

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**

**FINANCIAL STATEMENTS AND  
SUPPLEMENTARY INFORMATION**

**YEAR ENDED DECEMBER 31, 2022**



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## INDEPENDENT AUDITORS' REPORT

Board of Directors  
Colliers Hill Metropolitan District No. 1  
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 Colliers Hill Metropolitan District No. 1, as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise Colliers Hill Metropolitan District No. 1'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 Colliers Hill Metropolitan District No. 1, 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.

#### ***Emphasis of Matter***

As discussed in Note 6, the District holds a Bond Anticipation Note (BAN), which matured on December 11, 2018. At the date of this report, the District has the ability to consummate the refinancing of the outstanding BAN in accordance with the GASB No. 62, Paragraph 39. Based on this ability, the District has excluded this BAN from current liabilities as of December 31, 2022. The agreement states that the outstanding BAN is legally enforceable until principal is paid in full or a new debt instrument is issued. Our opinions are not modified with respect to this matter.

#### ***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 Colliers Hill Metropolitan District No. 1 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 Colliers Hill Metropolitan District No. 1'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 Colliers Hill Metropolitan District No. 1'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 Colliers Hill Metropolitan District No. 1'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. 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.



**CliftonLarsonAllen LLP**

Broomfield, Colorado  
March 7, 2023

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**  
**STATEMENT OF NET POSITION**  
**DECEMBER 31, 2022**

	Governmental Activities
<b>ASSETS</b>	
Cash	\$ 87,374
Restricted Cash and Investments	1,005,299
Property Tax Receivable	123,904
Prepaid Items	134,272
Due from County Treasurer	6,998
Construction in Progress	224,844
Total Assets	1,582,691
<b>LIABILITIES</b>	
Accounts Payable	3,071
Accrued Interest	2,505,946
Noncurrent Liabilities:	
Due Within the Year	
Series 2019 Bonds	350,000
Due in More than One Year:	
2013 BAN	6,784,410
Developer Advances	780,107
Series 2019 Bonds	25,565,000
Series 2021 Bonds	2,350,000
Accrued Interest	909,231
Bond Premium	2,547,869
Total Liabilities	41,795,634
<b>DEFERRED INFLOWS OF RESOURCES</b>	
Property Tax Revenue	123,904
Total Deferred Inflows of Resources	123,904
<b>NET POSITION</b>	
Restricted for TABOR	7,048
Unrestricted	(40,343,895)
Total Net Position	\$ (40,336,847)

See accompanying Notes to Financial Statements.

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**  
**STATEMENT OF ACTIVITIES**  
**YEAR ENDED DECEMBER 31, 2022**

Functions/Programs	Expenses	Program Revenue Charges for Services	Net Revenue (Expense) and Changes in Net Position Governmental Activities
<b>Governmental Activities:</b>			
General Government	\$ 70,502	\$ -	\$ (70,502)
Public Works	14,721	-	(14,721)
Interest and Related Costs on Long-Term Debt	2,021,726	-	(2,021,726)
	<u>\$ 2,106,949</u>	<u>\$ -</u>	<u>(2,106,949)</u>
<b>General Revenues:</b>			
			125,197
			98,356
			1,532,056
			27,538
			<u>1,783,147</u>
			<b>Change in Net Position</b>
			(323,802)
			Net Position - Beginning of Year
			<u>(40,013,045)</u>
			<b>Net Position - End of Year</b>
			<u>\$ (40,336,847)</u>

See accompanying Notes to Financial Statements.

