

JEFFERSON CENTER METROPOLITAN DISTRICT NO. 2

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
Tel: 303-987-0835 · 800-741-3254
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NOTICE OF REGULAR MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office</u>	<u>Term/Expiration:</u>
Charles Church McKay	President/Chairman	2023/May 2023
Gregg Bradbury	Treasurer	2023/May 2023
Jeff Nading	Assistant Secretary	2025/May 2025
Steve Nading	Assistant Secretary	2025/May 2025
Brandon Dooling	Assistant Secretary	2023/May 2023
James Ruthven	Secretary	

DATE November 22, 2022 (Tuesday)

TIME: 9:30 A.M.

PLACE: **Zoom Meeting: This meeting will be held 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/89087370143?pwd=QXRtR1NTbWlvcXBBR0c2TXFqMXBCQT09>

Meeting ID: 890 8737 0143

Passcode: 405141

Dial In: 1-719-359-4580

I. ADMINISTRATIVE MATTERS

A. Present Disclosures of Potential Conflicts of Interest.

B. Approve Agenda, confirm location of the meeting and posting of meeting notices.

C. Review and approve Minutes of the June 28, 2022 Regular Meeting and the November 7, 2022 Special Meeting (enclosures).

D. Discuss business to be conducted in 2023 and location (**virtual and/or physical**) of meetings. Schedule regular meeting dates and consider adoption of Resolution Establishing Regular Meeting Dates, Time, and Location and Designating Location for Posting of 24-Hour Notices (enclosure).

- E. Discuss Section 32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2023 (District website and Special District Association website).
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II. PUBLIC COMMENT

- A. _____

III. FINANCIAL MATTERS

- A. Review and consider approval of the payment of claims for the period ending June 1, 2022 through October 31, 2022, in the amount of \$91,317.31 and November 22, 2022 in the amount of \$77,467.73 (enclosures).
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- B. Review and accept unaudited financial statements for the period ending September 30, 2022 (enclosure).
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- C. Discuss status of any amounts due from Mountain Shadows Metropolitan District.
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- D. Consider engagement of Fiscal Focus Partners LLC for preparation of 2022 Audit for an amount not to exceed \$_____.
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- E. Conduct Public Hearing to consider Amendment to 2022 Budget and (if necessary) consider adoption of Resolution to Amend the 2022 Budget and appropriate expenditures.
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- F. Conduct Public Hearing on the proposed 2023 Budget and consider adoption of Resolution to Adopt the 2023 Budget and Appropriate Sums of Money (enclosures – preliminary assessed valuation, 2022 draft budget and resolution).
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- G. Consider authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form (“Certification”), and direct District Manager to file the Certification with the Board of County Commissioners and other interested parties.
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- H. Consider appointment of District Accountant to prepare the 2024 Budget and set the date for public hearing to adopt the 2024 Budget (_____, 2023).
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IV. MANAGEMENT MATTERS

- A. Review Water Tracking Report (enclosure).
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V. LEGAL MATTERS

- A. Discuss May 2, 2023 Regular Directors' Election and consider adoption of Resolution No. 2022-11-____; Resolution Calling a Regular Election for Directors on May 2, 2023, appointing the Designated Election Official ("DEO"), and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election (enclosure). Self-Nomination forms are due by February 24, 2023. Discuss the need for ballot issues and/or questions.
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- B. Discuss City of Arvada's System Development Charges. **Adjourn to executive session pursuant to Section 24-6-402(4)(b), C.R.S., to receive legal advice regarding the System Development Charges (if necessary).**
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1. Discuss and ratify approval of Joint Cooperation and Common Interest Agreement between Jefferson Center Metropolitan District No. 1, Jefferson Center Metropolitan District No. 2, Cimarron Development Company, Cimarron Holding Company LLC, Cimarron Commercial LLC, Cimarron Residential LLC, Candelas Point LLC, and Jeffrey L. Nading Trust (to be distributed).
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2. Authorize any necessary action in connection therewith.
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VI. OTHER BUSINESS

- A. Consider cancellation of the December 27, 2022 Board meeting.
-

VII. ADJOURNMENT **THE NEXT REGULAR MEETING IS SCHEDULED FOR DECEMBER 27, 2022.**

Informational Enclosure:

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

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JEFFERSON CENTER METROPOLITAN DISTRICT NO. 2 HELD JUNE 28, 2022

A Regular Meeting of the Board of Directors of the Jefferson Center Metropolitan District No. 2 (referred to hereafter as "Board") was convened on Tuesday, June 28, 2022, at 9:30 a.m. This District Board meeting was held by video/telephone conference with all participants attending via video/teleconference. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Charles Church McKay
Gregg Bradbury
Jeff Nading
Steven Nading
Brandon Dooling

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Emily Murphy, Esq.; McGeady Becher P.C.

Joy Tatton; Simmons & Wheeler, P.C.

