

# ACC METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150  
Lakewood, Colorado 80228-1898  
Tel: 303-987-0835 800-741-3254  
Fax: 303-987-2032  
[www.accmd.colorado.gov](http://www.accmd.colorado.gov)

## NOTICE OF REGULAR MEETING AND AGENDA

<u>Board of Directors</u>	<u>Office</u>	<u>Term/Expires</u>
Julie von Clausburg	President	2027/May 2027
John Strabel	Treasurer	2027/May 2027
Brenda Lamer	Assistant Secretary	2025/May 2025
<b>VACANT</b>		2025/May 2027
<b>VACANT</b>		2025/May 2025

DATE: November 8, 2023 (Wednesday)

TIME: 9:30 A.M.

PLACE: *This meeting will be held as a teleconference via Zoom without any individuals (neither District representatives nor the general public) attending in person. The meeting can be joined through the directions below:*

Join Zoom Meeting

<https://us02web.zoom.us/j/5469119353?pwd=SmtlcHJETFhCQUZEcVBBOGZVU3Fqdz09>

Meeting ID: 546 911 9353

Passcode: 912873

Dial In: 1-719-359-4580

### I. ADMINISTRATIVE MATTERS

A. Present Disclosures of Potential Conflicts of Interest.

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B. Confirm Quorum, approve Agenda, confirm location of the meeting and posting of meeting notices and designate 24-hour posting location.

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C. Consider approval of the Minutes from June 29, 2023 regular meeting (enclosure).

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D. Discuss business to be conducted in 2024 and location (**virtual and/or physical**) of meetings. Schedule regular meeting dates and consider adoption of Resolution No. 2023-11-\_\_\_\_ Establishing Regular Meeting Dates, Time, Location, and Designating Location for Posting 24-Hour Notices (enclosure).

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F. Discuss §32-1-809, C.R.S. (Transparency Notice) reporting requirements and mode of eligible elector notification and direct staff regarding compliance.

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II. PUBLIC COMMENTS

A. \_\_\_\_\_

III. FINANCIAL MATTERS

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

Fund	Period Ending June 30, 2023	Period Ending July 31, 2023	Period Ending Aug. 31, 2023	Period Ending Sept. 30, 2023
General	\$ 2,432.86	\$ 1,901.50	\$ 3,043.97	\$ 18,007.61
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ 240,782.36	\$ 2,845.35	\$ 9,345.96	\$ 3,005.41
<b>Total</b>	\$ 243,215.22	\$ 4,746.85	\$ 12,389.93	\$ 21,013.02

Fund	Period Ending Oct. 31, 2023
General	\$ 5,349.55
Debt	\$ 4,500.00
Capital	\$ 23,059.29
<b>Total</b>	\$ 32,905.84

B. Review and accept unaudited financial statements for the period ending September 30, 2023 and Cash Position Statement dated September 30, 2023 (enclosure).

C. Ratify approval and filing of the 2022 Audit and authorization of execution of the Representations Letter (enclosure).

D. Discuss statutory requirements for an audit. Consider engagement of Haynie & Company for preparation of 2023 Audit, for an amount not to exceed \$\_\_\_\_\_.

E. Insurance Discussion

1. Cyber Security and Increased Crime Coverage.
2. Establish Insurance Committee to make final determinations regarding insurance, if necessary.
3. Authorize renewal of District’s insurance and Special District Association (SDA) membership for 2024.

- F. Conduct public hearing to Amend the to 2022 Budget and consider adoption of a Resolution No. 2023-11-\_\_ to Amend the 2022 Budget (enclosure).

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- G. Conduct public hearing to consider Amendment to 2023 Budget and (if necessary) consider adoption of a Resolution No. 2023-11-\_\_ to Amend the 2023 Budget.

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- H. Conduct Public Hearing on the proposed 2024 Budget and consider adoption of Resolution No. 2023-11-\_\_ to Adopt the 2024 Budget and Appropriate Sums of Money and Resolution No. 2023-11-\_\_ to Set Mill Levies (enclosures - preliminary assessed valuations, 2024 draft Budget and Resolutions).

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- I. Consider authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

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- J. Consider appointment of District Accountant to prepare the 2025 Budget and set date for public hearing to adopt the 2025 Budget (\_\_\_\_\_, 2024).

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IV. LEGAL MATTERS

- A. Discuss and consider adoption of Resolution Amending Policy on Colorado Open Record Act Requests (enclosure).

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- B. Ratify draw on 2019B Loan Amount of \$3,588,435.17 (Draw documentation attached).

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- C. Discuss potential new debt issuance. Authorize engagement of District consultants in connection with same.

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V. CAPITAL IMPROVEMENTS

- A. Discuss Project Status.

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- B. Discuss Ownership and Maintenance of Improvements.

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VI. OTHER MATTERS

A. \_\_\_\_\_

VII. ADJOURNMENT **THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2023.**

Informational Enclosure:

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

# RECORD OF PROCEEDINGS

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## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ACC METROPOLITAN DISTRICT HELD JUNE 29, 2023

A regular meeting of the Board of Directors (referred to hereafter as “Board”) of the ACC Metropolitan District (referred to hereafter as “District”) convened on Wednesday, the 29<sup>th</sup> day of June, 2023, at 12:00 P.M. This meeting was held via video and telephone conference. The meeting was open to the public.

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### ATTENDANCE

#### Directors In Attendance Were:

Julie von Clausburg  
Brenda Lamer

#### Also In Attendance Were:

David Solin; Special District Management Services, Inc.  
Paula Williams, Esq. and Kate Olson, Esq. McGeady Becher P.C.  
Jim Knopka and John Connors; First Industrial Realty Trust, Inc.  
Andrew Gaittens; Independent District Engineering Services  
John Strabel, Board Candidate

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### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosures of Potential Conflicts of Interest: Mr. Solin advised the Board regarding the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. It was noted that a quorum was present, and Directors were asked to disclose any additional conflicts of interest they might have regarding any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made prior to this meeting in accordance with the statute. Disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed at the meeting.

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### ADMINISTRATIVE MATTERS

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

Following discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote, unanimously carried, the agenda was approved, as amended.

## RECORD OF PROCEEDINGS

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**Meeting Location and Posting of Notice:** The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting.

Following discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote, unanimously carried, the Board determined to conduct the meeting by electronic means via Zoom video and telephone conference, and encouraged public participation via Zoom. The Board noted that notice of this meeting and Zoom participation information was duly posted and that it had not received any objections to the telephonic meeting or any requests that the meeting be changed by taxpaying electors within the District's boundaries.

**Designation of 24-hour Posting Location:** Following discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote, unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted on the District website at least 24-hours prior to each meeting.

**Resignation of James Ruthven Secretary to the Board:** Following discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote unanimously carried, the Board acknowledged the resignation of James Ruthven as Secretary, and appointed David Solin as Secretary to the Board of Directors of the District.

**Results of the May 2, 2023 Director Election:** Mr. Solin discussed the results May 2, 2023 Director Election with the Board, noting that it was cancelled, as allowed under Colorado law, by the Designated Election Official because there were not more candidates than positions available on the Board of Directors. Director von Clausburg was deemed elected by acclamation to a 4-year term expiring May 2027.

**Oaths of Office:** Mr. Solin confirmed with the Board the filing of the Oaths of Office with the applicable entities as required by statute.

**Board Vacancies:** Mr. Solin discussed the vacancies with the Board. The Board considered the appointment of eligible candidate, John Strabel to the Board of Directors of the District.

Following discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote, unanimously carried, the Board appointed John Strabel to the Board of Directors.