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1  
BALANCE SHEET  
DECEMBER 31, 2022**

	General Fund
<b>ASSETS</b>	
Cash and Investments	\$ 87,374
Restricted Cash and Investments	1,005,299
Property Tax Receivable	123,904
Prepaid Items	18,407
Due from County Treasurer	6,998
Total Assets	\$ 1,241,982
<b>LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCE</b>	
<b>LIABILITIES</b>	
Accounts Payable	\$ 3,071
Total Liabilities	3,071
<b>DEFERRED INFLOWS OF RESOURCES</b>	
Property Tax Revenue	123,904
Total Deferred Inflows of Resources	123,904
<b>FUND BALANCE</b>	
Nonspendable for Prepaid Items	18,407
Restricted for TABOR	7,048
Restricted for Debt Service	1,005,299
Unassigned	84,253
Total Fund Balance	1,115,007
Total Liabilities, Deferred Inflows of Resources, and Fund Balance	\$ 1,241,982

See accompanying Notes to Financial Statements.



**COLLIERS HILL METROPOLITAN DISTRICT NO. 1  
RECONCILIATION OF THE BALANCE SHEET OF  
GOVERNMENTAL FUND TO THE STATEMENT OF NET POSITION  
DECEMBER 31, 2022**

Total Fund Balance - Total Governmental Fund \$ 1,115,007

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. 115,865

Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the fund balance sheet.  
Construction in Progress 224,844

Accrued interest payable is recognized for governmental activities, but is not reported as a liability in the governmental fund. (3,415,177)

Some liabilities, including bonds and notes payable, are not due in the current period and, therefore, are not reported in the fund balance sheet.

Developer Advances	(780,107)
2013 BAN	(6,784,410)
2019A Series Limited Tax General Obligation Bond	(21,915,000)
2019A Series Limited Tax General Obligation Bond Premium	(2,547,869)
2019B Series Limited Tax General Obligation Bond	(4,000,000)
2021C Series Junior Lien Limited Tax General Obligation Bond	(2,350,000)
	<u>(38,377,386)</u>

Net Position of Governmental Activities \$ (40,336,847)

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1  
STATEMENT OF REVENUES, EXPENDITURES, AND  
CHANGES IN FUND BALANCE – GOVERNMENTAL FUND  
YEAR ENDED DECEMBER 31, 2022**

	<u>General Fund</u>
<b>REVENUES</b>	
Property Tax Income	\$ 125,197
Specific Ownership Taxes	98,356
Investment Income	27,538
TIF Income	<u>1,532,056</u>
Total Revenues	<u>1,783,147</u>
<b>EXPENDITURES</b>	
Current:	
Audit and Accounting	30,871
Insurance	3,396
Legal	8,123
Other	3,176
Director Fees	60
Treasurer Fees	24,876
Debt Service:	
Principal	335,000
Interest	1,309,969
Trustee Fees	11,000
Capital Outlay	<u>17,615</u>
Total Expenditures	<u>1,744,086</u>
<b>EXCESS OF REVENUE OVER EXPENDITURES</b>	39,061
Fund Balance - Beginning of Year	<u>1,075,946</u>
<b>FUND BALANCE - END OF YEAR</b>	<u><u>\$ 1,115,007</u></u>

See accompanying Notes to Financial Statements.

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1  
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 \$ 39,061

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

Governmental fund reports capital outlays as expenditures. However, for government activities, those capital outlays other than noncapitalizable items are shown in the statement of activities at cost.

Capital Outlay 17,615

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

Payment of Principal 335,000

The prepaid municipal bond insurance costs are amortized over the life of the bonds. Current year amortization of the prepaid municipal bond insurance of \$4,456 is reported as an expense on the statement of activities.

(4,456)

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

Accrued Interest (865,566)

The premium on the issuance of bonds is amortized over the life of the bonds. Current year amortization of the premium on bonds of \$169,265 is reported as a reduction of interest expense on the statement of activities.

169,265

Transfers of capital improvements to other entities decrease net position in the statement of activities. This transaction is not reported in the governmental fund as it is not a current use of financial resources.

