# **BENT GRASS METROPOLITAN DISTRICT**

# **FINANCIAL STATEMENTS**

DECEMBER 31, 2021

# TABLE OF CONTENTS

INDEPENDENT AUDITOR'S REPORT	
BASIC FINANCIAL STATEMENTS	
Government-wide financial statements	
Statement of net position	
Statement of activities	
Fund financial statements	
Balance sheets - governmental funds	
Statements of revenues, expenditures and changes in fund	
balances - governmental funds	
Reconciliation of the statements of revenues, expenditures and changes	
in fund balances of governmental funds to the statement of activities	
General fund - statement of revenues, expenditures and changes in	
fund balance - budget and actual	
Notes to financial statements	
SUPPLEMENTARY INFORMATION	
Debt service fund - schedule of revenues, expenditures and changes in	
fund balance - budget and actual	
Capital projects fund - schedule of revenues, expenditures and changes in	
fund balance - budget and actual	



### **INDEPENDENT AUDITOR'S REPORT**

Board of Directors Bent Grass Metropolitan District Colorado Springs, Colorado

### Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of Bent Grass Metropolitan District ("District"), as of and for the year ended December 31, 2021, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District as of December 31, 2021, the respective changes in financial position, and the budgetary comparison for the general fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### **Basis for Opinions**

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

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

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

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern within one year after the date that the financial statements are available to be issued.

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### Auditor's 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 auditor's 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 auditing standards generally accepted in the United States of America 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 auditing standards generally accepted in the United States of America, we:

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

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

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### **Other Matters**

#### Required Supplementary Information

Management has omitted 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 which considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinions on the basic financial statements are not affected by this missing information.

#### Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's basic financial statements. The supplementary information, as identified in the table of contents, is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the supplementary information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

ngsKofford, P.C.

Colorado Springs, Colorado July 27, 2022

# **BASIC FINANCIAL STATEMENTS**

# BENT GRASS METROPOLITAN DISTRICT STATEMENT OF NET POSITION DECEMBER 31, 2021

	Governmental Activities
ASSETS	
Cash and investments	\$ 457,409
Cash and investments - restricted	2,367,571
Receivable from County Treasurer	1,955
Property taxes receivable	279,721
Capital assets:	
Capital assets, net	475,000
Total assets	3,581,656
LIABILITIES	
Accounts payable	5,058
Accrued interest payable	29,531
Noncurrent liabilities:	
Due in more than one year	7,616,385
Total liabilities	7,650,974
DEFERRED INFLOWS OF RESOURCES	070 704
Deferred property tax revenues	279,721
Total deferred inflows of resources	279,721
NET POSITION	
Net investments in capital assets	(25,000)
Restricted for:	(20,000)
Capital projects	1,348,717
Debt service	988,941
Emergency reserve	1,900
Unrestricted	(6,663,597)
Total net position	\$ (4,349,039)

# BENT GRASS METROPOLITAN DISTRICT STATEMENT OF ACTIVITIES YEAR ENDED DECEMBER 31, 2021

		1	Progran	n Revenue	es		R	t (Expenses) evenue and Changes in et Position
	Expenses	arges for Services	Gra	erating nts and ributions	Grar	apital its and ibutions		overnmental Activities
FUNCTIONS/PROGRAMS								
PRIMARY GOVERNMENT General government	\$ 4,221,220	\$ 237,205	\$	-	\$	-	\$	(3,984,015)
Interest and related costs on long-term debt	412,871	 				-		(412,871)
Total governmental activities	\$ 4,634,091	\$ 237,205	\$	-	\$	-		(4,396,886)
GENERAL REVENUES								
Property taxes								211,115
Specific ownership taxes Investment income								24,775 2,093
Total general revenues								237,983
Changes in net position								(4,158,903)
Net position, beginning of year								(190,136)
Net position, end of year							\$	(4,349,039)