Wes Back and Brandon Collins; Independent District Engineering Services, LLC

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosures of Potential Conflicts of Interest: The Board discussed 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. Mr. Solin noted that a quorum was present and requested members of the Board disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. Attorney Murphy noted that all Directors' Disclosure Statements had been filed and that no additional conflicts were disclosed at the meeting.

RECORD OF PROCEEDINGS

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 Dooling, seconded by Director McKay and, upon vote, unanimously carried, the agenda was approved, as presented.

Location of Meeting and Posting of Notices: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The Board determined that the meeting would be held by video/telephonic means, and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location of the meeting was duly posted and that the District had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District boundaries.

May 3, 2022 Cancelled Election: Mr. Solin noted for the Board that the May 3, 2022 Directors' Election 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 Dooling was deemed elected to a 1-year term ending in May 2023 and Directors Jeff Nading and Steven Nading were each deemed elected to 3-year terms ending in May 2025.

Appointment of Officers: The Board entered into discussion regarding the appointment of officers. Following discussion, upon motion duly made by Director Bradbury, seconded by Director Dooling and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Charles Church McKay
Treasurer	Gregg Bradbury
Secretary	David Solin
Assistant Secretary	Jeff Nading
Assistant Secretary	Steven Nading
Assistant Secretary	Brandon Dooling

Minutes: The Board reviewed the Minutes of the January 25, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director Jeff Nading, seconded by Director McKay and, upon vote, unanimously carried, the Minutes of the January 25, 2022 Regular Meeting were approved.

RECORD OF PROCEEDINGS

PUBLIC COMMENT

There were no public comments.

FINANCIAL MATTERS

Claims: The Board considered ratification of the payment of claims for the period of February 1, 2022 through May 31, 2022 in the amount of \$38,989.16, and for the period of June 1, 2022 through June 30, 2022, in the amount of \$5,006.57.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director McKay and, upon vote, unanimously carried, the Board ratified the payment of claims, as presented.

Unaudited Financial Statements: Ms. Tatton reviewed with the Board the unaudited financial statements for the period ending March 31, 2022.

Following discussion, upon motion duly made by Director Steven Nading, seconded by Director Dooling and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending March 31, 2022.

Amounts Due from Mountain Shadows Metropolitan District (“MSMD”): Ms. Tatton reported to the Board that all payments are current. No action was necessary from the Board.

2021 Budget Amendment Hearing: The President opened the public hearing to consider an amendment to the 2021 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider an amendment to the 2021 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. There were no comments from the public in attendance and the public hearing was closed.

Following review and discussion, upon motion duly made by Director Jeff Nading, seconded by Director Dooling and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-06-01, Resolution to Amend the 2021 Budget. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

2021 Audit: Ms. Tatton reviewed the 2021 Audit with the Board.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director Jeff Nading and, upon vote, unanimously carried, the Board approved the 2021 Audit, subject to final legal review.

RECORD OF PROCEEDINGS

MANAGEMENT MATTERS

Water Tracking Report: Mr. Solin reviewed with the Board the status of water allocations and facilities fees billing and collection.

LEGAL MATTERS

Joint Instruction Letter dated April 6, 2022 to UMB Bank, n.a., Requesting Disbursement of Escrowed Funds and Terminating the Arvada Fire Protection District Escrow Account: Attorney Murphy reviewed with the Board the Joint Instruction Letter dated April 6, 2022 to UMB Bank, n.a., requesting disbursement of Escrowed Funds and terminating the Arvada Fire Protection District escrow account.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director Jeff Nading and, upon vote, unanimously carried, the Board ratified approval of the Joint Instruction Letter dated April 6, 2022 to UMB Bank, n.a., requesting disbursement of Escrowed Funds and terminating the Arvada Fire Protection District escrow account.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

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

Respectfully submitted,

By: _____
Secretary for the Meeting

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE JEFFERSON CENTER METROPOLITAN DISTRICT NO. 2 HELD NOVEMBER 7, 2022

A Special Meeting of the Board of Directors of the Jefferson Center Metropolitan District No. 2 (referred to hereafter as "Board") was convened on Monday, November 7, 2022, at 7:30 a.m. This District Board meeting was held by video/telephone conference with all participants attending via video/teleconference. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Gregg Bradbury
Charles Church McKay
Steven Nading (for a portion of the meeting)
Brandon Dooling

Following discussion, upon motion duly made by Director Bradbury, seconded by Director Steven Nading and, upon vote, unanimously carried, the absence of Director Jeff L. Nading was excused.

Also In Attendance Were:

James Ruthven; Special District Management Services, Inc.

Megan Becher, Esq. and Emily Murphy, Esq.; McGeady Becher P.C.

Kevin Walsh, Esq.; Brownstein Hyatt Farber Schreck, LLP

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosures of Potential Conflicts of Interest: The Board discussed 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. Mr. Ruthven noted that a quorum was present and requested members of the Board disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. Attorney Becher noted that all Directors' Disclosure Statements had been filed and that no additional conflicts were disclosed at the meeting.