(14,721)

Change in Net Position of Governmental Activities \$ (323,802)

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 1 DEFINITION OF REPORTY ENTITY**

Colliers Hill Metropolitan District No. 1 (the District) is a quasi-municipal corporation located within the Town of Erie, Colorado formed by election in May 2008. The District and the Town of Erie have entered into an Intergovernmental Agreement as required by the Erie Code, which implemented the District Service Plan and limited certain District statutory powers. The District is governed pursuant to provisions of the Colorado Special District Act to finance construction, operation and maintenance of the facilities located within the Colliers Hill Metropolitan Districts No. 1, No. 2, and No. 3. In June 2014, Daybreak Metropolitan Districts 1, 2, and 3 formally changed their name to Colliers Hill Metropolitan Districts 1, 2, and 3.

The District was organized concurrently with Colliers Hill Metropolitan District No. 2 (District No. 2) and Colliers Hill Metropolitan District No. 3 (District No. 3). The District has the power to provide water, sanitation, streets, traffic and safety controls, park and recreation improvements, mosquito and pest control, transportation and other related improvements for the benefit of taxpayers and service users within the Districts' boundaries. The Service Plan requires the District to convey most of the constructed improvements to the Town of Erie for ownership and maintenance.

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. 2, District No. 3 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 and intergovernmental revenues.

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**  
**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 net position reports all financial and capital resources of the District. The difference between the assets and liabilities and deferred outflows and inflows of resources of the District is reported as net position. The District is responsible for the repayment of bonds issued for the purpose of constructing infrastructure improvements, which will be conveyed to the Town of Erie. Consequently, a deficit balance is reflected on the District's Statement of 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 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. Grants and similar items are recognized as revenues as soon as all eligibility requirements imposed by the provider have been met. Construction in progress is shown as an increase in assets and increases in long-term obligations are recorded as an increase 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 development fees. The District determined that developer advances are not considered as revenue susceptible to accrual. 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.

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Budgets**

In accordance with the State Budget Law, the District's Board of Directors (the Board) 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.

**Investments**

Investments are recorded at amortized cost.

**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 instalments, 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.

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 or collected.

In 2013, the District entered into an intergovernmental cooperation agreement with the Town of Erie Urban Renewal Authority (TOEURA) for tax increment financing (TIF). The agreement authorizes the District to be reimbursed for the design, acquisition, construction, installation and financing of Public Improvements in Urban Renewal Area No. 4. Operation, maintenance and administrative costs shall also be reimbursed as applicable. Taxes levied on taxable real property located within the TIF area after September 10, 2013, shall be divided each year for a period not to exceed twenty-five years from the effective date of the Urban Renewal Plan. Taxes will be collected by TOEURA and remitted to the District as set forth in the intergovernmental agreement.

**Capital Assets**

Capital assets consist entirely of construction projects in process that will be conveyed to the Town of Erie once completed. Therefore, no depreciation is calculated on these assets. Interest incurred during construction is not capitalized.

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**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.

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.

**Restricted Fund Balance**

Emergency reserves have been provided for as required by Article X, Section 20 of the Constitution of the state of Colorado (see Note 9). In compliance with this requirement, \$7,048 of the General Fund balance has been restricted.

The District has a balance of \$1,005,299 which is considered restricted fund balance for debt service.

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:

Deposits	\$ 87,374
Restricted Investments	1,005,299
Total Cash and Investments	<u>\$ 1,092,673</u>

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 3 CASH AND INVESTMENTS (CONTINUED)**

**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 fair value of the collateral must be at least equal to 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 carrying balance of \$87,374.

**Investments**

The District has not adopted a formal investment policy; however, it follows state statutes regarding investments. The District also follows investment policies in bond or note agreements when those agreements are more restrictive than state statutes. 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 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

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, corporate and bank securities and guaranteed investment contracts not purchased with bond proceeds are limited to maturities of three years or less.



**COLLIERS HILL METROPOLITAN DISTRICT NO. 1  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 3 CASH AND INVESTMENTS (CONTINUED)**

**UMB Senior Bond Fund**

At December 31, 2022, the District had \$416 in the UMB Senior Bond Fund Account. The funds in this account are comprised of Senior Pledge Revenue required to pay the principal and interest in connection with the Series 2019A Senior Bonds. UMB, the trustee of the funds, invested the funds in the CSAFE Money Market Fund to earn interest until debt service payments are due.

