT OF NET POSITION  
DECEMBER 31, 2022

	<u>Governmental Activities</u>
<u>Assets</u>	
Cash and investments - unrestricted	\$ 962,187
Cash and investments - restricted	56,237
Prepaid item	3,685
Receivable from county treasurer	1,681
Property taxes receivable	358,951
Due from other entities	137,782
Capital assets, not being depreciated	2,454,888
Total Assets	3,975,411
 <u>Liabilities</u>	
Accounts payable	563,933
Retainage payable	95,460
Accrued payroll	3,660
Due to other governments	13,505
Accrued interest on notes	19,523
Noncurrent liabilities:	
Due within one year	117,800
Due in more than one year	
Accrued interest on promissory notes	4,389,256
Bonds, notes and developer advances	10,129,506
Total Liabilities	15,332,643
 <u>Deferred Inflows of Resources</u>	
Unavailable property taxes	358,951
Total Deferred Outflows of Resources	358,951
 <u>Net Position</u>	
Net investment in capital assets	(2,296,160)
Restricted	
Emergencies	20,000
Debt service	64,517
Capital projects	137,782
Unrestricted	(9,642,322)
Total Net Position	\$ (11,716,183)

The accompanying notes are an integral part of the financial statements.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
STATEMENT OF ACTIVITIES  
YEAR ENDED DECEMBER 31, 2022

Functions/Programs	Program Revenues				Net (Expense) Revenue and Changes in Net Position
Governmental Activities:	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities
General government	\$ 153,922	\$ -	\$ -	\$ -	\$ (153,922)
Interest and expenses on long-term debt	629,174	-	-	-	(629,174)
Total Governmental Activities	\$ 783,096	\$ -	\$ -	\$ -	(783,096)

GENERAL REVENUES:

Property taxes	289,193
Specific ownership taxes	22,077
Payments in lieu of taxes	181,531
Investment earnings	8,434
Other revenue	104,432
Total General revenues	605,667
Change in net position	(177,429)
Net Position, Beginning	(11,538,754)
Net Position, Ending	\$ (11,716,183)

The accompanying notes are an integral part of the financial statements.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
GOVERNMENTAL FUNDS – BALANCE SHEET  
DECEMBER 31, 2022

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
<u>Assets</u>				
Cash and investments - unrestricted	\$ 287,608	\$ 34,865	\$ 639,714	\$ 962,187
Cash and investments - restricted	-	56,237	-	56,237
Receivable with county treasurer	-	1,681	-	1,681
Property taxes receivable	125,633	233,318	-	358,951
Due from other entities	-	-	137,782	137,782
Prepaid items	3,685	-	-	3,685
Total Assets	\$ 416,926	\$ 326,101	\$ 777,496	\$ 1,520,523
<u>Liabilities, deferred inflows of resources and fund balance</u>				
Liabilities:				
Accounts payable	\$ 19,679	\$ -	\$ 544,254	\$ 563,933
Retainage payable	-	-	95,460	95,460
Accrued payroll	3,660	-	-	3,660
Due to other governments	4,762	8,743	-	13,505
Total Liabilities	28,101	8,743	639,714	676,558
<u>Deferred inflows of resources</u>				
Unavailable property taxes	125,633	233,318	-	358,951
Total Deferred Inflows of Resources	125,633	233,318	-	358,951
Fund balance:				
Nonspendable				
Prepaid items	3,685	-	-	3,685
Restricted				
Emergencies	20,000	-	-	20,000
Debt service	-	84,040	-	84,040
Capital projects	-	-	137,782	137,782
Unassigned	239,507	-	-	239,507
Total Fund Balances	263,192	84,040	137,782	485,014
Total Liabilities, Deferred Inflows of Resources and Fund Balance	\$ 416,926	\$ 326,101	\$ 777,496	\$ 1,520,523

The accompanying notes are an integral part of the financial statements.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET  
TO THE STATEMENT OF NET POSITION  
DECEMBER 31, 2022

Total fund balance, governmental fund \$ 485,014

Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not financial resources and therefore, are not reported in the governmental funds. 2,454,888

Long-term liabilities, including loans payable are not due and payable in the current period, and therefore, are not reported in governmental funds.

Notes payable (10,245,960)

Developer advances payable (1,346)

Accrued interest on notes (4,408,779)

Total net position of governmental activities \$ (11,716,183)

The accompanying notes are an integral part of the financial statements.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
STATEMENT OF REVENUES, EXPENDITURES, AND  
CHANGES IN FUND BALANCE – GOVERNMENTAL FUNDS  
YEAR ENDED DECEMBER 31, 2022