RECORD OF PROCEEDINGS

ADMINISTRATIVE MATTERS

Agenda: Mr. Ruthven distributed, for the Board's review and approval, a proposed agenda for the District's Special Meeting.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director Steven Nading and, upon vote, unanimously carried, the agenda was approved.

Location of Meeting and Posting of Notices: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The Board determined that the meeting would be held by video/telephonic means, and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location of the meeting was duly posted and that the District had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District boundaries.

Resignation/Appointment of Secretary: Following discussion, upon motion duly made by Director Bradbury seconded by Director Steven Nading and, upon vote, unanimously carried, the Board acknowledged the resignation of David Solin as Secretary to the Board and appointed James Ruthven as the new Secretary to the Board.

PUBLIC COMMENT

There were no public comments.

LEGAL MATTERS

City of Arvada's System Development Charges:

EXECUTIVE SESSION: The Board notified those present that it would need to convene in Executive Session for the purpose of receiving legal advice on specific legal questions regarding the City of Arvada's System Development Charges.

Pursuant to Section 24-6-402(4)(b), C.R.S., and upon a motion made by Director Bradbury, seconded by Director Dooling, and upon vote unanimously carried, the Board convened in Executive Session at 7:35 a.m. for the purpose of receiving legal advice on specific legal questions regarding the City of Arvada's System Development Charges. The public was excused for the Executive Session.

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of those portions of the Executive Session that, in the opinion of the Board's attorney(s), constitute privileged attorney-client communication pursuant to Section 24-6-402(4), C.R.S.

RECORD OF PROCEEDINGS

The Board reconvened in regular session at 8:29 a.m.

Engagement of Brownstein Hyatt Farber Schreck, LLP as Special Litigation Counsel: Following discussion, upon motion duly made by Director Bradbury, seconded by Director Dooling and, upon vote, unanimously carried, the Board ratified approval of the engagement of Brownstein Hyatt Farber Schreck, LLP as Special Litigation Counsel.

Engagement of AquaSan Network, Inc. as Special Consultant: The Board deferred discussion.

Authorization to Special Litigation Counsel: Following discussion, upon motion duly made by Director Bradbury, seconded by Director Dooling and, upon vote, unanimously carried, the Board authorized Special Litigation Counsel to take necessary actions in conjunction with District directives.

Quitclaim Deed: Attorney Murphy reviewed with the Board the Quitclaim Deed between the District and the City of Arvada conveying certain easements for the purpose of constructing, operating, maintaining, repairing, and replacing an underground water line and underground service line and related facilities and appurtenances (Ranson Utility Easements) (“Quitclaim Deed”).

Following discussion, upon motion duly made by Director Bradbury, seconded by Director Dooling and, upon vote, unanimously carried, the Board ratified approval of the Quitclaim Deed.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

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

Respectfully submitted,

By: _____
Secretary for the Meeting

RECORD OF PROCEEDINGS

Attorney Statement

REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing the Jefferson Center Metropolitan District No. 2, I attended the executive session meeting of the Jefferson Center Metropolitan District No. 2 convened on November 7, 2022, for the purpose of receiving legal advice on specific legal questions regarding the City of Arvada's System Development Charges, as authorized by Section 24-6-402(4)(b), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication and based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Megan Becher, Attorney for the District

Date: November 7, 2022

RESOLUTION NO. 2022-11-____

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE JEFFERSON CENTER METROPOLITAN DISTRICT NO. 2
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 Jefferson Center Metropolitan District No. 1 (the “**District**”), Jefferson 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 2023 shall be held on the 4th Tuesday of every Month at 9:30 a.m. via Zoom

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 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://www.jeffersoncentermd2.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) Fence post on the southwest corner of 96th and Indiana

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

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

RESOLUTION APPROVED AND ADOPTED on November 22, 2022.

**JEFFERSON CENTER METROPOLITAN
DISTRICT NO. 2**

By: _____
President

Attest:

Secretary

Vendor	Invoice #	Date	Amount in USD	Expense Account	Account Number	Department
McGeady Becher P.C.	05312022 779B	5/31/2022	776.50	Legal	6750	1
McGeady Becher P.C.	04302022 779B	4/30/2022	24.00	Election expense	6350	1
McGeady Becher P.C.	04302022 779B	4/30/2022	260.00	Legal	6750	1
Simmons & Wheeler, P.C.	33226	5/31/2022	2,546.44	Accounting	6170	1
Simmons & Wheeler, P.C.	33053	4/30/2022	1,014.83	Accounting	6170	1
Special District Management Services, Inc.	05312022 JCMD2	5/31/2022	236.80	Election expense	6350	1
Special District Management Services, Inc.	05312022 JCMD2	5/31/2022	148.00	Management fees	6100	1
Simmons & Wheeler, P.C.	33434	6/30/2022	1,099.58	Accounting	6170	1
Special District Management Services, Inc.	06302022 JCMD2	6/30/2022	29.60	Election expense	6350	1
Special District Management Services, Inc.	06302022 JCMD2	6/30/2022	984.32	Management fees	6100	1
McGeady Becher P.C.	06302022 779B	6/30/2022	2,888.50	Legal	6750	1
Simmons & Wheeler, P.C.	33473	7/31/2022	1,253.09	Accounting	6170	1
Special District Management Services, Inc.	07312022 JCMD2	7/31/2022	564.14	Management fees	6100	1
Colorado Special Districts Property and Liability	23WC-60923-0547	8/26/2022	450.00	Prepaid insurance	1380	1
Fiscal Focus Partners, LLC	1674	9/9/2022	5,900.00	Audit	6150	1
McGeady Becher P.C.	08312022 779B	8/31/2022	1,290.00	Legal	6750	1
Simmons & Wheeler, P.C.	33756	8/31/2022	1,854.20	Accounting	6170	1
Special District Management Services, Inc.	08312022 JCMD2	8/31/2022	814.00	Management fees	6100	1
McGeady Becher P.C.	07312022 779B	7/31/2022	131.00	Legal	6750	1
McGeady Becher P.C.	09302022 779B	9/30/2022	410.50	Legal	6750	1
McGeady Becher P.C.	09302022 779B	9/30/2022	1,147.50	Legal	6750	3
Mountain Shadow Metropolitan Distri	2022 TIF Area 2	9/30/2022	67,170.31	Mt Shadows Pledge /	6067	3
RLI	936255	9/30/2022	250.00	Prepaid insurance	1380	1
Special District Management Services, Inc.	09302022 JCMD2	9/30/2022	74.00	Management fees	6100	1
			<u>91,317.31</u>			

Vendor	Invoice #	Date	Amount in USD	Expense Account	Account Number	Department
City of Arvada	179692	10/31/2022	40,501.92	Stormwater IGA	7105	1
City of Arvada	179582	6/14/2022	29,541.44	Stormwater IGA	7105	1
Colorado Special Districts Property and Liability Pool	23PL-60923-2161	10/29/2022	2,605.00	Prepaid insurance	1380	1
Simmons & Wheeler, P.C.	34183	10/31/2022	2,328.43	Accounting	6170	1
Simmons & Wheeler, P.C.	33894	9/30/2022	1,473.94	Accounting	6170	1
Special District Management Services, Inc.	10312022 JCMD2	10/31/2022	242.00	Management fees	6100	1
T Charles Wilson Insurance Service	12014	11/3/2022	775.00	Prepaid insurance	1380	1
			<u>77,467.73</u>			

Jefferson Center Metropolitan District No. 2
Financial Statements

September 30, 2022

ACCOUNTANT'S COMPILATION REPORT

Board of Directors
Jefferson Center Metropolitan District No. 2

Management is responsible for the accompanying financial statements of each major fund of Jefferson Center Metropolitan District No. 2, as of and for the period ended September 30 2022, which are comprised of the Balance Sheet and the related Statement of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Governmental Funds and account groups for the nine months then ended in accordance with accounting principles generally accepted in the United States of America. We have performed a compilation engagement in accordance with the Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

Management has elected to omit the Statement of Net Position, Statement of Activities, Management Discussion and Analysis and all of the disclosures required by accounting principles generally accepted in the United States of America. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the District's financial position and results of operations. Accordingly, the financial statements are not designed for those who are not informed about such matters.

We are not independent with respect to Jefferson Center Metropolitan District No. 2 because we performed certain accounting services that impaired our independence.

Simmons & Wheeler P.C.

November 2, 2022
Englewood, Colorado

Jefferson Center Metropolitan District No.2
Combined Balance Sheet
September 30, 2022

See Accountant's Compilation Report

	<u>General</u>	<u>Capital</u>	<u>Debt</u>	<u>Account</u>	<u>Total</u>
Assets	<u>Fund</u>	<u>Projects</u>	<u>Service</u>	<u>Groups</u>	<u>All Funds</u>
Current assets					
Cash checking	\$ (44,997)	\$ 102,717	\$ -	\$ -	\$ 57,720
Cash Colotrust	-	92,767	-	-	92,767
Due from AURA	-	-	28,052	-	28,052
Due from JCMD #1	53,857	67,170	(28,052)	-	92,975
Due from other districts	14,597	-	-	-	14,597
Construction deposits	-	750	-	-	750
Prepaid expenses	700	-	-	-	700
	<u>24,157</u>	<u>263,404</u>	<u>-</u>	<u>-</u>	<u>287,561</u>
Other assets					
Fixed assets	-	-	-	2,282,912	2,282,912
Amount to be provided for retirement of debt	-	-	-	13,651,106	13,651,106
	<u>-</u>	<u>-</u>	<u>-</u>	<u>15,934,018</u>	<u>15,934,018</u>
	<u>\$ 24,157</u>	<u>\$ 263,404</u>	<u>\$ -</u>	<u>\$ 15,934,018</u>	<u>\$ 16,221,579</u>
Liabilities and Equity					
Current liabilities					
Accounts payable	\$ 866	\$ 68,318	\$ -	\$ -	\$ 69,184
	<u>866</u>	<u>68,318</u>	<u>-</u>	<u>-</u>	<u>69,184</u>
Mountain Shadows Pledge Agreement	-	-	-	7,000,000	7,000,000
Accrued Interest - Mountain Shadows	-	-	-	6,651,106	6,651,106
	<u>-</u>	<u>-</u>	<u>-</u>	<u>13,651,106</u>	<u>13,651,106</u>
Total liabilities	<u>866</u>	<u>68,318</u>	<u>-</u>	<u>13,651,106</u>	<u>13,720,290</u>
Fund equity and other credits					
Investment in fixed assets	-	-	-	2,282,912	2,282,912
Fund balance - unreserved	23,291	195,086	-	-	218,377
	<u>23,291</u>	<u>195,086</u>	<u>-</u>	<u>2,282,912</u>	<u>2,501,289</u>
	<u>\$ 24,157</u>	<u>\$ 263,404</u>	<u>\$ -</u>	<u>\$ 15,934,018</u>	<u>\$ 16,221,579</u>