**UMB Surplus Fund**

At December 31, 2022, the District had \$1,003,695 in the UMB Surplus Fund Account. The funds in this account are comprised of Senior Pledge Revenue received each year in excess of the amount required to pay the principal and interest in connection with the Series 2019A Senior Bonds. The maximum funding for the Surplus account is \$1,000,000. Amounts accumulated in the Surplus Fund are to be applied to pay the Series 2019A Senior Bonds in the event of an insufficiency in the Senior Bond Fund. UMB, the trustee of the funds, invested the funds in the CSAFE Money Market Fund to earn interest until debt service payments are due.

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

<u>Investment</u>	<u>Maturity</u>	<u>Amortized Cost</u>
Money Market Fund - CSAFE	Less than One Year	<u>\$ 1,005,299</u>

At December 31, 2022, the District had \$1,005,299 invested in CSAFE Money Market Funds. The investment 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.

**NOTE 4 CONSTRUCTION IN PROGRESS**

An analysis of the changes in construction in progress for the year ended December 31, 2022 follows:

	Balance at January 1, 2022	Additions	Reductions	Balance at December 31, 2022
Construction in Progress	<u>\$ 221,950</u>	<u>\$ 17,615</u>	<u>\$ 14,721</u>	<u>\$ 224,844</u>

It is the policy of the Town of Erie to accept the maintenance responsibility for water, sanitation, traffic and safety controls, park and recreation improvements, mosquito and pest control, transportation and other related improvements within the District only after a probationary period following completion of construction. When the improvements enter the probationary period, the District removes the cost of construction from its Statement of Net Position.

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 4 CONSTRUCTION IN PROGRESS (CONTINUED)**

During 2022, major conveyances to Town of Erie include public improvement warranty costs associated with Filing 3 and Filing 2A in the total amount of \$14,721.

**NOTE 5 RELATED PARTY**

All of the members of the Board of Directors are employees and are associated with Bellock Construction Company, construction manager and accountants for the District, Community Development Group of Erie, Inc. (CDG of Erie, Inc.), the developer within the District.

**Construction Management Agreement**

A construction management agreement was entered into July 24, 2008, between the District and Bellock Construction Company. The agreement calls for Bellock Construction Company to provide management services for all activities related to construction projects to be completed within Colliers Hill Metropolitan Districts No. 1. The agreement expires on December 31 of each year, but is automatically extended for a successive annual period so long as sufficient funds have been appropriated, unless contrary action is taken.

The amount paid to Bellock Construction Company during 2022 for construction and construction management was \$7,279.

**Accounting Services Agreement**

An accounting services contract was entered into with Bellock Construction Company on July 24, 2008. Under this agreement, accounting services are provided to District No. 1 at the hourly rates of Bellock Construction Company employees. During 2022, the District incurred accounting services fees in the amount of \$19,321.

**Private Placement Long Term Obligations**

Community Development Group of Erie, Inc. (the Developer), a related party, advanced the District funds for eligible costs as defined by the District. The District received advances from the Developer starting in 2014 (see Note 6). All Developer advances have an interest rate of 8.5%. As of December 31, 2022, the outstanding balance of the Developer Advances is \$780,107.

In 2013, the District issued subordinate notes to the Developer, a related party, in a total principal amount not to exceed \$16,618,100 at an interest rate of 8.5% (see Note 6). As of December 31, 2022, the outstanding principal balance on the 2013 BAN is \$6,784,410.