	<u>General Fund</u>	<u>Debt Service Fund</u>	<u>Capital Projects Fund</u>	<u>Total Governmental Funds</u>
<u>Revenues</u>				
Taxes:				
Property taxes	\$ 101,217	\$ 187,976	\$ -	\$ 289,193
Specific ownership taxes	-	22,077	-	22,077
Payment in lieu of taxes (PILOT)	-	181,531	-	181,531
Earnings on investments	172	4,086	4,176	8,434
Other revenue	-	-	368,213	368,213
Total revenues	<u>101,389</u>	<u>395,670</u>	<u>372,389</u>	<u>869,448</u>
<u>Expenditures</u>				
Current:				
Audit	15,500	-	-	15,500
County treasury fees	1,642	3,049	-	4,691
Director's fees	3,400	-	-	3,400
District management and accounting	95,566	-	-	95,566
Dues and subscriptions	736	-	-	736
Legal	28,633	-	-	28,633
Repairs and maintenance	143	-	-	143
Support services	4,901	-	-	4,901
Other expenditures	350	-	2	352
Capital outlay	-	-	968,480	968,480
Debt service:				
Principal	-	109,600	3,654	113,254
Interest and fiscal charges	-	240,546	2,251	242,797
Total expenditures	<u>150,871</u>	<u>353,195</u>	<u>974,387</u>	<u>1,478,453</u>
<u>Other Financing Sources (Uses)</u>				
Transfers in	172,186	-	95,754	267,940
Transfers out	-	(267,940)	-	(267,940)
Total other financing sources (uses)	<u>172,186</u>	<u>(267,940)</u>	<u>95,754</u>	<u>-</u>
Net change in fund balances	122,704	(225,465)	(506,244)	(609,005)
Fund balances - beginning	140,488	309,505	644,026	1,094,019
Fund balances - ending	<u>\$ 263,192</u>	<u>\$ 84,040</u>	<u>\$ 137,782</u>	<u>\$ 485,014</u>

The accompanying notes are an integral part of the financial statements.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
RECONCILIATION OF THE STATEMENT REVENUE, EXPENDITURES,  
AND CHANGES IN FUND BALANCE OF GOVERNMENTAL FUNDS  
TO THE STATEMENT OF ACTIVITIES  
YEAR ENDED DECEMBER 31, 2022

Net change in fund balance - total governmental fund: \$ (609,005)

Amounts reported for governmental activities in the statement of activities are different because:

Capital outlays to purchase or construct capital assets are reported in governmental fund as expenditures. However, for governmental activities those costs are capitalized in the statement of net position and are allocated over their estimated useful lives as annual depreciation expense in the statement of activities.

Capital outlay 968,480

Revenues not available to pay for current period expenditures are deferred in the governmental funds but recorded as general revenues in the statement of net position

(263,781)

The issuance of long-term debt provides current financial resources to fund, while the repayment of the principal of long-term debt consumes the current financial resources of governmental fund. Neither transaction, however, has any effect on net position.

Principal payments 113,254

Some expenses in the statement of activities do not require the use of current financial resources and are, therefore, not reported as expenditures in the governmental fund.

Change in accrued interest on developer advances 2,047

Change in accrued interest on notes (388,424)

Change in net position of governmental activities \$ (177,429)

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES  
IN FUND BALANCE – BUDGET AND ACTUAL – GENERAL FUND  
FOR THE YEAR ENDED DECEMBER 31, 2022

	Original Budget	Final Budget	Actual	Variance Positive (Negative)
<u>Revenues</u>				
Taxes:				
Property taxes	\$ 105,492	\$ 105,492	\$ 101,217	\$ (4,275)
Specific ownership taxes	8,500	8,500	-	(8,500)
Payment in lieu of taxes (PILOT)	14,500	14,500	-	(14,500)
Earnings on investments	2,000	2,000	172	(1,828)
Total revenues	<u>130,492</u>	<u>130,492</u>	<u>101,389</u>	<u>(29,103)</u>
<u>Expenditures</u>				
Current:				
Audit	4,600	4,600	15,500	(10,900)
County treasury fees	1,582	1,582	1,642	(60)
Director's fees	3,000	3,000	3,400	(400)
District management and accounting	45,000	45,000	95,566	(50,566)
Dues and subscriptions	1,500	1,500	736	764
Insurance and bonds	6,000	6,000	-	6,000
Legal	25,000	25,000	28,633	(3,633)
PILOT payment	14,500	14,500	-	14,500
Maintenance	5,000	5,000	143	4,857
Support services	5,000	5,000	4,901	99
Other expenditures	5,000	5,000	350	4,650
Contingency reserve	4,100	133,818	-	133,818
Total expenditures	<u>120,282</u>	<u>250,000</u>	<u>150,871</u>	<u>99,129</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	10,210	(119,508)	(49,482)	70,026
<u>Other Financing Sources</u>				
Transfers in	5,000	5,000	172,186	167,186
Total other financing sources	<u>5,000</u>	<u>5,000</u>	<u>172,186</u>	<u>167,186</u>
Net change in fund balances	15,210	(114,508)	122,704	237,212
Fund balances - beginning	123,893	140,488	140,488	-
Fund balances - ending	<u>\$ 139,103</u>	<u>\$ 25,980</u>	<u>\$ 263,192</u>	<u>\$ 237,212</u>

The accompanying notes are an integral part of the financial statements.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 1 – DEFINITION OF REPORTING ENTITY

Bromley Park Metropolitan District No. 5 (District), a quasi-municipal corporation and political subdivision of the State of Colorado was organized on November 27, 2000 and is governed pursuant to provisions of the Colorado Special District Act. The District's service area is located in Adams and Weld Counties, Colorado, and almost entirely within the Cities of Brighton and Lochbuie (the Cities).

