

ERIE COMMONS METROPOLITAN DISTRICT NO. 2

**FINANCIAL STATEMENTS AND
SUPPLEMENTARY INFORMATION**

YEAR ENDED DECEMBER 31, 2022



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YEAR ENDED DECEMBER 31, 2022**

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INDEPENDENT AUDITORS' REPORT

Board of Directors
Erie Commons Metropolitan District No. 2
Erie, Colorado

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities and the major fund of Erie Commons Metropolitan District No. 2, as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise Erie Commons Metropolitan District No. 2'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 the major fund of Erie Commons Metropolitan District No. 2, as of December 31, 2022, and the respective changes in financial position 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 (GAAS). 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 Erie Commons Metropolitan District No. 2 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 Erie Commons Metropolitan District No. 2'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 GAAS 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 GAAS, 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 Erie Commons Metropolitan District No. 2'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 Erie Commons Metropolitan District No. 2'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

Accounting principles generally accepted in the United States of America require that the budgetary comparison information be presented to supplement the basic financial statements. Such information is the responsibility of management and, 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. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements.

Board of Directors
Erie Commons Metropolitan District No. 2

We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management 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.

A handwritten signature in cursive script that reads "CliftonLarsonAllen LLP".

CliftonLarsonAllen LLP

Broomfield, Colorado
March 8, 2023

ERIE COMMONS METROPOLITAN DISTRICT NO. 2
STATEMENT OF NET POSITION
DECEMBER 31, 2022

	<u>Governmental Activities</u>
ASSETS	
Unrestricted Cash and Investments	\$ 184,846
Due from County Treasurer	9,859
Due from Town of Erie	30
Prepaid Items	295,550
Property Taxes Receivable	<u>1,424,573</u>
Total Assets	<u>1,914,858</u>
LIABILITIES	
Accounts Payable	461
Accrued Interest Payable	60,600
Noncurrent Liabilities:	
Due Within the Year:	
Series 2019 Bonds	255,000
Due in More Than One Year:	
Series 2019 Bonds	31,725,000
Accrued Interest	1,875,872
Bond Premium	<u>1,146,448</u>
Total Liabilities	<u>35,063,381</u>
DEFERRED INFLOWS OF RESOURCES	
Property Tax Revenue	<u>1,424,573</u>
Total Deferred Inflows of Resources	<u>1,424,573</u>
NET POSITION	
Restricted for TABOR	6,112
Unrestricted	<u>(34,579,208)</u>
Total Net Position	<u><u>\$ (34,573,096)</u></u>

See accompanying Notes to Financial Statements.

ERIE COMMONS METROPOLITAN DISTRICT NO. 2
STATEMENT OF ACTIVITIES
YEAR ENDED DECEMBER 31, 2022

Functions/Programs	Expenses	Program Revenue	Net Revenue (Expense) and Changes in Net Position Governmental Activities
Governmental Activities			
General Government	\$ 55,405	\$ -	\$ (55,405)
Interest and Related Costs on Long-Term Debt	1,664,580	-	(1,664,580)
	<u>\$ 1,719,985</u>	<u>\$ -</u>	<u>(1,719,985)</u>
General Revenues			
Property Taxes			1,394,082
Specific Ownership Taxes			82,509
Transfers from District No. 3			53,863
Net Investment Income			13,002
Total General Revenues			<u>1,543,456</u>
Change in Net Position			(176,529)
Net Position - Beginning of Year			<u>(34,396,567)</u>
Net Position - End of Year			<u>\$ (34,573,096)</u>

See accompanying Notes to Financial Statements.

**ERIE COMMONS METROPOLITAN DISTRICT NO. 2
BALANCE SHEET
DECEMBER 31, 2022**

	General Fund
ASSETS	
Unrestricted Cash and Investments	\$ 184,846
Due from County Treasurer	9,859
Due from Town of Erie	30
Prepaid Items	3,003
Property Taxes Receivable	1,424,573
Total Assets	\$ 1,622,311
LIABILITIES	
Accounts Payable	\$ 461
Total Liabilities	461
DEFERRED INFLOWS OF RESOURCES AND FUND BALANCE	
DEFERRED INFLOWS OF RESOURCES	
Property Tax Revenue	1,424,573
Total Deferred Inflows of Resources	1,424,573
FUND BALANCE	
Nonspendable	3,003
Restricted for TABOR	6,112
Unassigned	188,162
Total Fund Balance	197,277
Total Liabilities, Deferred Inflows of Resources, and Fund Balance	\$ 1,622,311

See accompanying Notes to Financial Statements.