## RECORD OF PROCEEDINGS

**Appointment of Officers:** The Board discussed the appointment of officers.

Following discussion, upon motion duly made by Director von Clausburg, seconded by Director Strabel and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Julie von Clausburg
Treasurer	John E. Strabel
Secretary	David Solin
Assistant Secretary	Brenda Lamer

**November 2, 2022 Regular Meeting Minutes:** The Board reviewed the minutes of the November 2, 2022 regular meeting.

Following discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote, unanimously carried, the Board approved the minutes of the November 2, 2022 regular meeting.

**PUBLIC  
COMMENTS**

There were no public comments.

**FINANCIAL  
MATTERS**

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

Fund	Period Ending Nov. 30, 2022	Period Ending Dec. 31, 2022	Period Ending Jan. 31, 2023	Period Ending Feb. 28, 2023
General	\$ 3,305.03	\$ 2,833.72	\$ 1,576.28	\$ 1,606.52
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ 6,083.60	\$ 18,565.81	\$ 30,364.74	\$ 11,366.19
<b>Total</b>	\$ 9,388.63	\$ 21,399.53	\$ 31,941.02	\$ 12,972.71

Fund	Period Ending March 31, 2023	Period Ending April 30, 2023	Period Ending May 31, 2023
General	\$ 2,001.01	\$ 1,071.98	\$ 18,591.92
Debt	\$ -0-	\$ -0-	\$ 24,787.53
Capital	\$ 10,294.47	\$ 40,507.60	\$ 111,987.07
<b>Total</b>	\$ 12,296.48	\$ 41,579.58	\$ 155,366.52

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

**Financial Statements and Schedule of Cash Position:** The Board reviewed the unaudited financial statements dated March 31, 2023 and the Schedule of Cash Position as of March 31, 2023.

## RECORD OF PROCEEDINGS

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Following review and discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote unanimously carried, the Board accepted the unaudited financial statements dated March 31, 2023 and the Schedule of Cash Position as of March 31, 2023.

**Status of 2021 and 2022 Audits:** The Board discussed the status of the 2021 and 2022 Audits. It was reported that the Audits will not be finished by the July 31 deadline, and therefore the Accountant will need to file extensions with the Office of the State Auditor.

Following discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote unanimously carried, the Board authorized filing an extension for the 2022 Audit. The Board further authorized approval and filing of the 2021 Audit and issuance of the Representations Letter, subject to legal review and a final clean copy issued from the auditor.

**Cost Certification Report No. 2 and Task Order No. 2:** The Board reviewed Cost Certification Report No. 2 and Task Order No. 2 prepared by Independent District Engineering Services, LLC (“IDES”).

Following review and discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote unanimously carried, the Board approved Cost Certification Report No. 2 and Task Order No. 2 prepared by Independent District Engineering Services, LLC (“IDES”).

**Professional Services Agreement between the District and Independent District Engineering Services, LLC:** The Board reviewed the Professional Services Agreement between the District and Independent District Engineering Services, LLC.

Following review and discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote unanimously carried, the Board approved the Professional Services Agreement between the District and Independent District Engineering Services, LLC.

**Additional Service Request and Change Order No. 7 with Langan Engineering and Environmental Services, Inc.:** The Board reviewed the Additional Service Request and Change Order No. 7 with Langan Engineering and Environmental Services, Inc.

Following review and discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote unanimously carried, the Board approved the Additional Service Request and Change Order No. 7 with Langan Engineering and Environmental Services, Inc.



## RECORD OF PROCEEDINGS

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**Xcel Energy Customer Packet:** The Board reviewed the Xcel Energy Customer Packet.

**Pay Application #25 to Concrete Express Inc.:** The Board reviewed Pay Application #25 to Concrete Express Inc. for the First Creek Enabling Package project in the amount of \$90,139.80.

Following review and discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote unanimously carried, the Board approved Pay Application #25 to Concrete Express Inc. for the First Creek Enabling Package project in the amount of \$90,139.80.

**Pay Application #26 to Concrete Express Inc.:** The Board reviewed Pay Application #2 to Concrete Express Inc. for the First Creek Enabling Package project in the amount of \$20,386.90.

Following review and discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote unanimously carried, the Board approved Pay Application #26 to Concrete Express Inc. for the First Creek Enabling Package project in the amount of \$20,386.90.

**Pay Application #27 to Concrete Express Inc.:** The Board reviewed Pay Application #27 to Concrete Express Inc. for the First Creek Enabling Package project in the amount of \$227,605.23.

Following review and discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote unanimously carried, the Board approved Pay Application #27 to Concrete Express Inc. for the First Creek Enabling Package project in the amount of \$227,605.23.

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### **LEGAL MATTERS**

**Public Improvements Deferral Agreements with City of Aurora:** Attorney Williams and Mr. Knopka discussed with the Board the status of the Public Improvements Deferral Agreements with the City of Aurora. No action was needed.

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### **CAPITAL IMPROVEMENTS**

**Ownership and Maintenance of Improvements:** There were no updates at this time.

**Change Order No. 23 for the Service Agreement with Kimley-Horn and Associates, Inc.:** The Board discussed Change Order No. 23 for the Service Agreement with Kimley-Horn and Associates, Inc. for Professional Civil Engineering Services for Picadilly Road in the amount of \$5,500.00.

## RECORD OF PROCEEDINGS

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Following review and discussion, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote unanimously carried, the Board ratified approval of Change Order No. 23 for the Service Agreement with Kimley-Horn and Associates, Inc. for Professional Civil Engineering Services for Picadilly Road in the amount of \$5,500.00.

**Update on Capital Improvements:** Mr. Knopka provided an update on the Capital Improvements to the Board. No action was taken.

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### **OTHER MATTERS**

**Assessed Valuation Appeals:** The Board discussed the appeal of certain assessed values. No action was taken.

**Insurance Increase for Theft Coverage:** The Board discussed considering increases to theft insurance. The Board directed Mr. Solin to get quotes for higher theft coverage through the Pool in the amount of the average debt service payment.

**Bond Refinancing:** The Board discussed possibly refunding the Series 2019A and Series 2019B. No further action was taken.

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### **ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director von Clausburg, seconded by Director Lamer and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By \_\_\_\_\_  
Secretary for the Meeting

## RESOLUTION NO. 2023-11-01

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

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

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

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

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

3. That regular meetings of the District Board for the year 2024 shall be held on June 12 and November 6, 2024 at 9:30 a.m., via video and telephone conference

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

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

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

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

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

(a) Southeast corner of the intersection of Piccadilly Road and 26<sup>th</sup> Avenue.

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

**[SIGNATURE PAGE FOLLOWS]**

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

RESOLUTION APPROVED AND ADOPTED on November 8, 2023.