Jefferson Center Metropolitan District No.2
Statement of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual
For the Nine Months Ended September 30, 2022
General Fund

See Accountant's Compilation Report

	<u>Annual Budget</u>	<u>Actual Quarter</u>	<u>Actual Year to Date</u>	<u>Variance Favorable (Unfavorable)</u>
Revenues				
Transfer from JCMD #1	\$ 53,978	\$ 4,495	\$ 15,071	\$ (38,907)
Transfer from Mountain Shadows	27,212	2,266	7,598	(19,614)
Transfer from Canyon Pines	9	1	3	(6)
Transfer from Cimarron/Vauxmont	<u>77,473</u>	<u>6,452</u>	<u>21,630</u>	<u>(55,843)</u>
	<u>158,672</u>	<u>13,214</u>	<u>44,302</u>	<u>(114,370)</u>
Expenditures				
Audit	5,500	5,900	5,900	(400)
Accounting	20,000	3,107	13,811	6,189
Election expense	100	-	394	(294)
Insurance	4,300	-	4,195	105
Legal	30,000	4,720	14,837	15,163
Management fees	25,000	1,453	5,140	19,860
Miscellaneous	2,000	-	24	1,976
Office supplies	1,500	-	-	1,500
Stormwater IGA	65,650	-	-	65,650
Emergency reserve	4,622	-	-	4,622
Contingency	<u>23,293</u>	<u>-</u>	<u>-</u>	<u>23,293</u>
	<u>181,965</u>	<u>15,180</u>	<u>44,301</u>	<u>137,664</u>
Excess (deficiency) of revenues over expenditures	(23,293)	\$ <u><u>(1,966)</u></u>	1	23,294
Fund balance beginning	<u>23,293</u>		<u>23,290</u>	<u>(3)</u>
Fund balance ending	\$ <u><u>-</u></u>		\$ <u><u>23,291</u></u>	\$ <u><u>23,291</u></u>

Jefferson Center Metropolitan District No.2
Statement of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual
For the Nine Months Ended September 30, 2022
Capital Projects Fund

See Accountant's Compilation Report

	<u>Annual Budget</u>	<u>Actual Quarter</u>	<u>Actual Year to Date</u>	<u>Variance Favorable (Unfavorable)</u>
Revenues				
Mt Shadows AURA Increment	\$ 202,227	\$ 71,042	\$ 276,243	\$ 74,016
AURA Arvada Fire Dept	1,651,003	26,275	1,333,561	(317,442)
Interest income	-	506	925	925
	<u>1,853,230</u>	<u>97,823</u>	<u>1,610,729</u>	<u>(242,501)</u>
Expenditures				
Legal	-	1,148	3,974	(3,974)
Capital projects	-	4,250	4,250	(4,250)
Arvada Fire Construction	8,110,369	26,275	5,829,002	2,281,367
Mt Shadow Pledge Agreement Interest	202,227	71,042	276,243	(74,016)
	<u>8,312,596</u>	<u>102,715</u>	<u>6,113,469</u>	<u>2,199,127</u>
Excess (deficiency) of revenues over expenditures	(6,459,366)	\$ <u><u>(4,892)</u></u>	(4,502,740)	1,956,626
Fund balance beginning	<u>6,459,366</u>		<u>4,697,826</u>	<u>(1,761,540)</u>
Fund balance ending	\$ <u><u>-</u></u>		\$ <u><u>195,086</u></u>	\$ <u><u>195,086</u></u>

Jefferson Center Metropolitan District No.2
Statement of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual
For the Nine Months Ended September 30, 2022
Debt Service Fund