The District was established principally to provide for the construction, acquisition, and installation of streets and safety control, street lighting, landscaping, storm drainage, television relay, water, sanitary sewer, transportation, mosquito control, and park and recreation improvements and facilities, and for the ongoing maintenance of street lighting, street landscaping and park and recreation facilities, within and without the boundaries of the District.

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

The District follows the Governmental Accounting Standards Board (GASB) accounting pronouncements, which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB pronouncements set forth the financial accountability of a governmental organization's elected governing body as the basic criterion for including a possible component governmental organization in a primary government's legal entity. Financial accountability includes, but is not limited to, appointment of a voting majority of the organization's governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens and fiscal dependency.

The District is not financially accountable for any other District organization nor is the District a component unit of any other primary governmental entity.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The more significant accounting policies of the District are described as follows:

Government-wide and Fund Financial Statements

The government-wide financial statements include the statement of net position and the statement of activities. These financial statements include all of the activities of the District. For the most part, the effect of inter-fund activity has been removed from these statements. Governmental activities are normally supported by taxes and intergovernmental revenues.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

The statement of net position reports all financial and capital resources of the District. The difference between assets plus deferred outflows of resources and liabilities plus deferred inflows of resources is reported as net position.

The statement of activities demonstrates the degree to which the direct and indirect expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds. Major individual governmental funds are reported as separate columns in the fund financial statements.

Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Grants and similar items are recognized as revenues as soon as all eligibility requirements imposed by the provider have been met. Depreciation is computed and recorded as an operating expense. Expenditures for property and equipment are shown as increases in assets, and redemption of bonds, notes and developer advances are recorded as a reduction in liabilities.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. The major sources of revenue susceptible to accrual are property taxes and specific ownership taxes. Expenditures, other than interest on long-term obligations are recorded when the liability is incurred, or the long-term obligation is due. All other revenue items are considered to be measurable and available only when cash is received by the District.

The District reports the following major governmental funds:

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

The *General Fund* is the District's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in other funds.

The *Debt Service Fund* accounts for the resources accumulated and payments made for principal, interest, and related expenses on long-term general obligation debt of the governmental funds.

The *Capital Projects Fund* is used to account for the financial resources to be used for the acquisition and construction of infrastructure in conjunction with the bond financing terms.

Budgets

In accordance with the Local Government Budget Law of Colorado, the District's Board of Directors holds public hearings in the fall each year to approve the budget and appropriate the funds for the ensuing year. The appropriation is at the total fund expenditures level which includes other financing uses and lapses at year end. The District's Board of Directors can modify the budget by line item within the total appropriation without notification. The appropriation can only be modified upon completion of notification and publication requirements. The budget includes each fund on its basis of accounting unless otherwise indicated.

Assets, Liabilities, Deferred Inflows of Resources, and Fund Balance / Net Position

Pooled Cash and Investments

The District's cash and cash equivalents are considered to be cash on hand and short-term investments with maturities of three months or less from the date of acquisition. Investments are reported at fair value.

The District follows the practice of pooling cash and investments of all funds to maximize investment earnings. Except when required by trust or other agreements, all cash is deposited to and disbursed from a single account. Cash in excess of immediate operating requirements is pooled for deposit and investment flexibility.

Investment earnings are allocated periodically to the participating funds based upon each fund's average equity balance in the total cash.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

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 30 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.

Property taxes, net of estimated uncollectible taxes, are recorded initially as deferred inflows of resources in the year they are levied and measurable. The deferred inflows of resources related to property tax revenues are recorded as revenue in the year they are available or collected.

Capital Assets

Capital assets, which include equipment and infrastructure assets (e.g. wells, storm drainage and similar items), are reported as a governmental activity in the government-wide financial statements. Such assets are recorded at acquisition value or estimated acquisition value if purchased or constructed. Donated capital assets are recorded at estimated acquisition value at the date of donation. It is the District’s policy to capitalize those assets with a cost or value of \$5,000 or more.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend the life of the asset are not capitalized. Improvements that will be dedicated to other governmental entities are not depreciated. Improvements to be owned by the District, with the exception of certain landscaping improvements (e.g. trees, sod, and similar items), are capitalized and depreciated over the remaining useful lives of the related fixed assets, as applicable.

Certain capital assets constructed by the District in prior years have been conveyed to other governmental entities.

Long-Term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Deferred Inflows of Resources

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The revenue continues to be recognized when earned in the government-wide statements. The District has two items that qualify for reporting in this category. Accordingly, unavailable property tax revenue and unavailable IGA revenue, is deferred and recognized as an inflow of resources in the period that the amount becomes available.

Fund Balances – Governmental Funds

The District’s governmental fund balances may consist of five classifications based on the relative strength of the spending constraints:

*Nonspendable fund balance* – the amount of fund balance that is not in spendable form (such as inventory or prepaids) or is legally or contractually required to be maintained intact.

*Restricted fund balance* – the amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions or by enabling legislation.