**ERIE COMMONS METROPOLITAN DISTRICT NO. 2
RECONCILIATION OF THE BALANCE SHEET OF
GOVERNMENTAL FUND TO THE STATEMENT OF NET POSITION
DECEMBER 31, 2022**

Total Fund Balance - Total Governmental Fund	\$	197,277
Amounts reported for governmental activities in the statement of net position are different because:		
Prepaid municipal bond insurance is recognized as an asset for governmental activities that is amortized over the life of the related debt.		292,547
Accrued interest payable is recognized for governmental activities, but is not due and payable in the current period and, therefore, is not reported as a liability in the government funds.		(1,936,472)
Some liabilities are not due in the current period and, therefore, are not reported in the fund balance sheet.		
Series 2019A Limited Tax Bonds		(19,580,000)
Series 2019B Limited Tax Bonds		(12,400,000)
Series 2019A Limited Tax Bonds Premium		(1,146,448)
		(33,126,448)
Net Position of Governmental Activities	\$	(34,573,096)

See accompanying Notes to Financial Statements.

**ERIE COMMONS METROPOLITAN DISTRICT NO. 2
STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE – GOVERNMENTAL FUND
YEAR ENDED DECEMBER 31, 2022**

	General Fund
REVENUES	
Property Taxes	\$ 1,394,082
Specific Ownership Taxes	82,509
Intergovernmental - Erie Commons Metropolitan District No. 3	53,863
Net Investment Income	13,002
Total Revenues	1,543,456
EXPENDITURES	
Current:	
Intergovernmental - Erie Commons Metropolitan District No. 1	10,000
County Treasurer's Fees	20,926
Audit	10,500
Accounting	10,376
Insurance	2,006
Miscellaneous	1,597
Debt Service:	
Principal	255,000
Interest	1,165,223
Trustee Fees	6,000
Total Expenditures	1,481,628
NET CHANGE IN FUND BALANCE	61,828
Fund Balance - Beginning of Year	135,449
FUND BALANCE - END OF YEAR	\$ 197,277

See accompanying Notes to Financial Statements.

**ERIE COMMONS METROPOLITAN DISTRICT NO. 2
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE OF THE GOVERNMENTAL FUND TO
THE STATEMENT OF ACTIVITIES
YEAR ENDED DECEMBER 31, 2022**

Net Change in Fund Balance - Total Governmental Fund \$ 61,828

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

The repayment of principal on long-term debt consumes the current
financial resources of governmental funds. The transaction
does not have any affect on net position.

 Payment of Principal 255,000

An increase in accrued interest does not have any impact on
governmental fund expenditures. This transaction, however, does
reduce the amount of interest expense on the statement of activities.

(555,032)

The prepaid municipal bond insurance costs are amortized over the life of the
bonds. Current year amortization of the prepaid municipal bond insurance of
\$10,835 is reported as an expense on the statement of activities.

(10,835)

The premium on the issuance of bonds is amortized over the life of the bonds.
Current year amortization of the premium on bonds of \$72,510 is reported
as a reduction of interest expense on the statement of activities.

72,510

Change in Net Position of Governmental Activities

\$ (176,529)

ERIE COMMONS METROPOLITAN DISTRICT NO. 2
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 1 DEFINITION OF REPORTING ENTITY

Erie Commons Metropolitan District No. 2 (the District), a quasi-municipal corporation and political subdivision of the state of Colorado, was organized by order and decree of the District Court, and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The District operates under a Consolidated Service Plan with Erie Commons Metropolitan District No. 1 (District No. 1) approved by the Town of Erie on July 8, 2003, amended on January 24, 2005, and as amended on September 13, 2019. Pursuant to the Service Plan, the District, the financing district, is intended to provide funding to District No. 1 for the design, acquisition, construction, and completion of public improvements, including streets, traffic and safety controls and devices, transportation services, park and recreation, water, mosquito and pest control and sanitation facilities. District No. 1, the operating district, is intended to manage the financial, construction and operation and maintenance of such improvements.

