

RESOLUTION NO. 2023-10-04

**RESOLUTION TO ADOPT BUDGET AND APPROPRIATE SUMS OF MONEY
RESOLUTION OF THE BOARD OF DIRECTORS OF NINE MILE METROPOLITAN
DISTRICT, BOULDER 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 Nine Mile Metropolitan District (the “**District**”) has appointed Simmons & Wheeler, P.C. to prepare and submit a proposed budget to said governing body at the proper time.

B. Simmons & Wheeler, P.C. has submitted a proposed budget to this governing body for its consideration on or before October 15, 2023.

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 October 30, 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
NINE MILE METROPOLITAN DISTRICT, BOULDER 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 TO RESOLUTION TO ADOPT
BUDGET AND APPROPRIATE SUMS OF MONEY]**

RESOLUTION APPROVED AND ADOPTED ON OCTOBER 30, 2023.

**NINE MILE METROPOLITAN
DISTRICT**



By: _____
President

Attest:

By: *Erika K. Shorter*
Secretary

EXHIBIT A

Budget

**NINE MILE METROPOLITAN DISTRICT
2024
BUDGET MESSAGE**

Attached please find a copy of the adopted 2024 budget for the Nine Mile Metropolitan District.

The Nine Mile Metropolitan District has adopted budgets for two funds, a General Fund to provide for operating and maintenance expenditures; and a Debt Service Fund to account for the repayment of principal and interest on the outstanding general obligation bonds.

The district's accountants have utilized the modified accrual basis of accounting, and the budget has been adopted after proper postings, publications and public hearing.

The primary source of revenue for the district in 2024 will be sales tax revenue and URA revenues. The district does not intend to impose a mill levy on property within the district for 2024.

**Nine Mile Metropolitan District
Adopted Budget
General Fund
For the Year ended December 31, 2024**

	Actual <u>2022</u>	Adopted Budget <u>2023</u>	Actual <u>6/30/2023</u>	Estimate <u>2023</u>	Adopted Budget <u>2024</u>
Beginning fund balance	\$ -	\$ (90,001)	\$ (90,001)	\$ (90,001)	\$ -
Revenues:					
Developer advances	24,906	-	-	-	-
Interest income	-	-	1,160	2,000	1,000
Transfer from debt service	-	149,715	207,276	207,276	208,141
Total revenues	<u>24,906</u>	<u>149,715</u>	<u>208,436</u>	<u>209,276</u>	<u>209,141</u>
Total funds available	<u>24,906</u>	<u>59,714</u>	<u>118,435</u>	<u>119,275</u>	<u>209,141</u>
Expenditures:					
Accounting	12,167	15,000	2,302	11,504	20,000
Audit	-	-	-	8,000	8,000
Election	1,951	5,000	-	-	-
Insurance/ SDA Dues	5,305	3,000	8,414	8,414	9,000
Management fee	4,334	6,000	3,000	6,000	6,000
Landscaping maintenance	23,376	94,500	20,944	41,499	94,500
Legal	41,960	15,000	16,879	33,758	20,000
Miscellaneous	1,584	2,000	48	100	2,000
Snow removal	-	5,000	1,754	5,000	10,000
Utilities	24,230	-	3,261	5,000	10,000
Contingency	-	-	-	-	24,856
Emergency reserve (3%)	-	4,215	-	-	4,785
Total expenditures	<u>114,907</u>	<u>149,715</u>	<u>56,602</u>	<u>119,275</u>	<u>209,141</u>
Ending fund balance	<u>\$ (90,001)</u>	<u>\$ (90,001)</u>	<u>\$ 61,833</u>	<u>\$ -</u>	<u>\$ -</u>
Assessed valuation - Gross		<u>\$ 4,957,108</u>			<u>\$ 15,049,757</u>
Assessed valuation - Net of TIF		<u>\$ 174,143</u>			<u>\$ 480,583</u>
Mill Levy		<u>0.000</u>			<u>0.000</u>

**Nine Mile Metropolitan District
 Adopted Budget
 Capital Projects Fund
 For the Year ended December 31, 2024**

	Actual <u>2022</u>	Adopted Budget <u>2023</u>	Actual <u>6/30/2023</u>	Amended <u>2023</u>	Adopted Budget <u>2024</u>
Beginning fund balance	\$ 1,102,890	\$ 32,570	\$ 32,570	\$ 32,570	\$ -
Revenues:					
Interest income	<u>720</u>	<u>500</u>	<u>770</u>	<u>2,430</u>	<u>-</u>
Total revenues	<u>720</u>	<u>500</u>	<u>770</u>	<u>2,430</u>	<u>-</u>
Total funds available	<u>1,103,610</u>	<u>33,070</u>	<u>33,340</u>	<u>35,000</u>	<u>-</u>
Expenditures:					
Capital expenditures	<u>1,071,040</u>	<u>32,850</u>	<u>-</u>	<u>35,000</u>	<u>-</u>
Total expenditures	<u>1,071,040</u>	<u>32,850</u>	<u>-</u>	<u>35,000</u>	<u>-</u>
Ending fund balance	<u>\$ 32,570</u>	<u>\$ 220</u>	<u>\$ 33,340</u>	<u>\$ -</u>	<u>\$ -</u>