**ACC METROPOLITAN DISTRICT**

By: \_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary

ACC Metropolitan District  
June-23

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
Aurora Media Group	105764	5/24/2023	6/14/2023	\$ 325.30	Miscellaneous	1-685
Concrete Express, Inc.	Pay App 27	6/14/2023	6/30/2023	\$227,605.23	Retainage Payable	3-318
Dodge Construction Network	40414178	6/1/2023	6/1/2023	\$ 162.40	Miscellaneous	1-685
Kimley Horn and Associates, Inc.	096583002-0523	5/31/2023	5/31/2023	\$ 3,207.74	Engineering	3-784
Langan Engineering and Env. Svcs. Inc	382067	6/14/2023	6/14/2023	\$ 4,932.20	Engineering	3-784
Matrix Design Group	39856	5/25/2023	6/14/2023	\$ 2,391.25	Engineering	3-784
McGeady Becher P.C.	685W 04/2023	4/30/2023	4/30/2023	\$ 777.18	Legal	3-675
McGeady Becher P.C.	685W 04/2023	4/30/2023	4/30/2023	\$ 518.12	Legal	1-675
Special District Management Services	May-23	5/31/2023	5/31/2023	\$ 655.68	Accounting	1-612
Special District Management Services	May-23	5/31/2023	5/31/2023	\$ 983.52	Management / Accounting	3-612
Special District Management Services	May-23	5/31/2023	5/31/2023	\$ 5.20	Miscellaneous	1-685
Special District Management Services	May-23	5/31/2023	5/31/2023	\$ 176.00	Election	1-680
Special District Management Services	May-23	5/31/2023	5/31/2023	\$ 885.24	District Management	3-614
Special District Management Services	May-23	5/31/2023	5/31/2023	\$ 590.16	Management	1-614
				\$243,215.22		

ACC Metropolitan District  
June-23

	General	Debt	Capital	Totals
Disbursements	\$ 2,432.86		\$ 240,782.36	\$ 243,215.22
<u>Total Disbursements from Checking Acct</u>	<u>\$ 2,432.86</u>	<u>\$ -</u>	<u>\$ 240,782.36</u>	<u>\$ 243,215.22</u>

ACC Metropolitan District  
July-23

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
McGeady Becher P.C.	685W 05/2023	5/31/2023	5/31/2023	\$ 1,372.59	Legal	3-675
McGeady Becher P.C.	685W 05/2023	5/31/2023	5/31/2023	\$ 915.06	Legal	1-675
Special District Management Services	6/30/2023	6/30/2023	6/30/2023	\$ 427.92	Accounting	1-612
Special District Management Services	6/30/2023	6/30/2023	6/30/2023	\$ 641.88	Management / Accounting	3-612
Special District Management Services	6/30/2023	6/30/2023	6/30/2023	\$ 4.60	Miscellaneous	1-685
Special District Management Services	6/30/2023	6/30/2023	6/30/2023	\$ 830.88	District Management	3-614
Special District Management Services	6/30/2023	6/30/2023	6/30/2023	\$ 553.92	Management	1-614
				\$ 4,746.85		



ACC Metropolitan District  
July-23

	General	Debt	Capital	Totals
Disbursements	\$ 1,901.50		\$ 2,845.35	\$ 4,746.85
Total Disbursements from Checking Acct	\$ 1,901.50	\$ -	\$ 2,845.35	\$ 4,746.85

ACC Metropolitan District  
August-23

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
Kimley Horn and Associates, Inc.	096583003-0723	7/31/2023	7/31/2023	\$ 1,075.00	Engineering	3-784
Kimley Horn and Associates, Inc.	096583002-0723	7/31/2023	7/31/2023	\$ 3,927.00	Engineering	3-784
McGeady Becher P.C.	685W 06/2023	6/30/2023	6/30/2023	\$ 2,592.08	Legal	3-675
McGeady Becher P.C.	685W 06/2023	6/30/2023	6/30/2023	\$ 1,728.05	Legal	1-675
Special District Management Services	Jul-23	7/31/2023	7/31/2023	\$ 654.72	Accounting	1-612
Special District Management Services	Jul-23	7/31/2023	7/31/2023	\$ 982.08	Management / Accounting	3-612
Special District Management Services	Jul-23	7/31/2023	7/31/2023	\$ 4.00	Miscellaneous	1-685
Special District Management Services	Jul-23	7/31/2023	7/31/2023	\$ 144.00	Election	1-680
Special District Management Services	Jul-23	7/31/2023	7/31/2023	\$ 769.80	District Management	3-614
Special District Management Services	Jul-23	7/31/2023	7/31/2023	\$ 513.20	Management	1-614
				\$12,389.93		

ACC Metropolitan District  
August-23

	General	Debt	Capital	Totals
Disbursements	\$ 3,043.97		\$ 9,345.96	\$ 12,389.93
<u>Total Disbursements from Checking Acct</u>	<u>\$ 3,043.97</u>	<u>\$ -</u>	<u>\$ 9,345.96</u>	<u>\$ 12,389.93</u>

ACC Metropolitan District  
September-23

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
Haynie & Company	C71464	8/31/2023	8/31/2023	\$ 16,000.00	Audit	1-615
McGeady Becher P.C.	685W 07/2023	7/31/2023	7/31/2023	\$ 1,752.85	Legal	3-675
McGeady Becher P.C.	685W 07/2023	7/31/2023	7/31/2023	\$ 1,168.57	Legal	1-675
Special District Management Services	Aug-23	8/31/2023	8/31/2023	\$ 604.40	Accounting	1-612
Special District Management Services	Aug-23	8/31/2023	8/31/2023	\$ 906.60	Management / Accounting	3-612
Special District Management Services	Aug-23	8/31/2023	8/31/2023	\$ 4.00	Miscellaneous	1-685
Special District Management Services	Aug-23	8/31/2023	8/31/2023	\$ 345.96	District Management	3-614
Special District Management Services	Aug-23	8/31/2023	8/31/2023	\$ 230.64	Management	1-614
				\$ 21,013.02		

ACC Metropolitan District  
September-23

	General	Debt	Capital	Totals
Disbursements	\$ 18,007.61		\$ 3,005.41	\$ 21,013.02
<u>Total Disbursements from Checking Acct</u>	<u>\$ 18,007.61</u>	<u>\$ -</u>	<u>\$ 3,005.41</u>	<u>\$ 21,013.02</u>

**Haynie & Company**  
**Client Balance and Payment History**  
**For All Dates**

Client ID	Client Name	Transaction Date	Accounting Period Date	Type	Document #	Applied To	Amount	AR Balance
<b>Client ID.Sub ID : C00016.000</b>								
	ACC Metropolitan District	8/31/2023	9/5/2023	Invoice	C71464	C71464	18,000.00	
	ACC Metropolitan District	9/20/2023	9/20/2023	Credit memo	CM WO	C71464	-2,000.00	
								16000.00
							<b>C00016.000 Subtotal:</b>	<b>\$16,000.00</b>
							<b>Grand totals:</b>	<b>\$16,000.00</b>

ACC Metropolitan District  
October-23

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
Aurora Media Group	106526	10/3/2023	11/2/2023	\$ 113.80	Miscellaneous	1-685
Colorado Special Districts P&L	24WC-60034-0664	8/14/2023	8/14/2023	\$ 450.00	Prepaid Expenses	1-141
Colorado Special Districts P&L	24PL-60034-1177	9/5/2023	9/5/2023	\$ 2,076.00	Prepaid Expenses	1-141
Kimley Horn and Associates, Inc.	096583003-0823	8/31/2023	8/31/2023	\$ 3,677.50	Engineering	3-784
Kimley Horn and Associates, Inc.	096583002-0823	8/31/2023	8/31/2023	\$ 15,604.50	Engineering	3-784
Kimley Horn and Associates, Inc.	096583003-0923	9/30/2023	9/30/2023	\$ 635.00	Engineering	3-784
McGeady Becher P.C.	685W 08/2023	8/31/2023	8/31/2023	\$ 409.05	Legal	3-675
McGeady Becher P.C.	685W 08/2023	8/31/2023	8/31/2023	\$ 272.70	Legal	1-675
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 1,512.40	Accounting	1-612
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 2,268.60	Management / Accounting	3-612
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 5.89	Miscellaneous	1-685
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 16.00	Election	1-680
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 461.64	District Management	3-614
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 307.76	Management	1-614
T Charles Wilson Insurance	12470	8/29/2023	8/29/2023	\$ 595.00	Prepaid Expenses	1-141
Zions Bank	Trust Fee- 2023	9/26/2023	9/26/2023	\$ 4,500.00	Paying Agent Fees	2-668
				\$ 32,905.84		