The operation and maintenance of all other services and facilities is anticipated to be provided by the Town of Erie and not by the District.

The District has no employees and all services 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 organization, nor is the District a component unit of any other primary governmental entity, including District No. 1 and the Town of Erie.

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. Governmental activities are normally supported by taxes.

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

ERIE COMMONS METROPOLITAN DISTRICT NO. 2
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Government-Wide and Fund Financial Statements (Continued)

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 charges to customers or applicants who purchase, use, or directly benefit from goods, services or privileges provided by a given function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

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.

When both restricted and unrestricted resources are available for use, it is the District's policy to use restricted resources first, then unrestricted as they are needed.

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. Expenditures generally are recorded when a liability is incurred as under accrual accounting. However, debt service expenditures are recorded only when payment is due.

The District reports the following major governmental fund:

The General Fund is the District's primary operating fund. It accounts for all financial resources of the general government.

Budgets

In accordance with the State Budget Law, 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 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. The adopted budgets for the General Fund and Debt Service fund have been consolidated and reflected as the General Fund Budget for financial reporting purposes.

ERIE COMMONS METROPOLITAN DISTRICT NO. 2
NOTES TO BASIC 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 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 are recorded initially as deferred inflows of resources in the year they are levied and measurable. The property tax revenues are recorded as revenue in the year they are available and collected.

Fund Balance and Net Position

Net position is reported in the governmental activities and is classified as restricted or unrestricted. Restrictions of net position represent amounts that are not available for appropriation or are legally restricted. As of December 31, 2022, fund balances of governmental funds are classified as follows:

Nonspendable – amounts that cannot be spent either because they are not spendable in form or because they are legally or contractually required to be maintained intact. This includes amounts that are not expected to be converted to cash, for example, prepaid amounts.

Restricted – amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation.

Committed – amounts that are subject to a purpose constraint imposed by a formal action of the Board of Directors. The Board is the highest level of decision-making authority for the District. Commitments may be established, modified or rescinded only through resolutions approved by the Board.

Assigned – amounts that are subject to a purpose constraint that represents an intended use established by the District in its budget process. The purpose of the assignment must be narrower than the purpose of the General Fund.

Unassigned – represents the residual classification for the District's General Fund and could report a surplus or deficit.

ERIE COMMONS METROPOLITAN DISTRICT NO. 2
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Restricted Fund Balance

Emergency Reserves have been provided for as required by Article X, Section 20 of the Constitution of the State of Colorado. In compliance with this requirement, \$6,112 of the General Fund balance has been restricted.

The District's order of fund balance spending policy is to apply expenditures against restricted fund balance, committed fund balance, assigned fund balance, and unassigned fund balance. The District reserves the right to selectively spend unassigned fund balance.

NOTE 3 CASH AND INVESTMENTS

Cash and investments reflected on the statement of net position as of December 31, 2022 consist of the following:

Unrestricted Cash	\$ 2,467
Unrestricted Investments	182,379
Total Cash and Investments	<u>\$ 184,846</u>

Investments

The District has not adopted a formal investment policy; however, it follows state statutes regarding investments. The District generally limits its concentration of investments to those noted with an asterisk (*) below, 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 credit risk for investments that are in the possession of another party.

Colorado revised statutes limit investment maturities to five years or less depending on the specific investment held unless formally approved by the Board of Directors. Such actions are generally associated with a debt service reserve or sinking fund requirements. Revenue bonds of U.S. local government securities, corporate and bank securities and guaranteed investment contracts not purchased with bond proceeds are limited to maturities of three years or less.