**Nine Mile Metropolitan District
Adopted Budget
Debt Service Fund
For the Year ended December 31, 2024**

	Actual <u>2022</u>	Adopted Budget <u>2023</u>	Actual <u>6/30/2023</u>	Amended <u>2023</u>	Adopted Budget <u>2024</u>
Beginning fund balance	\$ 3,353,684	\$ 2,974,173	\$ 2,974,173	\$ 2,974,173	\$ 2,778,486
Revenues:					
Interest income	47,075	3,000	69,702	174,255	3,000
URA Revenues	223,402	247,929	529,230	529,230	1,064,275
Sales Taxes	<u>242,856</u>	<u>328,599</u>	<u>250,828</u>	<u>250,828</u>	<u>755,770</u>
Total revenues	<u>513,333</u>	<u>579,528</u>	<u>849,760</u>	<u>954,313</u>	<u>1,823,045</u>
Total funds available	<u>3,867,017</u>	<u>3,553,701</u>	<u>3,823,933</u>	<u>3,928,486</u>	<u>4,601,531</u>
Expenditures:					
Interest expense bonds	888,394	888,394	444,197	888,394	888,394
Bond principal	-	-	-	-	410,000
Treasurer's fees	-	-	7,939	7,939	8,000
Available for operations	-	149,715	207,276	243,667	208,141
Trustee / paying agent fees	<u>4,450</u>	<u>10,000</u>	<u>4,450</u>	<u>10,000</u>	<u>10,000</u>
Total expenditures	<u>892,844</u>	<u>1,048,109</u>	<u>663,862</u>	<u>1,150,000</u>	<u>1,524,535</u>
Ending fund balance	<u>\$ 2,974,173</u>	<u>\$ 2,505,592</u>	<u>\$ 3,160,071</u>	<u>\$ 2,778,486</u>	<u>\$ 3,076,996</u>
Reserve amount		<u>\$ 1,655,494</u>			<u>\$ 1,655,494</u>
Surplus Fund		<u>\$ 850,098</u>			<u>\$ 1,421,502</u>
Assessed valuation - Gross		<u>\$ 4,957,108</u>			<u>\$ 15,049,757</u>
Assessed valuation - Net of TIF		<u>\$ 174,143</u>			<u>\$ 480,583</u>
Mill Levy		<u>0.000</u>			<u>0.000</u>
Total Mill Levy		<u>0.000</u>			<u>0.000</u>

I, Erika Shorter, hereby certify that I am the duly appointed Secretary of the Nine Mile 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 Nine Mile Metropolitan District held on October 30, 2023.

Erika K. Shorter

Secretary

RESOLUTION NO. 2023-10-05

RESOLUTION TO SET MILL LEVIES

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

A. The Board of Directors of the Nine Mile Metropolitan District (the “**District**”) has adopted an annual budget in accordance with the Local Government Budget Law, on October 30, 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 fund expenses from property tax revenue is identified in the budget.

D. The amount of money necessary to balance the budget for 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 Nine Mile Metropolitan District, Boulder 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.

4. That the Secretary is hereby authorized and directed to immediately certify to the Board of County Commissioners of Boulder 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 OF RESOLUTION TO SET MILL LEVIES]

RESOLUTION APPROVED AND ADOPTED ON OCTOBER 30, 2023.

**NINE MILE METROPOLITAN
DISTRICT**

By: _____



President

Attest:

By: _____

Erika K. Shorter

Secretary

EXHIBIT 1

Certification of Tax Levies

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners¹ of Boulder County, Colorado.

On behalf of the Nine Mile Metropolitan District,
(taxing entity)^A

the Board of Directors,
(governing body)^B

of the Nine Mile Metropolitan District,
(local government)^C

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ 15,049,757 assessed valuation of: (GROSS^D assessed valuation, Line 2 of the Certification of Valuation Form DLG 57^E)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area^F the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ 480,583 (NET^G assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)
USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10

Submitted: 1/10/2024 for budget/fiscal year 2024.
(not later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE <small>(see end notes for definitions and examples)</small>	LEVY ²	REVENUE ²
1. General Operating Expenses ^H	<u>0.000</u> mills	\$ <u>0</u>
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction ^I	< > mills	\$ < >
SUBTOTAL FOR GENERAL OPERATING:	0.000 mills	\$ 0
3. General Obligation Bonds and Interest ^J	_____ mills	\$ _____
4. Contractual Obligations ^K	_____ mills	\$ _____
5. Capital Expenditures ^L	_____ mills	\$ _____
6. Refunds/Abatements ^M	_____ mills	\$ _____
7. Other ^N (specify): _____	_____ mills	\$ _____
_____	_____ mills	\$ _____
TOTAL: <small>[Sum of General Operating Subtotal and Lines 3 to 7]</small>	0.000 mills	\$ 0

Contact person: Diane K Wheeler Daytime phone: (303) 689-0833
 (print)
 Signed: Diane K Wheeler Title: District Accountant

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 866-2156.

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

CERTIFICATION OF TAX LEVIES, continued

THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.). Taxing entities that are

Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:

BONDS^J:

1. Purpose of Issue: _____
Series: _____
Date of Issue: _____
Coupon Rate: _____
Maturity Date: _____
Levy: _____
Revenue: _____

2. Purpose of Issue: _____
Series: _____
Date of Issue: _____
Coupon Rate: _____
Maturity Date: _____
Levy: _____
Revenue: _____

CONTRACTS^K:

3. Purpose of Contract: _____
Title: _____
Date: _____
Principal Amount: _____
Maturity Date: _____
Levy: _____
Revenue: _____

4. Purpose of Contract: _____
Title: _____
Date: _____
Principal Amount: _____
Maturity Date: _____
Levy: _____
Revenue: _____

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.

I, Erika Shorter, hereby certify that I am the duly appointed Secretary of the Nine Mile 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 Nine Mile Metropolitan District held on October 30, 2023.

Erika K. Shorter

Secretary