The restricted fund balance in the General Fund represents Emergency Reserves that have been provided as required by Article X, Section 20 of the Colorado Constitution. A portion of the General Fund balance has been restricted in compliance with this requirement.

The restricted fund balance in the Debt Service Fund is restricted for the payment of the costs associated with the Series 2019 Refunding and Improvement Revenue Note (See Note 5).

*Committed fund balance* – amounts constrained to specific purposes by the District itself, using its highest level of decision-making authority (i.e. Board of Directors). To be reported as committed, amounts cannot be used for any other purpose unless the District takes the same highest level of action to remove or change the constraint.

*Assigned fund balance* – amounts the District intends to use for a specific purpose. Intent can be expressed by the District Board of Directors or by an official or body to which the District Board of Directors delegates the authority.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

*Unassigned fund balance* – amounts that are available for any purpose.

When an expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available, the District considers restricted funds to have been spent first. When an expenditure is incurred for which committed, assigned or unassigned fund balances are available, the District considers amounts to have been spent first out of committed funds, then assigned funds, and finally unassigned funds, as needed, unless the District Board of Directors has provided otherwise in its commitment or assignment actions.

Net Position

Net Position represents the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources. The District can report up to three categories of net position, as follows:

*Net investment in capital assets* – consists of net capital assets, reduced by outstanding balances of any related debt obligations and deferred inflows of resources attributable to the acquisition, construction, or improvement of those assets and increased by balances of deferred outflows of resources related to those assets.

*Restricted net position* – net position is considered restricted if their use is constrained to a particular purpose. Restrictions are imposed by external organizations such as federal or state laws. Restricted net position is reduced by liabilities and deferred inflows of resources related to the restricted assets.

*Unrestricted net position* – consists of all other net position that does not meet the definition of the above two components and is available for general use by the District.

When an expense is incurred for purposes for which both restricted and unrestricted net position are available, the District will use the most restrictive net position first.

NOTE 3 – CASH AND INVESTMENTS

Cash and investments as of December 31, 2022, are classified in the accompanying statement of net position as follows:

Cash and investments - unrestricted	\$ 962,187
Cash and investments - restricted	<u>56,237</u>
Total cash and investments	<u><u>\$ 1,018,424</u></u>

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 3 – CASH AND INVESTMENTS (CONTINUED)

Cash and investments as of December 31, 2022, consist of the following:

Deposits with financial institutions	\$	962,187
Investments		<u>56,237</u>
Total cash and investments	\$	<u>1,018,424</u>

Cash Deposits

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. Eligibility is determined by state regulators. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool for all the uninsured public deposits as a group is to be maintained by another institution or held in trust. The market value of the collateral must be at least equal to 102% of the aggregate uninsured deposits.

The State Commissioners for banks and financial services are required by statute to monitor the naming of eligible depositories and reporting of the uninsured deposits and assets maintained in the collateral pools.

At December 31, 2022, the District's cash deposits had a bank and carrying balance of \$962,187.

Investments

The District has not adopted a formal investment policy; however, the District follows state statutes regarding investments.

The District generally limits its concentration of investments to those noted with an asterisk (\*) above, which are believed to have minimal credit risk, minimal interest rate risk, and no foreign currency risk. Additionally, the District is not subject to concentration risk disclosure requirements or subject to investment custodial risk for investments that are in the possession of another party.

Colorado revised statutes limit investment maturities to five years or less unless formally approved by the Board of Directors.

Such actions are generally associated with a debt service reserve or sinking fund requirements. Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local governments may invest, which include:

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 3 – CASH AND INVESTMENTS (CONTINUED)

- Obligations of the United States and certain U.S. government agency securities and the World Bank
- General obligation and revenue bonds of U.S. local government entities
- Bankers’ acceptances of certain banks
- Commercial paper
- Certain reverse repurchase agreements
- Certain securities lending agreements
- Certain corporate bonds
- Written repurchase agreements collateralized by certain authorized securities
- Certain money market funds
- Guaranteed investment contracts
- \* Local government investment pools

As of December 31, 2022, the District had the following investments:

<u>Investment</u>	<u>Maturity</u>	<u>Carrying Amount</u>
Colorado Local Government		
Liquid Asset Trust	Weighted average under 60 days	<u>\$ 56,237</u>

COLOTRUST

The District invests in the Colorado Local Government Liquid Asset Trust (Colotrust), an investment vehicle established for local government entities in Colorado to pool surplus funds. The State Securities Commissioner administers and enforces all State statutes governing Colotrust. Colotrust operates similarly to a money market fund and each share is equal in value to \$1.00. Colotrust offers shares in two portfolios, COLOTRUST PRIME and COLOTRUST PLUS+. Both portfolios may invest in U.S. Treasury securities and repurchase agreements collateralized by U.S. Treasury securities. COLOTRUST PLUS+ may also invest in certain obligations of U.S. government agencies, highest rated commercial paper, and repurchase agreements collateralized by certain obligations of U.S. government agencies.

A designated custodial bank serves as custodian for ColoTrust’s portfolios pursuant to a custodian agreement. The custodian acts as safekeeping agent for ColoTrust’s investment portfolios and provides services as the depository in connection with direct investments and withdrawals.