**ERIE COMMONS METROPOLITAN DISTRICT NO. 2
 NOTES TO BASIC FINANCIAL STATEMENTS
 DECEMBER 31, 2022**

NOTE 3 CASH AND INVESTMENTS (CONTINUED)

Investments (Continued)

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local governments may invest which include:

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

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

Investment	Maturity	Amortized Cost
Colorado Surplus Asset Fund Trust	Less than One Year	\$ 182,379

Colorado Surplus Asset Trust Fund

As of December 31, 2022, the District had invested \$182,379 in the Colorado Surplus Asset Fund Trust (the Trust), 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 the Trust. The Trust operates similarly to a money market fund and each share is equal in value to \$1.00. The Trust is rated AAmmf by Fitch Ratings and is valued at amortized cost. Based on the valuation method, additional disclosures are not required under GASB Statement No. 72.

ERIE COMMONS METROPOLITAN DISTRICT NO. 2
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 4 RELATED PARTY

Three of the five members of the Board of Directors are employees and are associated with Bellock Construction Company, accountants for the District, and Community Development Group of Erie, Inc. (CDG of Erie, Inc.), the developer within the District. During 2022, Districts No. 1 and No. 2 had three of five of the same Board of Directors.

Accounting Services Agreement

An accounting services contract was entered into with Bellock Construction Company during March 2003. This agreement was subsequently amended on March 25, 2004. Under this amended agreement, accounting services are provided to the District at the annual hourly rates of Bellock Construction Company employees. During 2022, the District incurred accounting services fees in the amount of \$10,376.

NOTE 5 DISTRICT FACILITIES CONSTRUCTION AND SERVICE AGREEMENT (SERVICE CONTRACT)

In order to implement the Service Plan, the District entered into an intergovernmental agreement with District No. 1. The agreement shall remain in full force and effect until such time as each of the terms and conditions has been performed in their entirety or until the agreement is terminated by mutual written agreement of the Districts.

District No. 1 is to construct the facilities benefiting the two Districts and transfer them to the Town of Erie or the Home Owner's Association (HOA). The District will, to the extent that it benefits, pay the capital costs and the service costs of operation and maintenance of such facilities (authorized service costs), until the facilities are transferred to the Town of Erie or the HOA.

The District is required to fund, on an annual basis, the amount of actual service costs that it would be capable of funding through property tax revenue plus other fee revenue as determined in the annual budget. If the Districts disagree as to the amount to be paid, then the District must pay District No. 1 the amount set forth in the annual budget. The mill levy cap shall be subject to automatic adjustment if, after the original date of approval of the Service Plan, the laws of the state change with respect to the assessment of property for taxation purposes, the ratio for determining assessed valuation changes, or other similar changes occur.

The Gallagher Amendment, first added to the Colorado Constitution in 1982, required a residential to non-residential property tax ratio of 45% to 55% and required the state legislature to adjust the residential assessment rate to maintain the required ratio. During fiscal year 2017, the Colorado legislature reduced the residential assessment ratio from 7.96% to 7.20% causing the property tax mill rate for general obligation bonds and service costs to increase from 50 mills to 55.275 mills. The residential assessment ratio decreased to 7.15% in 2019 causing the mills to increase to 55.663 in 2020. During fiscal year 2020, the Gallagher Amendment was repealed. While the residential assessment rate is set in statute at 7.15%, the Colorado legislature approved a temporary reduction to 6.765% for the 2023 and 2024 tax years.

ERIE COMMONS METROPOLITAN DISTRICT NO. 2
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 6 LONG-TERM OBLIGATIONS

The District's long-term obligations consist of the following for the year ended December 31, 2022:

	Balance at January 1, 2022	Additions	Reductions	Balance at December 31, 2022	Due Within One Year
Series 2019A Limited Tax Bonds	\$ 19,835,000	\$ -	\$ 255,000	\$ 19,580,000	\$ 255,000
Series 2019B Limited Tax Bonds	12,400,000	-	-	12,400,000	-
Series 2019B Limited Tax Bonds Accrued Interest	1,319,778	981,367	425,273	1,875,872	-
Series 2019A Limited Tax Bonds Premium	1,218,958	-	72,510	1,146,448	-
Total	<u>\$ 34,773,736</u>	<u>\$ 981,367</u>	<u>\$ 752,783</u>	<u>\$ 35,002,320</u>	<u>\$ 255,000</u>