ACC Metropolitan District  
October-23

	General	Debt	Capital	Totals
Disbursements	\$ 5,349.55	\$ 4,500.00	\$ 23,056.29	\$ 32,905.84
<u>Total Disbursements from Checking Acct</u>	<u>\$ 5,349.55</u>	<u>\$ 4,500.00</u>	<u>\$ 23,056.29</u>	<u>\$ 32,905.84</u>



**ACC METROPOLITAN DISTRICT**  
**Schedule of Cash Position**  
**September 30, 2023**

	<u>Rate</u>	<u>Operating</u>	<u>Debt Service</u>	<u>Capital Projects</u>	<u>Total</u>
<b>Checking:</b>					
Cash in Bank-FirstBank		\$ 104,232.39	\$ 721,487.82	\$ (84,297.36)	\$ 741,422.85
<b>Investments:</b>					
Cash in Bank-ColoTrust	5.1665%	25.14	-	2,582.50	2,607.64
<b>Trustee:</b>					
Zion Bank Project Fund		-	46,837.33	-	46,837.33
Zion Bank Cap Interest Fund		-	0.51	-	0.51
Zion Bank Pledged Revenue		-	581,073.79	-	581,073.79
Zion Bank 2019A Loan Pymt Fund		-	4,143.76	-	4,143.76
Zion Bank 2019B Loan Pymt Fund		-	81.74	-	81.74
Zion Mand. Prepay. Fund 2019B		-	19.06	-	19.06
Zion Mand. Prepay. Fund 2019A		-	36.43	-	36.43
<b>TOTAL FUNDS:</b>		<u>\$ 104,257.53</u>	<u>\$ 1,353,680.44</u>	<u>\$ (81,714.86)</u>	<u>\$ 1,376,223.11</u>

**2023 Mill Levy Information**

General Fund	3.388
Debt Service Fund	32.612
ARTA	<u>1.000</u>
Total	<u><u>37.000</u></u>

**Board of Directors**

- \* Julie von Clausburg
- \* John E. Strabel
- Brenda Lamer

\*authorized signer on checking account

**ACC METROPOLITAN DISTRICT**  
**FINANCIAL STATEMENTS**  
**September 30, 2023**

**ACC METROPOLITAN DISTRICT**  
**COMBINED BALANCE SHEET - ALL FUND TYPES AND ACCOUNT GROUPS**  
**September 30, 2023**

	<u>GENERAL</u>	<u>DEBT SERVICE</u>	<u>CAPITAL PROJECTS</u>	<u>FIXED ASSETS</u>	<u>LONG-TERM DEBT</u>	<u>TOTAL MEMO ONLY</u>
<b>Assets</b>						
Cash in Bank-FirstBank	\$ 104,232	\$ 721,488	\$ (84,297)	\$ -	\$ -	\$ 741,423
Cash in Bank-ColoTrust	25	-	2,583	-	-	2,608
Zion Bank Project Fund	-	46,837	-	-	-	46,837
Zion Bank Cap Interest Fund	-	1	-	-	-	1
Zion Bank Pledged Revenue	-	581,074	-	-	-	581,074
Zion Bank 2019A Loan Pymt Fund	-	4,144	-	-	-	4,144
Zion Bank 2019B Loan Pymt Fund	-	82	-	-	-	82
Zion Mand. Prepay. Fund 2019B	-	19	-	-	-	19
Zion Mand. Prepay. Fund 2019A	-	36	-	-	-	36
Construction in progress	-	-	-	16,494,645	-	16,494,645
Total Current Assets	<u>143,047</u>	<u>1,353,680</u>	<u>(81,715)</u>	<u>16,494,645</u>	<u>-</u>	<u>17,909,657</u>
<b>Other Debits</b>						
Amount in Debt Service Fund	-	-	-	-	1,353,680	1,353,680
Amount to be Provided for Debt	-	-	-	-	20,460,690	20,460,690
Total Other Debits	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>21,814,371</u>	<u>21,814,371</u>
<b>Total Assets</b>	<u>\$ 143,047</u>	<u>\$ 1,353,680</u>	<u>\$ (81,715)</u>	<u>\$ 16,494,645</u>	<u>\$ 21,814,371</u>	<u>\$ 39,724,028</u>
<b>Liabilities</b>						
Retainage Payable	\$ -	\$ -	\$ (22,533)	\$ -	\$ -	\$ (22,533)
Due to Other Funds	-	-	38,789	-	-	38,789
Series 2019A Loan	-	-	-	-	9,435,000	9,435,000
Series 2019B Loan	-	-	-	-	8,784,416	8,784,416
Operational Funding-Due Dev	-	-	-	-	71,312	71,312
Capital Funding-Due Developer	-	-	-	-	3,492,107	3,492,107
Operational-Developer Adv Int	-	-	-	-	29,240	29,240
Capital-Developer Adv Interest	-	-	-	-	2,296	2,296
Total Liabilities	<u>0</u>	<u>-</u>	<u>16,256</u>	<u>-</u>	<u>21,814,371</u>	<u>21,830,627</u>
<b>Fund Balance</b>						
Investment in Fixed Assets	-	-	-	16,494,645	-	16,494,645
Fund Balance	102,741	793,254	0	-	-	895,996
Current Year Earnings	40,305	560,426	(97,971)	-	-	502,760
Total Fund Balances	<u>143,046</u>	<u>1,353,680</u>	<u>(97,971)</u>	<u>16,494,645</u>	<u>-</u>	<u>17,893,401</u>
<b>Total Liabilities, Deferred Inflows of Resources and Fund Balance</b>	<u>\$ 143,047</u>	<u>\$ 1,353,680</u>	<u>\$ (81,715)</u>	<u>\$ 16,494,645</u>	<u>\$ 21,814,371</u>	<u>\$ 39,724,028</u>

**ACC METROPOLITAN DISTRICT**  
**Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual**  
**For the 9 Months Ending**  
**September 30, 2023**  
**General Fund**

Account Description	Period Actual	YTD Actual	Budget	Favorable (Unfavorable) Variance	% of Budget
<b>Revenues</b>					
Property Tax Revenue	\$ 17	\$ 82,106	\$ 82,106	\$ 0	100.0%
Specific Ownership Taxes	1,454	3,691	2,200	1,491	167.8%
Interest Income	1	1	-	1	-
<b>Total Revenues</b>	<b>1,472</b>	<b>85,799</b>	<b>84,306</b>	<b>1,493</b>	<b>101.8%</b>
<b>Expenditures</b>					
Accounting	1,687	4,606	11,900	7,294	38.7%
District Management	1,298	2,772	16,200	13,428	17.1%
Audit	16,000	16,000	7,500	(8,500)	213.3%
Insurance/SDA Dues	-	3,329	4,000	671	83.2%
Legal	3,812	5,874	15,000	9,126	39.2%
Election	144	1,061	1,000	(61)	106.1%
Miscellaneous	310	1,435	2,000	565	71.7%
Treasurer's Fees	0	1,232	1,232	0	100.0%
Contingency	-	-	20,000	20,000	0.0%
Emergency Reserve	-	-	2,529	2,529	0.0%
<b>Total Expenditures</b>	<b>23,251</b>	<b>36,308</b>	<b>81,361</b>	<b>45,053</b>	<b>44.6%</b>
Excess (Deficiency) of Revenues Over Expenditures	(21,779)	49,491	2,945	46,547	
<b>Transfers and Other Sources (Uses)</b>					
Prior Year Abatement	-	(9,186)	-	(9,186)	
Developer Advance Reimb	-	-	(30,000)	30,000	
<b>Total Transfers and Other Sources (Uses)</b>	<b>-</b>	<b>(9,186)</b>	<b>(30,000)</b>	<b>20,814</b>	
Change in Fund Balance	(21,779)	40,305	(27,055)	67,361	
Beginning Fund Balance	164,826	102,741	79,515	23,226	
<b>Ending Fund Balance</b>	<b>\$ 143,046</b>	<b>\$ 143,046</b>	<b>\$ 52,460</b>	<b>\$ 90,587</b>	