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**  
**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
<b>Private Placement:</b>					
Developer Advances	\$ 780,107	\$ -	\$ -	\$ 780,107	\$ -
2013 BAN	6,784,410	-	-	6,784,410	-
Total Private Placement	<u>7,564,517</u>	<u>-</u>	<u>-</u>	<u>7,564,517</u>	<u>-</u>
<b>General Obligation:</b>					
Series 2019A Limited Tax General Obligation Bonds	22,250,000	-	335,000	21,915,000	350,000
Series 2019B Limited Tax General Obligation Bonds	4,000,000	-	-	4,000,000	-
Series 2019B Limited Tax Accrued Interest	664,905	372,126	320,000	717,031	-
Series 2019A Limited Tax G.O. Bond Premium	2,717,134	-	169,265	2,547,869	-
Series 2021C Limited Tax G.O. Bond	2,350,000	-	-	2,350,000	-
Series 2021C Limited Tax Accrued Interest	20,350	171,850	-	192,200	-
Total General Obligation	<u>32,002,389</u>	<u>543,976</u>	<u>824,265</u>	<u>31,722,100</u>	<u>350,000</u>
Total	<u>\$ 39,566,906</u>	<u>\$ 543,976</u>	<u>\$ 824,265</u>	<u>\$ 39,286,617</u>	<u>\$ 350,000</u>

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

On September 23, 2019 the District issued \$22,570,000 of senior and \$4,000,000 of subordinate general obligation limited tax bonds. The bonds were issued for the purpose of paying all amounts owed to Zions Bancorporation, National Association pursuant to the District's Series 2016A, 2016B and 2019A Notes, refunding a portion of the District's outstanding Subordinate Note Series 2013, funding a debt service reserve fund, and paying costs of issuance in connection with the bonds.

The Series 2019A Senior Bonds bear a coupon interest rate of 3% to 5% per annum which is payable semi-annually on June 1 and December 1, commencing on December 1, 2019, 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, 2048. 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 52 mills subject to adjustment 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 \$989,969 of interest payments in 2022 and incurred \$988,573 in interest expense for the year ended December 31, 2022 for these bonds.

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1  
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 a coupon interest rate of 8% per annum which is payable annually on December 15, commencing December 15, 2020. The 2019B Subordinate bonds mature on December 15, 2048. The 2019B Subordinate Bonds will also constitute limited tax general obligations of the District payable solely from and to the extent of 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 52 mills (subject to adjustment as described herein), and the portion of the specific ownership taxes on motor vehicles imposed by the state of Colorado. To the extent interest on the 2019 B Subordinate Bonds is not paid when due, such interest shall compound on each interest payment date of December 15. 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, 2048, regardless of the amount of principal and interest paid on the Series 2019B Subordinate Bonds prior to such date. The District made \$320,000 of interest payments in 2022 and incurred \$372,126 in interest expense for the year ended December 31, 2022 for these bonds.

The 2019 Senior Limited Tax General Obligation Bonds will mature as follows:

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2023	\$ 350,000	\$ 973,219	\$ 1,323,219
2024	395,000	955,719	1,350,719
2025	415,000	935,969	1,350,969
2026	465,000	915,219	1,380,219
2027	485,000	891,969	1,376,969
2028-2032	3,070,000	4,050,594	7,120,594
2033-2037	3,970,000	3,193,344	7,163,344
2038-2042	5,060,000	2,097,594	7,157,594
2043-2047	6,315,000	844,438	7,159,438
2048	1,390,000	43,438	1,433,438
Total	<u>\$ 21,915,000</u>	<u>\$ 14,901,503</u>	<u>\$ 36,816,503</u>

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 6 LONG-TERM OBLIGATIONS (CONTINUED)**

**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.

**2021C Junior Lien General Obligation Limited Tax Bonds**

On November 18, 2021 the District issued \$2,350,000 of junior lien general obligation limited tax bonds. The proceeds were used to refund a portion of the District's outstanding principal on the 2013 Bond Anticipation Notes.