### BENT GRASS METROPOLITAN DISTRICT BALANCE SHEETS GOVERNMENTAL FUNDS DECEMBER 31, 2021

100570	General Fund		Se	Service P		Capital Projects Fund		Total Governmental Funds	
ASSETS Cash and investments	\$	457,409	\$	_	\$	_	\$	457,409	
Cash and investments - restricted	ψ	437,409		- 016,954	-	- 348,717	ψ	2,367,571	
Receivable from County Treasurer		437	1,0	1,518	1,			1,955	
Property taxes receivable		62,552		217,169		_		279,721	
		02,002	2	217,103				219,121	
Total assets	\$	522,298	\$ 1,2	235,641	\$ 1,3	348,717		3,106,656	
LIABILITIES_									
Accounts payable	\$	5,058	\$	-	\$	-		5,058	
Total liabilities		5,058				-		5,058	
DEFERRED INFLOWS OF RESOURCES									
Deferred property tax revenues		62,552	2	217,169		-		279,721	
Total deferred inflows of resources		62,552		217,169		-		279,721	
FUND BALANCES									
Restricted for:									
Capital projects		-		-	1,	348,717		1,348,717	
Debt service		-	1,0	018,472		-		1,018,472	
Emergency reserve		1,900		-		-		1,900	
Unassigned:									
General government		452,788		-				452,788	
Total fund balances		454,688	1,0	018,472	1,3	348,717		2,821,877	
Total liabilities and fund balances	\$	522,298	\$ 1,2	235,641	\$ 1,3	348,717			

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

 Capital assets are recorded as assets on the statement of net position, but are recorded as expenditures in the funds:
 475,000

 Construction in progress
 475,000

 Long-term liabilities, including bonds payable, are not due and payable in the current period and, therefore, are not reported in the funds:
 475,000

 Bonds and loan payable
 (7,616,385)

 Accrued interest payable
 (29,531)

 Net position of governmental activities
 \$ (4,349,039)

## BENT GRASS METROPOLITAN DISTRICT STATEMENTS OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES GOVERNMENTAL FUNDS YEAR ENDED DECEMBER 31, 2021

	General Fund		Debt Service Fund		Capital Projects Fund		Total Governmental Funds	
REVENUES								
Property taxes	\$	47,210	\$	163,905	\$	-	\$	211,115
Specific ownership taxes		5,540		19,235		-		24,775
Facility and platting fees	_	157,205		-		-		157,205
Traffic signal fees	_	80,000		-		-		80,000
Investment income		585		568		940		2,093
Total revenues		290,540		183,708		940		475,188
EXPENDITURES								
Accounting and audit		8,400		-		-		8,400
Bank charges	_	377		-		-		377
County Treasurer's fees		708		2,459		-		3,167
Dues		333		-		-		333
Insurance		3,032		-		-		3,032
Landscaping and maintenance		7,521		-		-		7,521
Legal		2,673		939		-		3,612
Management fees		40,000		-		-		40,000
Postage		183		-		-		183
Debt service:								
Trustee fees		-		4,000		-		4,000
Bond principal	_	-		-		-		-
Interest expense		-		354,375		-		354,375
Capital outlay:	_							
Capital outlay		-		-		955,446		955,446
Project management		-		-		9,110		9,110
Total expenditures		63,227		361,773		964,556		1,389,556
Net change in fund balances	_	227,313		(178,065)	(	(963,616)		(914,368)
Fund balances, beginning of year		227,375		1,196,537	2	,312,333		3,736,245
Fund balances, end of year	\$	454,688	\$	1,018,472	<b>\$</b> 1,	,348,717	\$	2,821,877

# BENT GRASS METROPOLITAN DISTRICT RECONCILIATION OF THE STATEMENTS OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES YEAR ENDED DECEMBER 31, 2021