2019A and 2019B Senior and Subordinate General Obligation Limited Tax Bonds

On December 19, 2019, the District issued \$20,250,000 of senior and \$12,400,000 of subordinate general obligation limited tax bonds. The bonds were issued for the purpose of paying and discharging the outstanding Series 2009 Bonds, Series 2019 Note and Development Loan, and a portion of the Series 2010 Bond Anticipation Note held by Erie Commons Metro District No. 1, the duly quasi-municipal corporation and political subdivision of the state of Colorado. The bond proceeds were transferred to Erie Commons Metro District No. 1.

The Series 2019A Senior Bonds bear an interest yield rate of 3.2% and a coupon interest rate of 3-5% per annum which is payable semi-annually on June 1 and December 1, commencing on June 1, 2020, and on the maturity dates of the Series 2019A Senior Bonds, subject to optional and mandatory sinking fund redemption prior to maturity. The Series 2019A Senior Bonds will mature on December 1, 2049. The Series 2019A Senior Bonds will constitute limited tax general obligations of the District payable solely from the Senior Pledged Revenue and certain District Funds and accounts established by the Senior Pledged Revenue, which consists primarily of the revenues derived from a District property tax levy of not more than 46.709 mills (subject to adjustment, and equal to 52.000 mills for fiscal year 2022, as described herein), and the portion of the specific ownership taxes on motor vehicles imposed by the state of Colorado. The Series 2019A Senior Bonds will constitute an irrevocable, but nonexclusive, first lien on the Senior Pledged Revenue and the amounts in such funds and accounts. The District made \$255,000 of principal payments in 2022. The District made \$739,950 of interest payments in 2022 and incurred \$738,888 in interest expense for the year ended December 31, 2022 for these bonds.

ERIE COMMONS METROPOLITAN DISTRICT NO. 2
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 6 LONG-TERM OBLIGATIONS (CONTINUED)

2019A and 2019B Senior and Subordinate General Obligation Limited Tax Bonds
(Continued)

The 2019B Subordinate Bonds bear an interest yield rate of 6.94% and a coupon interest rate of 6.95% per annum which is payable annually on December 15, commencing December 15, 2020, subject to the extent of available Subordinate Pledged Revenue. To the extent interest on the 2019B Subordinate Bonds is not paid when due, such interest shall compound on each interest payment date of December 15. The 2019B Subordinate bonds mature on December 15, 2054. The 2019B Subordinate Bonds will also constitute limited tax general obligations of the District payable solely from the Subordinate Pledged Revenue and certain District Funds and accounts established by the Subordinate Pledged Revenue, which consists primarily of the revenues derived from a District property tax levy of not more than 46.709 mills (subject to adjustment, and equal to 52.000 mills for fiscal year 2022, as described herein), and the portion of the specific ownership taxes on motor vehicles imposed by the state of Colorado. The Series 2019B Subordinate Bonds are structured as cash flow bonds. There are no scheduled payments of principal of the Series 2019B Subordinate Bonds prior to their maturity date, but rather the Subordinate Bonds are subject to mandatory redemption on each December 15 prior to maturity from and to the extent of any available Subordinate Pledged Revenues. All Series 2019B Subordinate Bonds and interest thereon will be deemed to be paid, satisfied and discharged on December 16, 2054, regardless of the amount of principal and interest paid on the Series 2019B Subordinate Bonds prior to such date. The District made \$425,273 of interest payments in 2022 and incurred \$981,367 in interest expense for the year ended December 31, 2022 for these bonds.

Debt Authorization

The District voters approved \$74,900,000 of revenue obligation debt in 2003 and an additional \$74,900,000 in 2004, and \$260,000,000 in 2005 at an interest rate not to exceed 18% per annum. At December 31, 2022, the District had remaining authorized but unissued indebtedness of \$377,565,000 for parks and recreation, streets and traffic controls, water, sewer and storm drainage, and safety or refunding the obligations issued for such purposes. In the future, the District may issue a portion or all of the remaining authorized but unissued general obligation debt for purposes of providing public improvements to support development as it occurs within the District's service area.