The 2021C Bonds bears a coupon interest rate of 7.25% per annum which is payable annually on December 15, commencing December 15, 2022. The 2021C Bonds mature on December 15, 2049. The 2021C Bonds will also constitute limited tax general obligations of the District payable solely from and to the extent of the Junior Lien Pledged Revenue, which consists primarily of the revenues derived from the junior lien required mill levy, the junior capital fee revenue, the portion of the specific ownership tax which is collected as a result of imposition of the junior lien required mill levy, certain tax increment revenues payables, any other legally available moneys which the District determines to transfer to the trustee for application as junior lien pledged revenue. To the extent interest on the 2021C Bonds is not paid when due, such interest shall compound on each interest payment date of December 15. The Series 2021C Bonds are structured as "cash flow" bonds. There are no scheduled payments of principal of the Series 2021C Bonds prior to their maturity date. All Series 2021C Bonds and interest thereon will be deemed to be paid, satisfied and discharged on December 15, 2049, regardless of the amount of principal and interest paid on the Series 2021C Bonds prior to such date. The District incurred \$171,850 in interest expense for the year ended December 31, 2022 for these bonds.

**PRIVATE PLACEMENT LONG TERM OBLIGATIONS**

**Developer Advances**

In 2014, the Developer agreed to advance the District funds of \$651,754 for eligible costs as defined by the Districts, of which a limited portion was for operation/administrative costs and the remaining portion was for capital. In 2015, the Developer advanced an additional \$9,989,060. In 2017, the District received \$375,000 in additional advances. In February of 2019, the District paid the outstanding principal balance of \$1,992,523 and \$157,200 of interest with proceeds from the Vectra Series 2019 Limited Tax General Obligation Note. From July 2019 through September 2019, the District received \$435,344 in additional advances, and those advances were paid off with the proceeds from the issuance of the 2019A and 2019B Senior and Subordinate General Obligation Limited Tax Bonds. In 2020, the District received \$627,115 in additional advances. The District received additional advances of \$125,000 in 2021. All Developer advances have an interest rate of 8.5%. Total interest expense incurred for the Developer advances was \$66,311 for the year ended December 31, 2022.

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 6 LONG-TERM OBLIGATIONS (CONTINUED)**

**PRIVATE PLACEMENT LONG TERM OBLIGATIONS (Continued)**

**Bond Anticipation Notes**

In December 2013, the District issued one or more series of subordinate notes, in a total principal amount not to exceed \$16,618,100, to be issued to the Developer, a related party (see Note 5), for outstanding amounts previously advanced to the District by the Developer for capital costs. The bond anticipation note (BAN) shall incur interest payable on June 1 and December 1, starting on June 1, 2014 at an annual interest rate of 8.5% per annum. The repayment of the 2013 Bond Anticipation Notes will be subordinate to any outstanding senior bonds.

During 2021, \$2,161,113 of principal was paid with the proceeds from the issuance of the 2021C Junior Lien General Obligation Limited Tax Bonds.

The agreement states that the BAN is legally enforceable until principal is paid in full or a new debt instrument is issued. The 2013 BAN matured on December 11, 2018. The District has the ability to consummate the refinancing of the outstanding BAN in accordance with GASB No. 62, Paragraph 39. Based on this ability, the District has excluded the BAN from current liabilities as of December 31, 2022.

The District incurred interest expense of \$576,675 for the year ended December 31, 2022. The outstanding balance of the BAN is represented below:

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2023	\$ 6,784,410	\$ 2,274,013	\$ 9,058,423
Total	<u>\$ 6,784,410</u>	<u>\$ 2,274,013</u>	<u>\$ 9,058,423</u>

**Debt Authorization**

The District voters approved \$330,000,000 of revenue obligation debt in 2008 at an interest rate not to exceed 18% per annum. At December 31, 2022, the District had remaining authorized but unissued indebtedness of \$294,170,483. 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.

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 7 DISTRICT FACILITIES CONSTRUCTION AND SERVICE AGREEMENT  
(SERVICE CONTRACT) AND OTHER AGREEMENTS**

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. 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.