See Accountant's Compilation Report

	<u>Annual Budget</u>	<u>Actual Quarter</u>	<u>Actual Year to Date</u>	<u>Variance Favorable (Unfavorable)</u>
Revenues				
Transfer from District #1	\$ 1,249,973	\$ -	\$ 2,552,866	\$ 1,302,893
Mt Shadows AURA Increment	282,173	5,347	291,630	9,457
Vauxmont AURA Increment	5,241,119	100,487	5,406,744	165,625
JCMD NW AURA Increment	1,406,438	(39,118)	1,388,876	(17,562)
	<u>8,179,703</u>	<u>66,716</u>	<u>9,640,116</u>	<u>1,460,413</u>
Expenditures				
Transfer to Vauxmont - Cimarron Pledge Agreement	6,773,265	105,834	8,251,240	(1,477,975)
Transfer to District #1	1,406,438	(39,118)	1,388,876	17,562
	<u>8,179,703</u>	<u>66,716</u>	<u>9,640,116</u>	<u>(1,460,413)</u>
 Excess (deficiency) of revenues over expenditures	 -	 \$ <u><u>-</u></u>	 -	 -
 Fund balance beginning	 <u>-</u>		 <u>-</u>	 <u>-</u>
 Fund balance ending	 <u>\$ -</u>		 <u>\$ -</u>	 <u>\$ -</u>



SCOT KERSGAARD

Assessor

August 25, 2022

OFFICE OF THE ASSESSOR
100 Jefferson County Parkway
Golden, CO 80419-2500
Phone: 303-271-8600
Fax: 303-271-8616
Website: <http://assessor.jeffco.us>
E-mail Address: assessor@jeffco.us

JEFF CTR METRO DIST NO 2
DAVID SOLIN, SPECIAL DISTRICT
MANAGEMENT SERVICES INC
141 UNION BLVD 150
LAKEWOOD CO 80228-1898

Code # 4450

CERTIFICATION OF VALUATION

The Jefferson County Assessor reports a taxable assessed valuation for your taxing entity for 2022 of:

\$9,159

The breakdown of the taxable valuation of your property is enclosed.

As further required by CRS 39-5-128(1), you are hereby notified to officially certify your levy to the Board of County Commissioners no later than December 15.

CRS 39-1-111(5) requires that this office transmit a notification by December 10 of any changes to valuation made after the original certification.

SCOT KERSGAARD
Jefferson County Assessor

enc

CERTIFICATION OF VALUATION BY JEFFERSON COUNTY ASSESSOR

New Tax Entity YES NO

Date: August 25, 2022

NAME OF TAX ENTITY: JEFF CTR METRO DIST NO 2

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATION ("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 2022:

1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	1.	\$	9,036
2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: ‡	2.	\$	9,159
3. LESS TOTAL TIF AREA INCREMENTS, IF ANY:	3.	\$	9
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	4.	\$	9,150
5. NEW CONSTRUCTION: *	5.	\$	0
6. INCREASED PRODUCTION OF PRODUCING MINE: ≈	6.	\$	0
7. ANNEXATIONS/INCLUSIONS:	7.	\$	43,086
8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: ≈	8.	\$	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.): Φ	9.	\$	0
10. TAXES RECEIVED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1)(A), C.R.S.). Includes all revenue collected on valuation not previously certified:	10.	\$	0
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.):	11.	\$	0

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

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

≈ Jurisdiction must submit to the Division of Local Government respective Certifications of Impact in order for the values to be treated as growth in the limit calculation; use Forms DLG 52 & 52A.

Φ Jurisdiction must apply to the Division of Local Government before the value can be treated as growth in the limit calculation; use Form DLG 52B.

USE FOR TABOR "LOCAL GROWTH" CALCULATION ONLY

IN ACCORDANCE WITH ART X, SEC.20, COLO. CONSTITUTION AND 39-5-121(2)(b), C.R.S., THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2022:

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: ¶	1.	\$	636
ADDITIONS TO TAXABLE REAL PROPERTY			
2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	2.	\$	0
3. ANNEXATIONS/INCLUSIONS:	3.	\$	619,937
4. INCREASED MINING PRODUCTION: §	4.	\$	0
5. PREVIOUSLY EXEMPT PROPERTY:	5.	\$	0
6. OIL OR GAS PRODUCTION FROM A NEW WELL:	6.	\$	0
7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT: (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.):	7.	\$	0

DELETIONS FROM TAXABLE REAL PROPERTY

8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	8.	\$	0
9. DISCONNECTIONS/EXCLUSIONS:	9.	\$	0
10. PREVIOUSLY TAXABLE PROPERTY:	10.	\$	0

¶ This includes the actual value of all taxable real property plus the actual value of religious, private school, 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	1.	\$	31,584
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IN ACCORDANCE WITH 39-5-128(1.5), C.R.S., THE ASSESSOR PROVIDES:

HB21-1312 VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): **		\$	0
--	--	----	---

** The tax revenue lost due to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119.5(3), C.R.S.

NOTE: ALL LEVIES MUST BE CERTIFIED TO THE COUNTY COMMISSIONERS NO LATER THAN DECEMBER 15.