Net change in fund balances - governmental funds	\$ (914,368)
Amounts reported for governmental activities in the statement of activities are different because:	
Governmental funds report capital outlays as expenditures. In the statement of activities, capital outlay is not reported as an expenditure. However, the statement of activities will report as depreciation expense the allocations of the cost of any depreciable assets over the estimated useful lives of the assets. The effect of these differences is as follows:	
Capital outlay	955,446
Depreciation expense	(25,000)
Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds. The effect of these differences is as follows: Accrued interest payable on developer advance - change in liability	(54,496)
	,
Capital asset conveyed to other governments	 (4,120,485)
Change in net position of governmental activities	\$ (4,158,903)

# BENT GRASS METROPOLITAN DISTRICT GENERAL FUND STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL YEAR ENDED DECEMBER 31, 2021

	Budget		Actual		
	Original	Final	Amounts	Variance	
REVENUES					
Property taxes	\$ 47,179	\$ 47,318	\$ 47,210	\$ (108)	
Specific ownership taxes	3,303	5,557	5,540	(17)	
Facility and platting fees	85,000	42,000	157,205	115,205	
Traffic signal fees	160,000	70,000	80,000	10,000	
Investment income	300	647	585	(62)	
Total revenues	295,782	165,522	290,540	125,018	
EXPENDITURES					
Accounting and audit	-	8,400	8,400	-	
Bank charges	100	512	377	135	
Contingency	3,000	-	-	-	
County Treasurer's fees	708	708	708	-	
Dues	1,300	333	333	-	
Insurance	4,000	4,000	3,032	968	
Landscaping and maintenance	15,000	7,500	7,521	(21)	
Legal	22,000	5,000	2,673	2,327	
Management fees	30,000	30,000	40,000	(10,000)	
Postage	50	242	183	59	
Total expenditures	76,158	56,695	63,227	(6,532)	
Excess of revenues over					
(under) expenditures	219,624	108,827	227,313	118,486	
OTHER FINANCING SOURCES (USES)					
Transfers (to) from other funds	(237,738)	(375,000)		375,000	
Total other financing sources (uses)	(237,738)	(375,000)		375,000	
Net change in fund balance	\$ (18,114)	\$ (266,173)	227,313	\$ 493,486	
Fund balance, beginning of year			227,375		
Fund balance, end of year			\$ 454,688		

### 1. DEFINITION OF REPORTING ENTITY

Bent Grass Metropolitan District ("District"), a quasi-municipal corporation and political subdivision of the state of Colorado, was formed in November 2007, and is governed pursuant to provisions of the Colorado Special District Act. The District's service area is located in El Paso County, Colorado ("County"). The District was organized to construct public improvements including road and bridge improvements, landscaping, sanitary and storm sewer, water systems, park and recreation, channel, and other drainage improvements needed for the area.

The District follows 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 and 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.

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

#### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

#### 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. Material interfund activity has been removed from these statements. Governmental activities are normally supported by taxes and intergovernmental revenues.

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

### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

#### Government-wide and fund financial statements (continued)

The statement of activities demonstrates the degree to which the direct and indirect expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include: a) charges to customers or applicants who purchase, use, or directly benefit from goods, services or privileges provided by a given function or segment; and b) grants and contributions that are restricted to meet the operational or capital requirements of a particular function or segment. Taxes and other items are properly excluded from program revenues and are reported as general revenues.

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

#### Measurement focus, basis of accounting and financial statement position

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.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized when they are both measurable and available. Revenues are considered to be available when they are collectable within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the District 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. All other revenue items are considered to be measurable and available only when cash is received by the District. Expenditures, other than interest on long-term obligations, are recorded when the liability is incurred or the long-term obligation is due.

The District reports the following major governmental funds:

*General fund* - The general fund accounts for all financial resources of the District except those required to be accounted for in another fund.

*Debt service fund* - The debt service fund accounts for the servicing of general long-term debt and revenues generated and received by the District to be used in payment of long-term debt.

### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

#### Measurement focus, basis of accounting and financial statement position (continued)

*Capital projects fund* - The capital projects fund accounts for financial resources to be used for the acquisition and construction of capital equipment and facilities.

#### **Budgets**

In accordance with state budget law, the District holds public hearings in the fall each year to approve the budget and appropriate funds for the ensuing year. The appropriation is at the total fund expenditures, fund balance remaining, and other financing uses 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 District amended its annual budget for the year ended December 31, 2021.

The District incurred expenditures in excess of appropriations for the year ended December 31, 2021 in the general and debt service funds, which may be a violation of state budget law.

#### Pooled cash and investments

The District follows the practice of pooling cash and investments of all funds to maximize investment earnings. Except when required by trust or other agreements, all cash is deposited to and disbursed from a single bank account. Cash in excess of immediate operating requirements is pooled for deposit and investment flexibility. Investment earnings are allocated periodically to the participating funds based upon each fund's average equity balance in the total cash and investments.

#### 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 and attaches as an enforceable lien 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, at the taxpayer's election, in February and June in equal installments. Delinquent taxpayers are notified in August and sales of the tax liens on delinquent properties are generally held in November or December. The County Treasurer remits the taxes collected to the District monthly.

### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

#### Property taxes (continued)

Property taxes, net of estimated uncollectable taxes, are recorded initially as deferred revenues in the year they are levied and measurable. The deferred property tax revenues are recorded as revenues in the year they are available or collected.

#### Capital assets

Capital assets, which include property, equipment and infrastructure assets (e.g., roads, sidewalks and similar items), are reported in the applicable governmental activities column in the government-wide financial statements. Capital assets are defined by the District as assets with an initial individual cost of more than \$5,000 and a useful life greater than one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Contributed capital assets are recorded at estimated acquisition value at the date of contribution.

Depreciation expense has been computed using the straight-line method over the estimated economic useful lives of the assets of 20 years.

Maintenance and repairs are charged to expense as incurred. At the time of retirement or disposition of depreciable assets, the related cost and accumulated depreciation are removed from the accounts, and the resulting gain or loss, if any, is reflected in revenues or expenses.

Capital assets which are anticipated to be conveyed to other governmental entities are not depreciated or included in the calculation of net investment in capital assets component of the District's net position.

#### Deferred inflows of resources

In addition to liabilities, the statement of net position reports a separate section for deferred inflows of resources. This separate financial statement element represents an acquisition of net position that applies to a future period and so will not be recognized as an inflow of resources (revenues) until that time. The District has one item that qualifies for reporting in this category. Accordingly, that item, deferred property tax revenues, is deferred and recognized as an inflow of resources in the period that the amounts become available.

#### Net position

For government-wide presentation purposes, when both restricted and unrestricted resources are available for use, it is the District's practice to use restricted resources first, then unrestricted resources as they are needed.

### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

#### Fund balances

Fund balance for governmental funds is reported in classifications that comprise a hierarchy based on the extent to which the government is bound to honor constraints on the specific purposes for which spending can occur. Governmental funds report up to five classifications of fund balance: nonspendable, restricted, committed, assigned, and unassigned. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications describe the relative strength of the spending constraints:

*Nonspendable fund balance* - The portion of fund balance that cannot be spent because it is either not in spendable form (such as prepaid amounts or inventory) or is legally or contractually required to be maintained intact.

*Restricted fund balance* - The portion of fund balance that is constrained to being used for a specific purpose by external parties (such as bondholders), constitutional provisions, or enabling legislation.

*Committed fund balance* - The portion of fund balance that can only be used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision-making authority, the board of directors. The constraint may be removed or changed only through formal action of the board of directors.

Assigned fund balance - The portion of fund balance that is constrained by the government's intent to be used for specific purposes, but is neither restricted nor committed. Intent is expressed by the board of directors to be used for a specific purpose. Constraints imposed on the use of assigned amounts are more easily removed or modified than those imposed on amounts that are classified as committed.