Investment Valuation

Certain investments that are measured at fair value on a recurring basis are categorized within the fair value hierarchy established by generally accepted accounting principles.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 3 – CASH AND INVESTMENTS (CONTINUED)

The hierarchy is based on the valuation inputs used to measure an asset’s fair value: Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; and Level 3 inputs are significant unobservable inputs.

However, the District’s investments are not measured at fair value and are therefore not categorized within the fair value hierarchy. These investments include 2a7-like external investment pools. The District is permitted in certain circumstances to establish the fair value of an investment that does not have a readily determinable fair value by using the net asset value (NAV) per share (or its equivalent) of the investment.

Colotrust determines the NAV of the shares of each portfolio as of the close of business on each day. The NAV per share of each portfolio is computed by dividing the total value of the securities and other assets of the portfolios, less any liabilities, by the total outstanding shares of the portfolios. Liabilities, which include all expenses and fees of Colotrust, are accrued daily. The NAV is calculated at fair value using various inputs in determine value in accordance with GASB guidance. It is the goal of Colotrust to maintain a NAV of \$1.00 per share, however changes in interest rates may affect the fair value of the securities held by Colotrust and there can be no assurance that the NAV will not vary from \$1.00 per share. There are no unfunded commitments, the redemption frequency is daily and there is no redemption notice period.

NOTE 4 – CAPITAL ASSETS

An analysis of the changes in capital assets for the year ended December 31, 2022, follows:

	Balances December, 31 2021	Additions	Deletions	Balances December, 31 2022
Capital Assets, not being depreciated				
Construction in progress	\$ 1,486,408	\$ 968,480	\$ -	\$ 2,454,888
Total capital assets	\$ 1,486,408	\$ 968,480	\$ -	\$ 2,454,888

In accordance with the District’s service plan, it is anticipated that, the District will dedicate the improvements and facilities to the City of Brighton or South Beebe Draw Metro District. Upon acceptance by the City or South Beebe for maintenance and ownership, the facilities will be removed from the District’s property records. Until dedicated to other governments, the District reports these capital assets as construction in progress.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 4 – CAPITAL ASSETS (CONTINUED)

The District, South Beebe Draw Metropolitan District (SBDMD), and other Districts are party to an amended annexation agreement in which the District or SBDMD is responsible for street reconstruction and asphalt overlays on all streets as requested by the Cities as long as sales and use taxes are remitted by the Cities to SBDMD. SBDMD has budgeted to receive sales and use taxes in fiscal year 2023.

NOTE 5 – LONG-TERM OBLIGATIONS

The following is an analysis of changes in long-term obligations for the year ended December 31, 2022:

	Balances December 31, 2021	Additions	Deletions	Balances December 31, 2022	Due In One Year
Direct Borrowing Debt:					
Series 2019 Refunding and Improvement Revenue Note	\$ 5,495,300	\$ -	\$ 109,600	\$ 5,385,700	\$ 117,800
Direct Placement Debt:					
General Obligation Subordinate Promissory Note Series 2010A					
Principal	4,860,260	-	-	4,860,260	-
Interest	4,000,435	388,821	-	4,389,256	-
Developer advances					
Principal	5,000	-	3,654	1,346	-
Interest	2,047	204	2,251	-	-
Total	<u>\$ 14,363,042</u>	<u>\$ 389,025</u>	<u>\$ 115,505</u>	<u>\$ 14,636,562</u>	<u>\$ 117,800</u>

The detail of the District’s long-term obligations is as follows:

Direct Borrowing Debt:

Refunding and Improvement Revenue Note, Series 2019

On July 24, 2019, the District issued a \$5,750,000 Refunding and Improvement Revenue Note Series 2019 (Series 2019 Note). The Series 2019 Note matures on July 24, 2029. The interest rate on the Series 2019 Note is 4.35% per annum. Principal and interest payments on the Series 2019 Note are due annually on December 1. The Series 2019 Note is secured by and payable from pledged revenues, which consist primarily of ad valorem property taxes, payments in lieu of taxes and specific ownership taxes remitted to the District from collections by the county primarily from motor vehicle licensing.

The Series 2019 Note was acquired for the purpose of providing funds to (i) refund the Series 2010 Bonds and (ii) finance improvements related to public infrastructure.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 5 – LONG-TERM OBLIGATIONS (CONTINUED)

The Series 2019 Note may be prepaid at the option of the District, in whole or in part, without prepayment penalty, upon payment of the sum of the principal amount plus accrued interest thereon to the date of prepayment.

Significant events of default under the Series 2019 Note include (i) failure to impose required mill levy, (ii) failure to pay principal and interest when due, (iii) failure to meet financial or custodial agreement covenants, (iv) legal proceedings including bankruptcy, insolvency, reorganization, etc. as described in the Series 2019 Note agreement, (v) qualified audit opinion with respect to the District’s status as an on-going concern and (vi) judgements against the District or proceedings to dissolve the District or consolidate the District where the District would cease to exist.