TO ALL TAXING JURISDICTIONS:

Pursuant to section 39-5-128, you are hereby notified that, as the clerk of a municipality or secretary of a special district, you must officially certify your agency's 2023 mill levy with Jefferson County. To ensure your agency meets the statutory deadline of December 16th, **your agency's certification must be submitted via email to MillLevyCertify@jeffco.us on or before Friday, December 9th, 2022.** Submissions will not be accepted in-person or via postal delivery.

Please remember that prior to submitting your agency's mill levy for certification, you are required by statute to formally adopt your annual budget. The necessary forms, along with instructions as to completion, are provided by the Colorado Division of Local Government (DOLA) and can be found on their website (www.dola.state.co.us). Using these forms will expedite the process to ensure that your agency's mill levy is certified in time for the billing of property taxes in 2023 by the Jefferson County Treasurer's office. **As an added safeguard to ensure accurate mill levies are certified, resolution(s) authorizing mill levy amounts must be included with your submission.**

Each taxing authority is responsible for ensuring that the mill levy submitted for certification complies with all applicable state statutes. You are encouraged to utilize the resources made available by DOLA to gain a thorough understanding of the statutes that apply to your agency.

The statutory "5.5% Property Tax Revenue Limit," also known as the "Annual Levy Law" (Section 29-1-301, et seq., C.R.S.), applies to most statutory local governments that levy property taxes, and it restricts the amount of property tax revenue that may be collected each year. This does not apply to home-rule entities unless their charters specify this limit. The local government's limit is calculated by using the information on the Certification of Valuation (CV) sent by the County Assessor each year.

Your agency may also be subject to the provisions specified under Article X, Section 20 of the Colorado State Constitution (Taxpayer's Bill of Rights Amendment). Each agency will be mailed a worksheet prepared by DOLA that shows their calculation for the agency's "5.5% limit." For other worksheets and additional guidance, please refer to DOLA's website or contact their staff at any time for assistance.

The county is required by law to certify the mill levies for all taxing authorities located within its boundaries. We ask for your help in ensuring that your mill levy information is both accurate and timely so that we can efficiently begin compiling the mill levy information.

If your district will not levy property taxes, we ask that you notify the county in writing of this intent. Failure to submit the required information by the established statutory deadline may result in a delay in the billing of your entity's property taxes.

Please submit your mill levy certification and resolution no later than December 9th, 2022 via e-mail to MillLevyCertify@jeffco.us. To ensure reliable and timely delivery and processing of certifications, **submissions will not be accepted in-person or via postal delivery.**

Please contact the Jefferson County Assessor's Office at 303-271-8628 for valuation or district information questions, or the Strategy, Planning & Analysis Division at 303-271-8507 for submission procedure questions.

Jefferson Center Metropolitan District No. 2
Proposed Budget
General Fund
For the Year ended December 31, 2023

	<u>Actual</u>	<u>Adopted</u>	<u>Actual</u>	<u>Estimate</u>	<u>Proposed</u>	
	<u>2021</u>	<u>Budget</u>	<u>6/30/2022</u>	<u>2022</u>	<u>Budget</u>	<u>2023</u>
Beginning fund balance	\$ 23,292	\$ 23,293	\$ 23,290	\$ 23,290	\$ 23,289	
Revenues:						
Transfer from Mt Shadows	21,301	27,212	5,332	21,410	24,891	
Transfer from Canyon Pines	9	9	2	7	7	
Transfer from Cimarron / Vauxmont	58,669	77,473	15,178	60,953	71,219	
Transfer from JCMD #1	43,653	53,978	10,576	42,468	63,071	
Total revenues	<u>123,632</u>	<u>158,672</u>	<u>31,088</u>	<u>124,838</u>	<u>159,188</u>	
Total funds available	<u>146,924</u>	<u>181,965</u>	<u>54,378</u>	<u>148,128</u>	<u>182,477</u>	
Expenditures:						
Legal	16,908	30,000	10,117	20,200	30,000	
Accounting	32,842	20,000	10,704	21,400	20,000	
Audit	5,350	5,500	-	5,500	5,500	
Election expense	-	100	394	394	500	
Insurance	4,148	4,300	4,195	4,195	4,400	
District management	5,306	25,000	3,687	7,400	25,000	
Stormwater IGA	59,080	65,650	-	65,650	65,650	
Office supplies	-	1,500	-	-	1,500	
Miscellaneous	-	2,000	24	100	2,000	
Contingency	-	23,293	-	-	23,290	
Emergency reserve	-	4,622	-	-	4,637	
Total expenditures	<u>123,634</u>	<u>181,965</u>	<u>29,121</u>	<u>124,839</u>	<u>182,477</u>	
Ending fund balance	<u>\$ 23,290</u>	<u>\$ -</u>	<u>\$ 25,257</u>	<u>\$ 23,289</u>	<u>\$ -</u>	
Assessed value	<u>\$ 9,246</u>	<u>\$ 9,036</u>			<u>\$ 9,159</u>	
Urban Renewal increment	<u>\$ 9</u>	<u>\$ 9</u>			<u>\$ 9</u>	
Mill levy	<u>-</u>	<u>-</u>			<u>-</u>	
Allocation to JCMD #2						
	AV 2022		Alloc for 2022	AV 2023		Alloc for 2023
AV District #1	51,247,483	34.02%	53,978	65,048,105	39.62%	63,071
AV Vauxmont	73,547,074	48.82%	77,466	73,443,227	44.73%	71,211
AV Cimarron	6,564	0.00%	7	7,762	0.00%	8
AV Canyon Pines	8,819	0.01%	9	7,192	0.00%	7
AV Mt Shadow	25,835,786	17.15%	27,212	25,671,719	15.64%	24,891
Total	<u>150,645,726</u>	<u>100.00%</u>	<u>158,672</u>	<u>164,178,005</u>	<u>100.00%</u>	<u>159,188</u>