**NOTE 8 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 9 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.

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 9 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 May 6, 2008, 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 10 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 \$7,048 for TABOR.

Unrestricted net position totaled (\$40,343,895). This deficit is caused by the District financing infrastructure costs and conveying the infrastructure to the Town of Erie or the HOA while retaining the debt used to finance the infrastructure assets.

In 2019, the District received funding from proceeds received from the issuance of the senior and subordinate limited tax bonds Series 2019A and 2019B and such proceeds were sufficient to pay off the outstanding balances of the Series 2016 and Series 2019 Notes. The District's obligation to repay the 2013 BAN came due in December 2018. The District did not restructure the 2013 BAN and has the ability to consummate the refinancing of the outstanding BAN in accordance with GASB No. 62, Paragraph 39. Based on this ability, the District has excluded this BAN from current liabilities as of December 31, 2022. The agreement states that the outstanding BAN is legally enforceable until principal is paid in full.



**COLLIERS HILL METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 10 NET POSITION (CONTINUED)**

The District paid off a portion of the outstanding principal and interest in 2019 with proceeds from the issuance of the Series 2019 Senior and Subordinate Limited Tax General Obligation Bonds. Repayment of the BAN is subordinate to the repayment of the issued Series 2019 Bonds.

The District paid off another portion of the outstanding principal in 2021 with proceeds from the issuance of the Series 2021C Junior Lien General Obligation Limited Tax Bonds. Repayment of the BAN is subordinate to the repayment of the Series 2021C Bonds. Based on this ability, the District has excluded the BAN from current liabilities as of December 31, 2022.

The 2013 BAN will remain on the District's statement of net position as long-term debt until the obligation is paid.

**REQUIRED SUPPLEMENTARY INFORMATION**

**COLLIERS HILL METROPOLITAN DISTRICT NO. 1  
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN  
FUND BALANCE – BUDGET AND ACTUAL –  
GENERAL FUND  
YEAR ENDED DECEMBER 31, 2022**

	Original & Final Budgeted Amounts	Actual	Variance with Final Budget Positive (Negative)
<b>REVENUES</b>			
Property Taxes	\$ 127,295	\$ 125,197	\$ (2,098)
Specific Ownership Taxes	99,710	98,356	(1,354)
TIF Income	1,534,544	1,532,056	(2,488)
Investment Income	-	27,538	27,538
Total Revenues	<u>1,761,549</u>	<u>1,783,147</u>	<u>21,598</u>
<b>EXPENDITURES</b>			
Current:			
Treasurer Fees	24,928	24,876	52
Audit	11,000	11,550	(550)
Accounting	25,000	19,321	5,679
Insurance	3,750	3,396	354
Legal	25,000	8,123	16,877
Letter of Credit	4,051	-	4,051
Miscellaneous	5,000	3,176	1,824
Director Fees	60	60	-
Capital Outlay	125,000	17,615	107,385
Debt Service:			
Principal Payments	335,000	335,000	-
Interest	1,281,152	1,309,969	(28,817)
Trustee Fees	7,000	11,000	(4,000)
Total Expenditures	<u>1,846,941</u>	<u>1,744,086</u>	<u>102,855</u>
<b>EXCESS REVENUES OVER (UNDER) EXPENDITURES</b>	(85,392)	39,061	124,453
<b>OTHER FINANCING SOURCES</b>			
Proceeds from Developer Advances	<u>50,000</u>	-	<u>(50,000)</u>
Total Other Financing Sources	<u>50,000</u>	-	<u>(50,000)</u>
<b>NET CHANGE IN FUND BALANCE</b>	(35,392)	39,061	74,453
<b>FUND BALANCES - BEGINNING OF YEAR</b>	<u>1,057,652</u>	<u>1,075,946</u>	<u>18,294</u>
<b>FUND BALANCES - END OF YEAR</b>	<u>\$ 1,022,260</u>	<u>\$ 1,115,007</u>	<u>\$ 92,747</u>



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