*Unassigned fund balance* - The residual portion of fund balance that does not meet any of the criteria described above.

If more than one classification of fund balance is available for use when an expenditure is incurred, it is the District's policy to use the most restrictive classification first.

#### 3. CASH AND INVESTMENTS

Cash and investments as of December 31, 2021, are classified in the accompanying financial statements as follows:

Statement of net position:		
Cash and investments	\$	457,409
Cash and investments - restricted		2,367,571
	\$	2,824,980
The carrying amounts of cash and investments, which equal estimated fair value, a 31, 2021, are as follows:	as of	December
Deposits with financial institutions	\$	684,977

Deposits with financial institutions	\$ 684,977
Investments	2,140,003
	\$ 2,824,980

#### Deposits with financial institutions

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. The PDPA allows the institution to create a single collateral pool for all public funds. The pool for all the uninsured public deposits as a group is to be maintained by another institution or held in trust. The market value of the collateral must be 102% of the aggregate uninsured deposits.

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

As of December 31, 2021, the District's cash deposits had a bank balance of \$684,977 and a carrying balance of \$684,977.

#### Investments

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

### 3. CASH AND INVESTMENTS (CONTINUED)

#### Investments (continued)

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

Colorado revised statutes limit investment maturities to five years or less unless otherwise formally approved by the board of directors. Such actions are generally associated with a debt service reserve or sinking fund requirements.

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

- Obligations of the US and certain US government agency securities
- Certain international agency securities
- General obligation and revenue bonds of US local government entities
- Bankers' acceptances of certain banks
- Commercial paper
- Written repurchase agreements collateralized by certain authorized securities
- Certificates of deposit in Colorado PDPA approved banks or savings banks
- Certain money market funds
- Guaranteed investment contracts
- Local government investment pools

As of December 31, 2021, the District had the following in investments:

#### Investment

<u>Maturity</u>

Amount

Colorado Local Government Liquid Asset Trust (COLOTRUST) Weighted average under 60 days

\$ 2,140,003

### 3. CASH AND INVESTMENTS (CONTINUED)

### **COLOTRUST**

The District invested in the Colorado Local Government Liquid Asset Trust ("COLOTRUST" or "Trust"), an investment vehicle established for local government entities in Colorado to pool surplus funds. The State Securities Commissioner administers and enforces all state statutes governing the Trust. The Trust operates similarly to a money market fund and each share is equal in value to \$1. The Trust offers shares in two portfolios, COLOTRUST PRIME and COLOTRUST PLUS+. Both portfolios may invest in US Treasury securities and repurchase agreements collateralized by US Treasury securities. COLOTRUST PLUS+ may also invest in certain obligations of US government agencies, highest-rated commercial paper and any security allowed under CRS 24-75-601. A designated custodial bank serves as custodian for the Trust's portfolios pursuant to a custodian agreement. The custodian acts as safekeeping agent for the Trust's investment portfolios and provides services as the depository in connection with direct investments and withdrawals. The custodian's internal records segregate investments owned by the Trust. COLOTRUST is rated AAAm by Standard & Poor's. COLOTRUST records its investments at fair value and the District records its investments in COLOTRUST at net asset value as determined by fair value. There are no unfunded commitments, the redemption frequency is daily, and there is no redemption notice period.

### 4. CAPITAL ASSETS

Capital asset activity for the year ended December 31, 2021, is as follows:

	Balance 1/1/21	Additions/ Reclass- ifications	Dispositions/ Reclass- ifications	Balance 12/31/21
<b>Governmental activities</b> Capital assets, being depreciate Ponds and landscape tracks	ed: \$ -	\$ 500,000	\$ -	\$ 500,000
Less accumulated depreciation		(25,000)		(25,000)
Capital assets, net	\$ -	\$ 475,000	<u> </u>	\$ 475,000
Capital assets, not being depred Construction in progress	ciated: \$ 3,665,039	\$ 955,446	\$ (4,620,485)	<u>\$ -</u>

Depreciation expense for the year ended December 31, 2021, totaled \$25,000.