**ACC METROPOLITAN DISTRICT**  
**Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual**  
**For the 9 Months Ending**  
**September 30, 2023**  
**Debt Service Fund**

Account Description	Period Actual	YTD Actual	Budget	Favorable (Unfavorable) Variance	% of Budget
<b>Revenues</b>					
Property Tax Revenue	\$ 161	\$ 790,335	\$ 790,335	\$ 0	100.0%
Specific ownership tax	14,426	36,622	25,000	11,622	146.5%
ARTA Revenue	5	24,234	24,234	0	100.0%
Interest Income	5,302	6,230	600	5,630	1038.4%
<b>Total Revenues</b>	<b>19,893</b>	<b>857,422</b>	<b>840,169</b>	<b>17,253</b>	<b>102.1%</b>
<b>Expenditures</b>					
Note Principal	-	-	223,613	223,613	0.0%
Note Interest	-	204,443	420,076	215,633	48.7%
ARTA - one mill levy	0	25,151	24,234	(917)	103.8%
Paying Agent Fees	-	-	8,000	8,000	0.0%
Treasurer's Fees	2	11,855	11,855	(0)	100.0%
<b>Total Expenditures</b>	<b>3</b>	<b>241,449</b>	<b>708,778</b>	<b>467,329</b>	<b>34.1%</b>
Excess (Deficiency) of Revenues Over Expenditures	19,891	615,973	131,391	484,582	
<b>Transfers and Other Sources (Uses)</b>					
Prior Year Abatement	1	(91,132)	-	(91,132)	
Loan Proceeds	3,522,854	3,522,854	-	3,522,854	
Transfer to Capital Projects	(3,487,269)	(3,487,269)	-	(3,487,269)	
<b>Total Transfers and Other Sources (Uses)</b>	<b>35,585</b>	<b>(55,547)</b>	<b>-</b>	<b>(55,547)</b>	
Change in Fund Balance	55,476	560,426	131,391	429,035	
Beginning Fund Balance	1,298,205	793,254	911,809	(118,555)	
<b>Ending Fund Balance</b>	<b>\$ 1,353,680</b>	<b>\$ 1,353,680</b>	<b>\$ 1,043,200</b>	<b>\$ 310,480</b>	

**ACC METROPOLITAN DISTRICT**  
**Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual**  
**For the 9 Months Ending**  
**September 30, 2023**  
**Capital Projects Fund**

Account Description	Period Actual	YTD Actual	Budget	Favorable (Unfavorable) Variance	% of Budget
<b>Revenues</b>					
Interest Income	\$ 33	\$ 90	\$ -	\$ 90	-
<b>Total Revenues</b>	<u>33</u>	<u>90</u>	<u>-</u>	<u>90</u>	<u>-</u>
<b>Expenditures</b>					
Management / Accounting	2,531	6,909	6,500	(409)	106.3%
District Management	1,947	4,158	9,700	5,542	42.9%
Legal	5,718	8,811	15,000	6,189	58.7%
Professional Services	-	-	15,000	15,000	0.0%
Engineering	5,002	53,589	500,000	446,411	10.7%
Capital Outlay	-	24,595	250,000	225,405	9.8%
Contingency	-	-	100,000	100,000	0.0%
<b>Total Expenditures</b>	<u>15,197</u>	<u>98,061</u>	<u>896,200</u>	<u>798,139</u>	<u>10.9%</u>
Excess (Deficiency) of Revenues Over Expenditures	(15,164)	(97,971)	(896,200)	798,229	
<b>Transfers and Other Sources (Uses)</b>					
Developer Advance Reimb	(3,487,269)	(3,487,269)	-	(3,487,269)	
Transfer from Debt Service	3,487,269	3,487,269	-	3,487,269	
<b>Total Transfers and Other Sources (Uses)</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
Change in Fund Balance	(15,164)	(97,971)	(896,200)	798,229	
Beginning Fund Balance	(82,807)	0	487,096	(487,096)	
<b>Ending Fund Balance</b>	<u>\$ (97,971)</u>	<u>\$ (97,971)</u>	<u>\$ (409,104)</u>	<u>\$ 311,133</u>	

Client: ACC Metropolitan District  
 Engagement: 2022 - ACC Metropolitan District  
 Period Ending: 12/31/2022  
 Trial Balance: 1000 - Trial Balance  
 Workpaper: 1115 - AJE report

Account	Description	W/P Ref	Debit	Credit
<b>Adjusting Journal Entry</b>				
<b>Adjusting Journal Entry JE # 1</b>				
To adjust transaction improperly not accrued.				
3-790	Capital Outlay	4110	94,884.00	
8-181	Construction in progress		94,884.00	
3-310	Accounts Payable			90,140.00
3-318	Retainage Payable			4,744.00
8-400	Investment in Fixed Assets			94,884.00
<b>Total</b>			<b>189,768.00</b>	<b>189,768.00</b>
<b>Adjusting Journal Entry JE # 2</b>				
To adjust the allocations cash pooled funds and to reclass debt proceeds drawn down for capital projects (& the associated transfer)				
1-145	Due from Other Funds	2000	38,789.00	
2-894	Transfer to Capital Projects		395,825.00	
3-100	Cash in Bank-FirstBank		38,789.00	
3-100	Cash in Bank-FirstBank		395,825.00	
1-100	Cash in Bank-FirstBank			38,789.00
2-100	Cash in Bank-FirstBank			395,825.00
3-332	Due to Other Funds			38,789.00
3-570	Transfer from Debt Service			395,825.00
<b>Total</b>			<b>869,228.00</b>	<b>869,228.00</b>
<b>Adjusting Journal Entry JE # 3</b>				
To restate PY debt balance				
7-371	Series 2019A Loan	5010	58,192.00	
7-171	Amount to be Provided for Debt			58,192.00
<b>Total</b>			<b>58,192.00</b>	<b>58,192.00</b>
<b>Adjusting Journal Entry JE # 4</b>				
To reconcile the tb to both the confirmed debt balance				
7-171	Amount to be Provided for Debt	5010	263,192.00	
7-371	Series 2019A Loan			263,192.00
<b>Total</b>			<b>263,192.00</b>	<b>263,192.00</b>
<b>Adjusting Journal Entry JE # 5</b>				
To restate PY Fixed asset balance for public improvements initially recorded as paid by the Developer				
8-181	Construction in progress	5010	1,051,090.00	
8-400	Investment in Fixed Assets			1,051,090.00
<b>Total</b>			<b>1,051,090.00</b>	<b>1,051,090.00</b>
<b>Total Adjusting Journal Entry</b>			<b>2,431,470.00</b>	<b>2,431,470.00</b>
<b>Total All Journal Entries</b>			<b>2,431,470.00</b>	<b>2,431,470.00</b>

RESOLUTION TO FURTHER AMEND 2022 BUDGET  
ACC METROPOLITAN DISTRICT

WHEREAS, the Board of Directors of the ACC Metropolitan District adopted an amended budget and appropriated funds for the fiscal year 2022 as follows:

General Fund	\$	60,903
Debt Service Fund:	\$	460,000
Capital Projects Fund	\$	2,500,000

WHEREAS, the necessity has arisen for additional expenditures in the Debt Service Fund and Capital Projects Fund requiring the unanticipated expenditure of funds in excess of those appropriated for the fiscal year 2022; and

WHEREAS, funds are available for such expenditures in the Debt Service Fund and Capital Projects Fund from loan proceeds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the ACC Metropolitan District shall and hereby does amend the amended Budget for the fiscal year 2022 and adopts a supplemental budget and appropriation for the Debt Service Fund and Capital Projects Fund for the fiscal year 2022:

Debt Service Fund	\$	1,250,000
Capital Projects Fund:	\$	2,520,000

BE IT FURTHER RESOLVED, that such sums are hereby appropriated from the revenues of the District to the proper funds for the purposes stated.