**ERIE COMMONS METROPOLITAN DISTRICT NO. 2
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022**

NOTE 6 LONG-TERM OBLIGATIONS (CONTINUED)

2019A Senior General Obligation Limited Tax Bonds

The following table sets forth the scheduled debt service requirements to maturity for the Series 2019A Senior Bonds.

<u>Year Ending December 31.</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2023	\$ 255,000	\$ 727,200	\$ 982,200
2024	285,000	714,450	999,450
2025	295,000	700,200	995,200
2026	315,000	685,450	1,000,450
2027	330,000	669,700	999,700
2028-2032	2,200,000	3,064,000	5,264,000
2033-2037	3,215,000	2,424,750	5,639,750
2038-2042	4,420,000	1,676,250	6,096,250
2043-2047	5,625,000	917,850	6,542,850
2048-2049	2,640,000	119,400	2,759,400
Total	<u>\$ 19,580,000</u>	<u>\$ 11,699,250</u>	<u>\$ 31,279,250</u>

2019B Subordinate General Obligation Limited Tax Bonds

The annual debt service requirements on the 2019B Subordinate Bonds are not currently determinable since they are payable only from available Subordinate Pledged Revenue.

NOTE 7 RISK MANAGEMENT

The District is 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 (the Pool) as of December 31, 2022. 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. Settled claims have not exceeded this coverage during the past three years.

The District pays annual premiums to the Pool for liability and public officials liability 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.

NOTE 8 TAX, SPENDING, AND DEBT LIMITATIONS

Article X, Section 20 of the Colorado Constitution, referred to 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.

ERIE COMMONS METROPOLITAN DISTRICT NO. 2
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 8 TAX, SPENDING, AND DEBT LIMITATIONS (CONTINUED)

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 voters 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.

On November 5, 2005 and November 4, 2003, a majority of the District's electors authorized the District to collect and spend or retain in a reserve all annual District revenue without regard to any limitations under TABOR.

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 and qualification as an enterprise, will require judicial interpretation.

NOTE 9 NET POSITION

The District has net position consisting of two components – restricted and unrestricted.

Restricted net position includes net assets that are restricted for use either externally imposed by creditors, grantors, contributors, or laws and regulations of other governments or imposed by law through constitutional provisions or enabling legislation. The District had restricted net position at December 31, 2022 of \$6,112 for TABOR.

Unrestricted net position totaled (\$34,579,208). This deficit is caused by the District financing infrastructure costs within District No. 1 and retaining the debt used to finance the infrastructure within the District.

REQUIRED SUPPLEMENTARY INFORMATION

**ERIE COMMONS METROPOLITAN DISTRICT NO. 2
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE – BUDGET AND ACTUAL –
GENERAL FUND
YEAR ENDED DECEMBER 31, 2022**

	Original and Final Budgeted Amounts	Actual	Variance with Final Budget Positive (Negative)
REVENUES			
Property Taxes	\$ 1,393,545	\$ 1,394,082	\$ 537
Specific Ownership Taxes	69,704	82,509	12,805
Intergovernmental - Erie Commons			
Metropolitan District No. 3	67,793	53,863	(13,930)
Net Investment Income	-	13,002	13,002
Total Revenues	1,531,042	1,543,456	12,414
EXPENDITURES			
Current:			
Intergovernmental - Erie Commons			
Metropolitan District No. 1	25,000	10,000	15,000
County Treasurer's Fees	20,903	20,926	(23)
Audit	11,000	10,500	500
Accounting	15,000	10,376	4,624
Insurance	2,500	2,006	494
Miscellaneous	11,700	1,597	10,103
Debt Service:			
Principal	255,000	255,000	-
Interest	1,152,223	1,165,223	(13,000)
Trustee Fees	8,000	6,000	2,000
Total Expenditures	1,501,326	1,481,628	19,698
EXCESS REVENUES OVER (UNDER) EXPENDITURES	29,716	61,828	32,112
Fund Balances - Beginning of Year	35,106	135,449	100,343
FUND BALANCES - END OF YEAR	\$ 64,822	\$ 197,277	\$ 132,455



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