### 4. CAPITAL ASSETS (CONTINUED)

Capital assets conveyed to the County for the year ended December 31, 2021, totaled \$4,120,485.

### 5. LONG-TERM OBLIGATIONS

The following is a summary of long-term debt of the District during the year ended December 31, 2021:

_	Balance 1/1/2021	Additions	Repayments/ Defeasance		
General obliga Series 2020	ition bonds				
Bonds \$	6,750,000	\$ -	\$ -	\$ 6,750,000	\$ -
Subtotal	6,750,000			6,750,000	
Other debt					
Developer ad	dvance -				
Capital	807,348	-	-	807,348	-
Accrued interes	st:				
Developer ad	dvance -				
Capital	4,541	54,496	-	59,037	-
Subtotal	811,889	54,496		866,385	
Total long-term	n				
obligations <u>\$</u>	7,561,889	\$ 54,496	\$ -	\$ 7,616,385	\$ -

#### Series 2020 General Obligation Limited Refunding and Improvement Bonds

On June 30, 2020, the District issued Series 2020 General Obligation Limited Tax Refunding and Improvement Bonds ("Series 2020 Bonds") for the purpose of: (i) paying the costs of refunding the previously issued bonds; (ii) paying the project costs; (iii) funding reserves and capitalized interest; and (iv) paying other costs incurred in connection with the issuance of the Series 2020 Bonds and the refunding of the previously issued bonds. The Series 2020 Bonds were issued in the amount of \$6,750,000. The bonds bear interest at 5.25% per annum, calculated on the basis of a 360-day year of twelve 30-day months, payable to the extent of pledged revenues available on each June 1 and December 1, and mature on December 1, 2049.

### 5. LONG-TERM OBLIGATIONS (CONTINUED)

The District is required to maintain bond payment, reserve, and surplus cash accounts. The purpose of the reserve cash account is to provide adequate reserves to meet principal and interest requirements if the bond account does not have enough funding. The reserve account is required to be maintained as long as the bonds are outstanding.

#### Series 2020 General Obligation Limited Refunding and Improvement Bonds (continued)

The Series 2020 Bonds are secured by and payable from the pledged revenue consisting of monies derived by the District from the following sources, net of any collection costs: (a) required mill levy; (b) capital fees; (c) portion of the specific ownership tax which is collected as a result of imposition of the required mill levy; and (d) any other legally available monies which the District determines to be treated as pledged revenue. The Series 2020 Bonds are also secured by amounts held by the trustee in the reserve fund. Required mill levy means an ad valorem mill levy imposed upon all taxable property of the District each year in an amount sufficient to pay the principal, premium if any, and interest on the bonds as they become due and payable and to make up any deficiencies in the reserve fund. The maximum required mill levy is 40.000 mills, adjusted for changes in the ratio of actual value to assessed value of property within the District. For collection year 2021, the District levied 30.000 mills for the debt service fund.

#### **Optional redemption**

The Series 2020 Bonds are subject to redemption prior to maturity, at the option of the District, as a whole or in integral multiples of \$1,000, in any order of maturity and in whole or partial maturities, on June 1, 2025, and on any date thereafter, upon payment of par, accrued interest, and a redemption premium of a percentage of the principal amount as follows:

Date of	Redemption
Redemption	Premium
June 1, 2025 to May 31, 2026	3.00%
June 1, 2026 to May 31, 2027	2.00%
June 1, 2027 to May 31, 2028	1.00%
June 1, 2028 and thereafter	0.00%

### 5. LONG-TERM OBLIGATIONS (CONTINUED)

Series 2020 General Obligation Limited Refunding and Improvement Bonds (continued)

#### Events of default and remedies

The occurrence of any one or more of the following events or the existence of any one or more of the following conditions constitutes an event of default under the indenture:

i. The District fails or refuses to impose the required mill levy or to apply the pledged revenue as provided in the bond resolution.

ii. The District defaults in the performance of any of its material covenants in the bond resolution, and such default continues for 30 days after written notice specifying such default and requiring the same to be remedied is given to the District by the owners of 25% in aggregate principal amount of the bonds then outstanding.

iii. The District files a petition under the federal bankruptcy laws or other applicable bankruptcy laws seeking to adjust the obligation represented by the bonds.