DATED this \_\_\_\_\_ day of November, 2023.

ACC METROPOLITAN DISTRICT

By: \_\_\_\_\_  
Secretary



## ACC METROPOLITAN DISTRICT

**DEBT SERVICE FUND**  
**2022 Amended Budget**  
**With 2022 Adopted**

	<b>2022 Adopted Budget</b>	<b>2022 1st Amendment</b>	<b>2022 Final Amendment</b>
BEGINNING FUND BALANCE	\$ 763,907	\$ 763,907	\$ 763,907
<b>REVENUE</b>			
Property Tax Revenue	820,684	820,684	820,684
Specific ownership tax	25,000	25,000	25,000
ARI Revenue	25,165	25,165	25,165
Interest Income	25	25	25
<b>Total Revenue</b>	<b>870,874</b>	<b>870,874</b>	<b>870,874</b>
<b>Total Funds Available</b>	<b>1,634,781</b>	<b>1,634,781</b>	<b>1,634,781</b>
<b>EXPENDITURES</b>			
Note Principal	40,000	40,000	425,000
Note Interest	365,756	365,756	400,000
Miscellaneous	1,000	1,000	1,000
Paying Agent Fees	8,000	8,000	8,000
Treasurer's Fees	12,310	12,310	12,310
Contingency	20,000	32,934	7,865
<b>Total Expenditures</b>	<b>447,066</b>	<b>460,000</b>	<b>854,175</b>
<b>Transfers and Other Sources (Uses)</b>			
Transfer to Capital Projects	-	-	395,825
<b>Total Expenditures Requiring Appropriation</b>	<b>447,066</b>	<b>460,000</b>	<b>1,250,000</b>
<b>ENDING FUND BALANCE</b>	<b>\$ 1,187,715</b>	<b>\$ 1,174,781</b>	<b>\$ 384,781</b>

## ACC METROPOLITAN DISTRICT

CAPITAL PROJECTS FUND  
2022 Amended Budget  
With 2022 Adopted

	2022 Adopted Budget	2022 1st Amendment	2022 Final Amendment
BEGINNING FUND BALANCE	\$ 1,657,936	\$ 1,657,936	\$ 1,657,936
<b>REVENUE</b>			
2019A Loan Proceeds	575,060	575,000	575,000
<b>Total Revenue</b>	575,060	575,000	575,000
<b>Total Funds Available</b>	2,232,996	2,232,936	2,232,936
<b>EXPENDITURES</b>			
Management / Accounting	6,000	6,000	6,000
District Management	9,000	9,000	9,000
Legal	15,000	15,000	15,000
Engineering	600,000	200,000	225,000
Professional Services	15,000	15,000	15,000
Capital Outlay	1,487,996	2,155,000	2,250,000
Contingency	100,000	100,000	-
<b>Total Expenditures</b>	2,232,996	2,500,000	2,520,000
<b>Transfers and Other Sources (Uses)</b>			
Transfer from Debt Service Fund	-	-	395,825
<b>Total Expenditures Requiring Appropriation</b>	2,232,996	2,500,000	2,520,000
<b>ENDING FUND BALANCE</b>	\$ -	\$ (267,064)	\$ (287,064)

Ken Musso  
ASSESSOR



Assessor's Office  
4430 South Adams County Parkway  
2nd Floor, Suite C2100  
Brighton, CO 80601-8201  
PHONE 720.523.6038  
FAX 720.523.6037  
www.adcogov.org

AUG 28 2023

August 25, 2023

ACC METRO DISTRICT  
SPECIAL DISTRICT MANAGEMENT SERVICES INC  
Attn: DAVID SOLIN  
141 UNION BLVD STE 150  
LAKEWOOD CO 80228-1898

To DAVID SOLIN:

Enclosed is the 2023 preliminary valuation. This valuation along with all other statutory requirements is on the enclosed form. A final certification of value will be sent out on or before December 10, 2023.

This value is subject to change by the County Board of Equalization, Board of Assessment Appeals and the State Board of Equalization as provided by law.

Sincerely,

A handwritten signature in black ink, appearing to read "KM", with a long horizontal flourish extending to the right.

Ken Musso  
Adams County Assessor  
KM/rmb

# CERTIFICATION OF VALUATION BY ADAMS COUNTY ASSESSOR

Name of Jurisdiction: **219 - ACC METRO DISTRICT**

IN ADAMS COUNTY ON 8/24/2023

New Entity: No

## USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATIONS (5.5% LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) AND 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR 2023 IN ADAMS COUNTY, COLORADO

1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:		\$24,234,490
2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: *		\$52,230,680
3. LESS TIF DISTRICT INCREMENT, IF ANY:		\$0
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:		\$52,230,680
5. NEW CONSTRUCTION: **		\$0
6. INCREASED PRODUCTION OF PRODUCING MINES: #		\$0
7. ANNEXATIONS/INCLUSIONS:		\$0
8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: #		\$0
9. NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND (29-1-301(1)(b) C.R.S.): ##		\$0
10. TAXES COLLECTED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1))(a) C.R.S.):		\$0.00
11. TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a) C.R.S.) and (39-10-114(1)(a)(I)(B) C.R.S.):		\$0.00

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

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

# Jurisdiction must submit respective certifications (Forms DLG 52 AND 52A) to the Division of Local Government in order for the values to be treated as growth in the limit calculation.

## Jurisdiction must apply (Forms DLG 52B) to the Division of Local Government before the value can be treated as growth in the limit calculation.

## USE FOR 'TABOR' LOCAL GROWTH CALCULATIONS ONLY

IN ACCORDANCE WITH THE PROVISION OF ARTICLE X, SECTION 20, COLO CONST, AND 39-5-121(2)(b), C.R.S. THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2023 IN ADAMS COUNTY, COLORADO ON AUGUST 25, 2023

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: @		\$178,268,233
ADDITIONS TO TAXABLE REAL PROPERTY:		
2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: !		\$0
3. ANNEXATIONS/INCLUSIONS:		\$0
4. INCREASED MINING PRODUCTION: %		\$0
5. PREVIOUSLY EXEMPT PROPERTY:		\$0
6. OIL OR GAS PRODUCTION FROM A NEW WELL:		\$0
7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT:		\$0
(If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.)		
DELETIONS FROM TAXABLE REAL PROPERTY:		
8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:		\$0
9. DISCONNECTIONS/EXCLUSION:		\$0
10. PREVIOUSLY TAXABLE PROPERTY:		\$0

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

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

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

IN ACCORDANCE WITH 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS : 1. TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY:----->	\$0
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NOTE: All levies must be Certified to the Board of County Commissioners NO LATER THAN DECEMBER 15, 2023

IN ACCORDANCE WITH 39-5-128(1.5) C.R.S. THE ASSESSOR PROVIDES: HB21-1312 ASSESSED VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): **	
--	--

\*\* The tax revenue lost due to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119 f(3), C.R.S.