Immediately upon the occurrence of an event of default all amounts constituting collateral will be applied to (i) the unpaid principal of the Series 2019 Note, (ii) interest accrued and unpaid thereon, and (iii) all other amounts owing or payable to the lender.

The following table sets forth the estimated debt service payment schedule for the principal and interest on the Series 2019 Note:

Year ended December 31,	Principal	Interest	Total
2023	\$ 117,800	\$ 234,278	\$ 352,078
2024	126,400	229,154	355,554
2025	135,500	223,655	359,155
2026	144,900	217,761	362,661
2027	154,900	211,458	366,358
2028 - 2029	4,706,200	332,568	5,038,768
Total	<u>\$ 5,385,700</u>	<u>\$ 1,448,874</u>	<u>\$ 6,834,574</u>

Direct Placement Debt:

Advance and Reimbursement Agreements

On January 26, 2010, the District entered into an amended and restated advance and reimbursement agreement for capital advances between the District and the Bromley Companies, whereby the balance on the Series 2009A Note plus advances and interest accrued since October 27, 2009, were converted to the Annual Appropriation Converting to General Obligation Subordinate Promissory Note Series 2010A (Series 2010A Note) in the amount of \$7,706,260. All prior agreements and understandings between the District and any or all of the entities which constitute the Bromley Companies were terminated.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 5 – LONG-TERM OBLIGATIONS (CONTINUED)

Certain terms concerning required mill levy and subordinate obligation were amended on March 31, 2010, effective January 26, 2010, with the first modification to amended and restated advance and reimbursement agreement.

Payments on the Series 2010A Note are due annually on December 20th through the maturity date of December 20, 2050. The Series 2010A note bears interest at 8%. Payments on the Series 2010A Note are due annually on December 20<sup>th</sup> through December 20, 20250. Pledged revenue consists of the following sources: (i) net of any collection costs; (ii) property taxes and specific ownership taxes available after payment of senior obligations; and (iii) any other legally available moneys which the District determines in its absolute discretion to apply to payment of the principal and interest on the Series 2010A Note. No payments were made on the Series 2010A Note during 2022. Accrued interest on the 2010A Note totaled \$4,389,256 as of December 31, 2022.

District 5, LLC – Advance and Reimbursement Agreement

The District entered into an advance and reimbursement agreement with S3L Holdings, LLC (S3L) on July 10, 2007. The agreement stipulates that the District shall reimburse S3L for any advances to the District for construction, maintenance and operation costs associated with the provision of certain public improvements, facilities, and services, together with interest at the rate of 7% per annum.

Authorized Debt

On November 7, 2000, a majority of the eligible electors of the District authorized the issuance of indebtedness in an amount not to exceed \$70,000,000 at an interest rate not to exceed 18% per annum. The eligible electors of the District re-voted this authorization at the May 4, 2004, November 6, 2007 and November 4, 2014 elections.

At December 31, 2021, the District had authorized but unissued indebtedness from this election in the following amounts allocated for the following purposes:

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 5 – LONG-TERM OBLIGATIONS (CONTINUED)

	<b>Total Authorized</b>	<b>Remaining at December 31, 2022</b>
Street improvements	\$ 17,000,000	\$ 8,864,097
Park and recreation facilities	2,000,000	1,924,753
Water supply improvements	3,750,000	2,431,573
Sanitary sewer system/storm drainage	4,500,000	2,940,139
Television relay	2,000,000	2,000,000
Mosquito control	500,000	500,000
Public transportation	4,000,000	4,000,000
Operations and maintenance	1,250,000	1,217,770
Debt refunding	35,000,000	29,337,408
Total	\$ 70,000,000	\$ 53,215,740

NOTE 6 – NET POSITION

The District has net position consisting of three components – net investment in capital assets, restricted and unrestricted.

The net investment in capital assets consists of capital assets that will be owned by the District, net of accumulated depreciation and reduced by the outstanding balances of bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvements of those assets. As of December 31, 2022, the District had a deficit net investment in capital assets in the amount of \$2,296,160.

Restricted net position includes amounts that are restricted for use either externally by creditors, grantors, contributors, or laws and regulations of other governments, or as imposed by law through constitutional provisions or enabling legislation. The District’s restricted net position at December 31, 2022, consists of \$20,000 for emergency reserves, \$64,517 for debt service, and \$137,782 restricted for capital projects.

As of December 31, 2022, the District had a deficit unrestricted balance of \$9,642,322 and a deficit net position of \$11,716,183. This deficit amount is the result of the District being responsible for the repayment of bonds and notes issued for public improvements and the related accrued interest on the promissory note outstanding at December 31, 2022.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 7 – RELATED PARTIES

The members of the Board of Directors of the District, South Beebe Draw Metropolitan District, Adams East Metropolitan District, BPMD Nos. 3 and BPMD No. 6 are employees of, owners of, or otherwise associated with BPK, and/or the Bromley Companies, and/or BPK Commercial, LLC, Flywheel Holdings, L.L.C., and/or WCD Corporation and/or S3L Holdings, LLC and/or District 5, LLC (herein referred to as the Affiliates) and may have conflicts of interest in dealing with the District. BPK is the current owner of part of the property previously owned in the District by Bromley Park Associates, L.L.C. The Bromley Companies is the current holder of the Series 2010A Note (see Note 5). Specific details of transactions with the Affiliates regarding organization, advances and debt are described elsewhere in these notes.