It is acknowledged that, due to the limited nature of the pledged revenue, the failure to pay the principal of or interest on the bonds when due does not, in itself, constitute an event of default under the indenture.

Upon the occurrence and continuance of an event of default, the trustee has the following rights and remedies which may be pursued:

i. Receivership: Upon the filing of a bill in equity or other commencement of judicial proceedings to enforce the rights of the trustee and of the owners, the trustee is entitled to the possession and control of any cash, securities, or other instruments at the time held by, or payable or deliverable under the provisions of the bond to the trustee.

ii. Suit for judgment: The trustee may proceed to protect and enforce its rights and the rights of the owners by such suit, action, or special proceedings as the trustee, being advised by counsel, deems appropriate.

iii. Mandamus or other suit: The owner may proceed by mandamus or any other suit, action, or proceeding at law or in equity, to enforce its rights.

Notwithstanding the foregoing or anything else herein to the contrary, acceleration will not be an available remedy for an event of default.

### 5. LONG-TERM OBLIGATIONS (CONTINUED)

Series 2020 General Obligation Limited Refunding and Improvement Bonds (continued)

Year Ending December 31,	Principal	Interest	Total		
2022	\$-	\$ 354,375	\$ 354,375		
2023	-	354,375	354,375		
2024	-	354,375	354,375		
2025	45,000	354,375	399,375		
2026	95,000	352,012	447,012		
2027-2031	605,000	1,677,112	2,282,112		
2032-2036	905,000	1,488,374	2,393,374		
2037-2041	1,305,000	1,210,913	2,515,913		
2042-2046	1,825,000	816,901	2,641,901		
2047-2049	1,970,000	239,136	2,209,136		
Total	\$ 6,750,000	\$ 7,201,948	\$ 13,951,948		

The District's long-term obligations on the 2020 Series Bonds mature as follows:

### Developer advance

On December 1, 2020, the District entered into a reimbursement agreement with a developer under which the District will reimburse the developer for the cost of infrastructure improvements that benefit the District and development within the District. The District agreed to repay such advances plus simple interest at 6.75% per annum. Principal and interest are due at maturity on December 1, 2030 or sooner, provided that the District, at its discretion and depending on the availability of revenues, may make interest and/or principal amounts prior to the due date. As of December 31, 2021, the outstanding developer advance totaled \$807,348 and accrued interest related to the developer advance totaled \$59,037.

### 6. NET POSITION

The District has net position consisting of three components: invested in capital assets, net of related debt; restricted; and unrestricted.

Net position invested in capital assets, net of related debt consists of capital assets, net of accumulated depreciation and reduced by the outstanding balance of debt that is attributable to the acquisition, construction, or improvement of those assets.

#### 6. NET POSITION (CONTINUED)

As of December 31, 2021, the District had net position invested in capital assets, net of related debt as follows:

Invested in capital assets, net of related debt:	
Capital assets	\$ 475,000
Related long-term obligations	(500,000)
	 <u> </u>
Invested in capital assets, net of related debt	\$ (25,000)

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

Restricted net position includes balances with external restrictions 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 a restricted net position as of December 31, 2021 as follows:

Restricted net position:	
Capital projects (Note 4)	\$ 1,348,717
Debt service (Note 5)	988,941
Emergency reserve (Note 9)	1,900
	\$ 2,339,558

The District's unrestricted net position as of December 31, 2021, totaled a deficit of \$6,663,597. This deficit amount was a result of the District being responsible for the repayment of a developer advance (and accrued interest on the advance) and general obligation bonds issued to fund infrastructure contributed to other governments.