**ACC METROPOLITAN DISTRICT**  
**Assessed Value, Property Tax and Mill Levy Information**

	<b>2022 Actual</b>	<b>2023 Adopted Budget</b>	<b>2024 Preliminary Budget</b>
<b>Assessed Valuation</b>	\$ 25,165,100	\$ 24,234,490	\$ 52,230,680
<b>Mill Levy</b>			
General Fund	3.388	3.388	1.587
Debt Service Fund	32.612	32.612	34.413
ARI Mill Levy	1.000	1.000	1.000
<b>Total Mill Levy</b>	<u>37.000</u>	<u>37.000</u>	<u>37.000</u>
<b>Property Taxes</b>			
General Fund	\$ 85,259	\$ 82,106	\$ 82,890
Debt Service Fund	820,684	790,335	1,797,414
ARI Mill Levy	25,165	24,234	52,231
<b>Actual/Budgeted Property Taxes</b>	<u>\$ 931,108</u>	<u>\$ 896,675</u>	<u>\$ 1,932,535</u>

**ACC METROPOLITAN DISTRICT**

**GENERAL FUND**

**2024 Preliminary Budget**

with 2022 Actual, 2023 Adopted Budget and 2023 Estimated

	<b>2022 Actual</b>	<b>01/23-09/23 YTD Actual</b>	<b>2023 Adopted Budget</b>	<b>2023 Estimated</b>	<b>2024 Preliminary Budget</b>
<b>BEGINNING FUND BALANCE</b>	\$ 47,360	\$ 102,741	\$ 79,515	\$ 102,741	\$ 102,269
<b>REVENUE</b>					
Property Tax Revenue	85,259	82,106	82,106	82,106	82,890
Specific Ownership Taxes	5,959	3,691	2,200	4,000	3,000
<b>Total Revenue</b>	<b>91,218</b>	<b>85,798</b>	<b>84,306</b>	<b>86,106</b>	<b>85,890</b>
<b>Total Funds Available</b>	<b>138,578</b>	<b>188,539</b>	<b>163,821</b>	<b>188,847</b>	<b>188,159</b>
<b>EXPENDITURES</b>					
Accounting	5,565	4,606	11,900	11,900	11,900
District Management	2,853	2,772	16,200	16,200	16,200
Audit	7,000	16,000	7,500	16,000	7,500
Election	787	1,061	1,000	917	-
Insurance/SDA Dues	3,533	3,329	4,000	3,329	4,000
Legal	13,580	5,874	15,000	15,000	15,000
Miscellaneous	1,239	1,435	2,000	2,000	2,000
Treasurer's Fees	1,279	1,232	1,232	1,232	1,243
Contingency	-	-	20,000	20,000	20,000
<b>Total Expenditures</b>	<b>35,837</b>	<b>36,308</b>	<b>108,832</b>	<b>86,578</b>	<b>77,843</b>
<b>Transfers and Other Sources (Uses)</b>					
Prior Year Abatement	-	(9,186)	-	-	-
Developer Advance Reimb	-	-	30,000	-	-
Emergency Reserve	-	-	(2,529)	-	2,577
<b>Total Expenditures Requiring Appropriation</b>	<b>35,837</b>	<b>45,494</b>	<b>111,361</b>	<b>86,578</b>	<b>80,420</b>
<b>ENDING FUND BALANCE</b>	\$ 102,741	\$ 143,046	\$ 52,460	\$ 102,269	\$ 107,739

**ACC METROPOLITAN DISTRICT**

**DEBT SERVICE FUND  
2024 Preliminary Budget  
with 2022 Actual, 2023 Adopted Budget and 2023 Estimated**

	<b>2022 Actual</b>	<b>01/23-09/23 YTD Actual</b>	<b>2023 Adopted Budget</b>	<b>2023 Estimated</b>	<b>2024 Preliminary Budget</b>
BEGINNING FUND BALANCE	\$ 492,592	\$ 397,430	\$ 911,809	\$ 397,430	\$ 478,172
<b>REVENUE</b>					
Property Tax Revenue	820,683	790,335	790,335	790,335	1,797,414
Specific ownership tax	59,116	36,622	25,000	40,000	25,000
ARI Revenue	25,165	24,234	24,234	24,234	52,231
Interest Income	5,667	6,230	600	7,000	1,000
<b>Total Revenue</b>	<b>910,631</b>	<b>857,422</b>	<b>840,169</b>	<b>861,569</b>	<b>1,875,645</b>
<b>Total Funds Available</b>	<b>1,403,223</b>	<b>1,254,853</b>	<b>1,751,978</b>	<b>1,258,999</b>	<b>2,353,817</b>
<b>EXPENDITURES</b>					
Note Principal	425,000	-	223,613	223,613	247,921
Note Interest	393,075	204,443	420,076	420,076	405,469
Miscellaneous	-	-	1,000	1,000	1,000
Paying Agent Fees	19,269	-	8,000	8,000	8,000
ARTA - 1 mill levy	377	25,151	24,234	25,151	52,231
Treasurer's Fees	12,310	11,855	11,855	11,855	26,961
Contingency	-	-	20,000	-	20,000
<b>Total Expenditures</b>	<b>1,245,856</b>	<b>(3,245,820)</b>	<b>708,778</b>	<b>689,695</b>	<b>761,582</b>
<b>Transfers and Other Sources (Uses)</b>					
Prior Year Abatement	-	91,132	-	91,132	-
Transfer to Capital Projects Fund	395,825	-	-	-	-
Loan Proceeds	635,888	-	-	-	-
<b>Total Expenditures Requiring Appropriation</b>	<b>1,641,681</b>	<b>(3,154,689)</b>	<b>708,778</b>	<b>780,827</b>	<b>761,582</b>
ENDING FUND BALANCE	\$ 397,430	\$ 4,409,541	\$ 1,043,200	\$ 478,172	\$ 1,592,235

**ACC METROPOLITAN DISTRICT**

**CAPITAL PROJECTS FUND**

**2024 Preliminary Budget**

with 2022 Actual, 2023 Adopted Budget and 2023 Estimated

	<b>2022 Actual</b>	<b>01/23-09/23 YTD Actual</b>	<b>2023 Adopted Budget</b>	<b>2023 Estimated</b>	<b>2024 Preliminary Budget</b>
BEGINNING FUND BALANCE	\$ 2,090,562	\$ 395,825	\$ 487,096	\$ 395,825	\$ 391,325
<b>REVENUE</b>					
Interest Income	33	90	-	90	90
<b>Total Revenue</b>	395,858	3,487,360	-	90	90
<b>Total Funds Available</b>	2,486,420	3,883,185	487,096	395,915	391,415
<b>EXPENDITURES</b>					
Management / Accounting	8,347	6,909	6,500	11,000	11,000
District Management	4,280	4,158	9,700	9,700	9,700
Legal	20,370	8,811	15,000	15,000	15,000
Engineering	224,380	53,589	500,000	500,000	500,000
Professional Services	14,730	-	15,000	15,000	15,000
Capital Outlay	2,214,312	24,595	250,000	250,000	250,000
Contingency	-	-	100,000	100,000	100,000
<b>Total Expenditures</b>	2,486,420	3,585,331	896,200	900,700	900,700
<b>Transfers and Other Sources (Uses)</b>					
Transfer from Debt Service Fund	395,825	-	-	-	-
Developer Advance	-	-	-	896,110	896,110
<b>Total Expenditures Requiring Appropriation</b>	2,486,420	3,585,331	896,200	900,700	900,700
ENDING FUND BALANCE	\$ 395,825	\$ 297,853	\$ (409,104)	\$ 391,325	\$ 386,825



**RESOLUTION NO. 2023-11-  
RESOLUTION TO ADOPT BUDGET AND APPROPRIATE SUMS OF MONEY  
RESOLUTION OF THE BOARD OF DIRECTORS OF**

**ACC METROPOLITAN DISTRICT, ADAMS COUNTY, COLORADO, PURSUANT TO  
SECTION 29-1-108, C.R.S., SUMMARIZING EXPENDITURES AND REVENUES FOR  
EACH FUND, ADOPTING A BUDGET AND APPROPRIATING SUMS OF MONEY  
FOR THE BUDGET YEAR 2024**

A. The Board of Directors of ACC Metropolitan District (the “**District**”) has appointed Special District Management Services, Inc. to prepare and submit a proposed budget to said governing body at the proper time.