NOTE 8 – INTERGOVERNMENTAL AGREEMENTS

Cost Sharing Infrastructure Agreement

Effective January 1, 2019, the District and SBDMD entered into a Cost Sharing Intergovernmental Agreement (CSIA) to designate funds and allocate responsibilities for the financing and construction of public improvements for certain projects to provide efficiencies of scale and cost by collaborating and sharing costs for those certain projects which benefits both districts.

Under the CSIA, the District and SBDMD will append a project statement of work as an exhibit to the CSIA. The exhibit shall be mutually agreed-upon by both districts and duly approved and executed as of the date of such agreement.

The CSIA terminated on December 31, 2022 but automatically renewed for an additional one-year term unless notice of intent to terminate the CSIA is provided by either district no later than October 1 of a succeeding year. Neither party provided a notice of intent to terminate during the 2022 calendar year, so the CSIA automatically renewed for one year beginning January 1, 2023.

During 2019, the District and SBDMD entered into one such project for approximately \$1.8 million for a mixed use (commercial and residential) development with approximately 84% of the costs of the project allocated to the District, approximately 14% of the costs of the project allocated to SBDMD and approximately 2% allocated to WCD Corporation. During 2022, SBDMD and the District incurred additional construction costs under. As of December 31, 2022, the District as a balance of \$137,782 due from SBDMD related to construction costs.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 9 – RISK MANAGEMENT

Except as provided in the Colorado Governmental Immunity Act, the District may be exposed to various risks of loss related to torts, thefts of, damage to, or destruction of assets, errors or omissions, injuries to employees or acts of God.

The District is a member of the Colorado Special Districts Property and Liability Pool (Pool). The Pool is an organization created by intergovernmental agreement to provide property, liability, public officials' liability, boiler and machinery, and workers compensation coverage to its members.

The District pays annual premiums to the Pool for liability, property, public officials' liability, and workers compensation coverage. In the event aggregated losses incurred by the Pool exceed amounts recoverable from reinsurance contracts and funds accumulated by the Pool, the Pool may require additional contributions from the Pool members. Any excess funds which the Pool determines are not needed for purposes of the Pool may be returned to the members pursuant to a distribution formula. Settled claims have not exceeded this coverage in any of the past three fiscal years.

NOTE 10 – TAX, SPENDING, AND DEBT LIMITATIONS

Article X, Section 20 of the Colorado Constitution, commonly known as the Taxpayer's Bill of Rights (TABOR), contains tax, spending, revenue, and debt limitations which apply to the State of Colorado and all local governments.

Spending and revenue limits are determined based on the prior year's Fiscal Year Spending adjusted for allowable increases based upon inflation and local growth. Fiscal Year Spending is generally defined as expenditures plus reserve increases with certain exceptions. Revenue in excess of the Fiscal Year Spending limit must be refunded unless the District's eligible electors approve retention of such revenue.

TABOR requires local governments to establish emergency reserves. These reserves must be at least 3% of Fiscal Year Spending (excluding bonded debt service). Local governments are not allowed to use the emergency reserves to compensate for economic conditions, revenue shortfalls, or salary or benefit increases.

The District's management believes it is in compliance with the provisions of TABOR. However, TABOR is complex and subject to interpretation. Many of the provisions, including the interpretation of how to calculate Fiscal Year Spending limits will require judicial interpretation.

On November 7, 2000, a majority of the District's electors authorized the District to increase taxes \$1,250,000 annually for District operations, maintenance, and other expenses with such taxes consisting of a mill levy imposed without limitation of rate and as a voter-approved revenue change without regard to limitations of TABOR and Section 29-1-301, C.R.S.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2022

NOTE 10 – TAX, SPENDING, AND DEBT LIMITATIONS (CONTINUED)

The electors also authorized the District to collect, retain, and spend any revenue from sources other than ad valorem taxes annually without regard to any limitations imposed by TABOR. This authorization was re-voted on May 4, 2004, November 6, 2007, and November 4, 2014, by the eligible electors of the District.

SUPPLEMENTARY INFORMATION

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES  
IN FUND BALANCE – BUDGET AND ACTUAL – DEBT SERVICE FUND  
FOR THE YEAR ENDED DECEMBER 31, 2022