#### 7. RELATED PARTIES

The developer of the property within the District is Randall L. DeYoung (Note 5). The members of the board of directors are officers, employees or associated with the developer and may have conflicts of interest in dealing with the District.

### 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.

#### 8. RISK MANAGEMENT (CONTINUED)

The District is a member of the Colorado Special Districts Property and Liability Pool ("Pool") as of December 31, 2021. 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 in any of the past three fiscal years.

The District pays annual premiums to the Pool for liability, property 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.

#### 9. TAX, SPENDING AND DEBT LIMITATIONS

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

Spending and revenue limits are determined based on the prior 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. Revenues in excess of the fiscal year spending limit must be refunded unless the voters approve retention of such revenues. The District's voters approved a ballot issue allowing the District to retain all revenues.

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.

District management believes the District is in compliance with the provisions of TABOR. However, TABOR is complex and subject to interpretation. Many of the provisions, including the interpretation of how to calculate fiscal year spending limits, will likely require judicial interpretation.

\* \* \* \* \* \* \*

# SUPPLEMENTARY INFORMATION

# BENT GRASS METROPOLITAN DISTRICT DEBT SERVICE FUND SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL YEAR ENDED DECEMBER 31, 2021

	Budget		Actual				
		Original	 Final		Amounts	Va	riance
REVENUES							
Property taxes	\$	163,796	\$ 163,796	\$	163,905	\$	109
Specific ownership taxes		11,466	19,291		19,235		(56)
Investment income		-	 514		568		54
Total revenues		175,262	 183,601		183,708		107
EXPENDITURES							
Accounting and audit		9,000	-		-		-
County Treasurer's fees		2,456	2,459		2,459		-
Interest expense		354,375	354,375		354,375		-
Legal		-	-		939		(939)
Trustee fees		100	 4,000		4,000		-
Total expenditures		365,931	 360,834		361,773		(939)
Excess of revenues over							
(under) expenditures		(190,669)	 (177,233)		(178,065)		(832)
OTHER FINANCING SOURCES (USES)							
Bond proceeds		1,006,839	 -		-		-
Total other financing sources (uses)		1,006,839	 		-		-
Net change in fund balance	\$	816,170	\$ (177,233)		(178,065)	\$	(832)
Fund balance, beginning of year					1,196,537		
Fund balance, end of year				\$	1,018,472		

# BENT GRASS METROPOLITAN DISTRICT CAPITAL PROJECTS FUND SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL YEAR ENDED DECEMBER 31, 2021

		Budget				Actual			
	Original		Final		Amounts		Variance		
REVENUES									
Investment income	\$	-	\$	1,410	\$	940	\$	(470)	
Total revenues		-		1,410		940		(470)	
EXPENDITURES									
Capital outlay		2,310,000		1,000,000		955,446		44,554	
Consulting		20,000		-		-		-	
District management		10,000		-		-		-	
Engineering and planning		100,000		-		-		-	
Legal		25,000		-		-		-	
Miscellaneous		5,000		-		-		-	
Project management		100,000		1,770		9,110		(7,340)	
Total expenditures		2,570,000		1,001,770		964,556		37,214	
Excess of revenues over									
(under) expenditures		(2,570,000)		(1,000,360)		(963,616)		36,744	
OTHER FINANCING SOURCES (USES)									
Transfer to (from) other funds		(30,000)		-		-		-	
Total other financing sources (uses)		(30,000)				-		-	
Net change in fund balance	\$	(2,600,000)	\$	(1,000,360)		(963,616)	\$	(37,684)	
Fund balance, beginning of year						2,312,333			
Fund balance, end of year					\$	1,348,717			