B. The District Accountant has submitted a proposed budget to this governing body on or before October 15, 2023 for its consideration.

C. Upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 8, 2023, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget.

D. The budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution (“**TABOR**”) and other laws or obligations which are applicable to or binding upon the District.

E. 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.

F. The Board of Directors has made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget.

G. It is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, thereby establishing a limitation on expenditures for the operations of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF ACC METROPOLITAN DISTRICT, ADAMS COUNTY, COLORADO:

1. The budget, as submitted, amended, and summarized by fund, is hereby approved and adopted as the budget of the District for the year stated above.

2. The budget is hereby approved and adopted, shall be certified by the Secretary of the District to all appropriate agencies and is made a part of the public records of the District.

3. The sums set forth as the total expenditures of each fund in the budget attached hereto as **Exhibit A** and incorporated herein by reference are hereby appropriated from the revenues of each fund, within each fund, for the purposes stated.

**[SIGNATURE PAGE FOLLOWS]**

**[SIGNATURE PAGE TO RESOLUTION TO ADOPT BUDGET AND  
APPROPRIATE SUMS OF MONEY]**

RESOLUTION APPROVED AND ADOPTED on November 8, 2023.

**ACC METROPOLITAN DISTRICT**

By: \_\_\_\_\_  
President

Attest:

By: \_\_\_\_\_  
Secretary

**EXHIBIT A**

Budget

I, David Solin, hereby certify that I am the duly appointed Secretary of the ACC Metropolitan District, and that the foregoing is a true and correct copy of the budget for the budget year 2024, duly adopted at a meeting of the Board of Directors of the ACC Metropolitan District held on November 8, 2023.

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Secretary

**RESOLUTION NO. 2023-11-  
RESOLUTION TO SET MILL LEVIES**

**RESOLUTION OF THE ACC METROPOLITAN DISTRICT LEVYING GENERAL  
PROPERTY TAXES, PURSUANT TO SECTION 39-1-111, C.R.S., FOR THE YEAR  
2023, TO HELP DEFRAID THE COSTS OF GOVERNMENT FOR THE 2024 YEAR**

A. The Board of Directors of the ACC Metropolitan District (the “**District**”) has adopted an annual budget in accordance with the Local Government Budget Law, on November 8, 2023.

B. The adopted budget is attached as Exhibit A to the Resolution of the Board of Directors of the District to Adopt Budget and Appropriate Sums of Money, and such budget is incorporated herein by this reference.

C. The amount of money necessary to balance the budget for general operating/general fund expenses from property tax revenue is identified in the budget.

D. The amount of money necessary to balance the budget for debt retirement/debt service fund expenses from property tax revenue is identified in the budget.

NOW, THEREFORE, PURSUANT TO SECTIONS 39-1-111(5) and 39-5-128(1), C.R.S., BE IT RESOLVED by the Board of Directors of the ACC Metropolitan District, Adams County, Colorado, that:

1. For the purpose of meeting all general operating expenses of the District during the 2024 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

2. That for the purpose of meeting all debt retirement expenses of the District during the 2024 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

3. That for the purpose of meeting all contractual obligation expenses of the District during the 2024 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

That the Secretary is hereby authorized and directed to immediately certify to the Board of County Commissioners of Adams County, Colorado, the mill levies for the District as set forth in the District’s Certification of Mill Levies, attached hereto as **Exhibit 1** and incorporated herein by reference, recalculated as needed upon receipt of the final certification of valuation from the County Assessor in order to comply with any applicable revenue and other budgetary limits.

**[SIGNATURE PAGE FOLLOWS]**

**[SIGNATURE PAGE OF RESOLUTION TO SET MILL LEVIES]**

RESOLUTION APPROVED AND ADOPTED on November 8, 2023.

**ACC METROPOLITAN DISTRICT**

By: \_\_\_\_\_  
President

Attest:

By: \_\_\_\_\_  
Secretary

**EXHIBIT 1**

Certification of Tax Levies

I, David Solin, hereby certify that I am the duly appointed Secretary of the ACC Metropolitan District, and that the foregoing is a true and correct copy of the Certification of Mill Levies for the budget year 2024, duly adopted at a meeting of the Board of Directors of the ACC Metropolitan District held on November 8, 2023.

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Secretary



**RESOLUTION NO. 2023-11-**  
**ACC METROPOLITAN DISTRICT**  
**AMENDING POLICY ON COLORADO OPEN RECORDS ACT REQUESTS**

A. On December 9, 2013, ACC Metropolitan District (the “**District**”) adopted Resolution No. 2013-12-05 Regarding Colorado Open Records Act Requests, and as amended on December 11, 2014 (the “**Resolution**”), in which the District adopted a policy related to Colorado Open Records Act Requests (the “**Policy**”).

B. In 2023, the Colorado General Assembly enacted Senate Bill 23-286, which provided for certain changes in the law related to Colorado Open Records Act Requests

C. The District desires to amend the Policy due to the legislative changes set forth in Senate Bill 23-286.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of ACC Metropolitan District, Adams County, Colorado:

1. Defined Terms. Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Resolution.

2. Amendments to Policy. The Policy is hereby amended as follows:

(a) Amendment to Section 3 of the Resolution. Section 3 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“3. Within the period specified in Section 24-72-203(3)(a), C.R.S., as amended from time to time, the Official Custodian shall notify the record requester that a copy of the record is available, but will only be sent to the requester once the custodian either receives payment or makes arrangements for receiving payment for all costs associated with records transmission and for all other fees lawfully allowed, unless recovery of all or any portion of such costs or fees has been waived by the Official Custodian, or where prohibited or limited by law. Upon either receiving such payment or making arrangements to receive such payment at a later date, the Official Custodian shall provide the record(s) to the requester as soon as practicable, but no more than three (3) business days after receipt of, or making arrangements to receive, such payment.”

(b) Amendment to Section 5 of the Resolution. Section 5 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“5. The Official Custodian shall not charge a per-page fee for providing records in a digital or electronic format.”

(c) Amendment to Section 7 of the Resolution. Section 7 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“7. All requests for copies or inspection of public records of the District shall be submitted to the Official Custodian in writing. Such requests shall be delivered by the Official Custodian to the District’s legal counsel for review and legal advice regarding the lawful availability of records requested and related matters, including without limitation, whether to deny inspection or production of certain records or information for reasons set forth in Sections 24-72-204(2) and (3), C.R.S., as amended from time to time. The District may, from time to time, designate specific records for which written requests are not required and with respect to which review by legal counsel is not required; i.e., service plans, rules and regulations, minutes, etc. Such designations shall occur in the minutes of the meetings of the District.”

3. Except as expressly set forth herein, the Resolution continues to be effective without modification.

**[SIGNATURE PAGE FOLLOWS]**

**[SIGNATURE PAGE TO RESOLUTION NO. 2023-11-\_\_\_\_]**

RESOLUTION APPROVED AND ADOPTED ON November 8, 2023.

**ACC METROPOLITAN DISTRICT**

By: \_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary



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

## MEMORANDUM

TO: Board of Directors

FROM: Christel Gemski  
Executive Vice-President

DATE: October 12, 2023

RE: Notice of 2024 Rate Increase

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

In accordance with the Management Agreement (“Agreement”) between the District and Special District Management Services, Inc. (“SDMS”), at the time of the annual renewal of the Agreement, the hourly rate described in Article III for management and all services shall increase by (6.0%) per hour.

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