	Original Budget	Final Budget	Actual	Variance Positive (Negative)
<u>Revenues</u>				
Taxes:				
Property taxes	\$ 195,914	\$ 195,914	\$ 187,976	\$ (7,938)
Specific ownership taxes	10,775	10,775	22,077	11,302
Payment in lieu of taxes (PILOT)	176,989	176,989	181,531	4,542
Earnings on investments	2,500	2,500	4,086	1,586
Total revenues	<u>386,178</u>	<u>386,178</u>	<u>395,670</u>	<u>9,492</u>
<u>Expenditures</u>				
Current:				
County treasurer fees	2,939	2,939	3,049	(110)
Debt service:				
Principal	109,600	109,600	109,600	-
Interest and fiscal charges	242,545	242,545	240,546	1,999
Total expenditures	<u>355,084</u>	<u>355,084</u>	<u>353,195</u>	<u>1,889</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	31,094	31,094	42,475	11,381
<u>Other Financing Sources (Uses)</u>				
Transfers out	(5,000)	(329,916)	(267,940)	61,976
Total other financing sources (uses)	<u>(5,000)</u>	<u>(329,916)</u>	<u>(267,940)</u>	<u>61,976</u>
Net change in fund balance	26,094	(298,822)	(225,465)	73,357
Fund balance - beginning	309,524	309,505	309,505	-
Fund balance - ending	<u>\$ 335,618</u>	<u>\$ 10,683</u>	<u>\$ 84,040</u>	<u>\$ 73,357</u>

See the accompanying Independent Auditors' Report.

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES  
IN FUND BALANCE – BUDGET AND ACTUAL – CAPITAL PROJECTS FUND  
FOR THE YEAR ENDED DECEMBER 31, 2022

	Original Budget	Final Budget	Actual	Variance Positive (Negative)
<u>Revenues</u>				
Earnings on investments	\$ 500	\$ 500	\$ 4,176	\$ 3,676
Other revenue	-	368,213	368,213	-
Total revenues	<u>500</u>	<u>368,713</u>	<u>372,389</u>	<u>3,676</u>
<u>Expenditures</u>				
Current:				
Capital outlay	500,000	1,257,500	968,480	289,020
Other expenditures	2,500	2,500	2	2,498
Debt service:				
Principal	-	-	3,654	(3,654)
Interest and fiscal charges	-	-	2,251	(2,251)
Total expenditures	<u>502,500</u>	<u>1,260,000</u>	<u>974,387</u>	<u>285,613</u>
<u>Other Financing Sources (Uses)</u>				
Transfers in	-	247,261	95,754	(151,507)
Total other financing sources (uses)	<u>-</u>	<u>247,261</u>	<u>95,754</u>	<u>(151,507)</u>
Net change in fund balance	(502,000)	(644,026)	(506,244)	137,782
Fund balance - beginning	542,177	644,026	644,026	-
Fund balance - ending	<u>\$ 40,177</u>	<u>\$ -</u>	<u>\$ 137,782</u>	<u>\$ 137,782</u>

See the accompanying Independent Auditors' Report.

## OTHER INFORMATION

BROMLEY PARK METROPOLITAN DISTRICT NO. 5  
SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY  
DECEMBER 31, 2022

\$5,750,000 Series 2019  
Refunding and Improvement Revenue Note  
Dated July 1, 2019  
Interest Rate of 4.35 percent  
Principal and Interest Due December 1

Year ended December 31,	Principal	Interest	Total
2023	\$ 117,800	\$ 234,278	\$ 352,078
2024	126,400	229,154	355,554
2025	135,500	223,655	359,155
2026	144,900	217,761	362,661
2027	154,900	211,458	366,358
2028	165,200	204,720	369,920
2029	4,541,000	127,848	4,668,848
Total	\$ 5,385,700	\$ 1,448,874	\$ 6,834,574

**BROMLEY PARK METROPOLITAN DISTRICT NO. 5**  
**SCHEDULE OF ASSESSED VALUATION, MILL LEVY, AND**  
**PROPERTY TAXES COLLECTED**  
**DECEMBER 31, 2022**

Year ended December 31,	Prior Year Assessed Valuation for Current Year Property Tax Levy	Mills Levied	Total Property Taxes		Percentage Collected to Levied
			Levied	Collected	
2005	\$ 1,656,120	25.000	\$ 41,403	\$ 41,403	100.00%
2006	2,043,000	25.000	51,075	51,075	100.00%
2007	1,934,830	25.000	48,371	48,262	99.78%
2008	5,074,550	25.000	126,864	126,864	100.00%
2009	5,894,170	25.000	147,354	147,354	100.00%
2010	6,008,170	25.000	150,204	150,204	100.00%
2011	5,809,830	25.000	145,246	145,246	100.00%
2012	5,552,040	40.000	222,082	222,082	100.00%
2013	5,471,480	40.000	218,859	218,013	99.61%
2014	5,565,120	40.000	222,605	221,968	99.71%
2015	5,357,020	40.000	214,281	214,917	100.30%
2016	5,269,520	40.000	210,781	210,492	99.86%
2017	5,220,440	40.000	208,818	207,816	99.52%
2018	5,420,280	40.000	216,811	215,699	99.49%
2019	5,180,810	40.000	207,232	209,169	100.93%
2020	6,775,530	40.000	271,021	272,418	100.52%
2021	6,820,740	40.000	272,830	271,718	99.59%
2022	7,535,150	40.056	301,828	289,193	95.81%

Estimated for the year  
ending December 31,  
2023

\$ 8,973,780      40.000      \$ 358,951

**Note:**

Property taxes collected in any one year include collection of delinquent property taxes assessed in prior years, as well as reductions for property tax refunds or abatements. Information received from the county treasurer does not permit identification of specific year of assessment.