Jefferson Center Metropolitan District No. 2
Proposed Budget
Capital Project Fund
For the Year ended December 31, 2023

	Actual <u>2021</u>	Adopted Budget <u>2022</u>	Actual <u>6/30/2022</u>	Estimate <u>2022</u>	Proposed Budget <u>2023</u>
Beginning fund balance	\$ 6,559,878	\$ 6,459,366	\$ 4,697,826	\$ 4,697,826	\$ -
Revenues:					
AURA Intergovernmental AFPD	1,484,647	1,651,003	1,307,286	1,651,003	1,843,821
Mt Shadows AURA Increment on 77.609 mills	249,405	202,227	205,201	272,815	323,627
Grant revenue	21,364	-	-	-	-
Interest income	1,753	-	419	800	-
Total revenues	<u>1,757,169</u>	<u>1,853,230</u>	<u>1,512,906</u>	<u>1,924,618</u>	<u>2,167,448</u>
Total funds available	<u>8,317,047</u>	<u>8,312,596</u>	<u>6,210,732</u>	<u>6,622,444</u>	<u>2,167,448</u>
Expenditures:					
Legal	-	-	2,826	2,826	-
Paying agent fees	375	-	-	-	-
Arvada Fire Construction	3,369,441	8,110,369	5,802,727	6,146,444	1,843,821
Transfer to Vauxmont	-	-	-	100,180	-
Transfer to JCMD 1 General Fund	-	-	-	100,179	-
Mt Shadow Pledge Agreement Interest	249,405	202,227	205,201	272,815	323,627
Total expenditures	<u>3,619,221</u>	<u>8,312,596</u>	<u>6,010,754</u>	<u>6,622,444</u>	<u>2,167,448</u>
Ending fund balance	<u>\$ 4,697,826</u>	<u>\$ -</u>	<u>\$ 199,978</u>	<u>\$ -</u>	<u>\$ -</u>
Balance restricted for Arvada Fire Dist	<u>\$ 4,495,237</u>	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>
Unrestricted balance	<u>\$ 202,589</u>	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>
Mt Shadows NW AURA Increment AV	<u>\$ 5,822,994</u>	<u>\$ 6,210,353</u>			<u>\$ 6,561,635</u>
Vauxmont NW AURA Increment AV	<u>\$ 62,866,002</u>	<u>\$ 67,693,463</u>			<u>\$ 67,847,341</u>
JCMD NW AURA Increment AV	<u>\$ 17,920,796</u>	<u>\$ 18,897,335</u>			<u>\$ 23,121,530</u>

Jefferson Center Metropolitan District No. 2
Proposed Budget
Debt Service Fund
For the Year ended December 31, 2023

	Actual <u>2021</u>	Adopted Budget <u>2022</u>	Actual <u>6/30/2022</u>	Estimate <u>2022</u>	Proposed Budget <u>2023</u>
Beginning fund balance	\$ -	\$ -	\$ -	\$ -	\$ -
Revenues:					
Transfer from District #1 - Debt Service	1,271,577	1,249,973	2,552,866	1,255,912	1,781,456
Mt Shadows AURA Increment on 77.609 mills	266,281	282,173	286,283	283,986	306,525
Vauxmont NWURA Increment on 77.609 mills	4,882,614	5,241,119	5,306,257	5,337,036	5,390,663
JCMD NWURA Increment on 77.609 mills	<u>1,280,290</u>	<u>1,406,438</u>	<u>1,427,994</u>	<u>1,422,719</u>	<u>1,684,549</u>
Total revenues	<u>7,700,762</u>	<u>8,179,703</u>	<u>9,573,400</u>	<u>8,299,653</u>	<u>9,163,193</u>
Total funds available	<u>7,700,762</u>	<u>8,179,703</u>	<u>9,573,400</u>	<u>8,299,653</u>	<u>9,163,193</u>
Expenditures					
Transfer to JCMD#1	1,280,290	1,406,438	1,427,994	1,422,719	1,684,549
Transfer to Vauxmont Cimarron Pledge Agreement	<u>6,420,472</u>	<u>6,773,265</u>	<u>8,145,406</u>	<u>6,876,934</u>	<u>7,478,644</u>
Total expenditures	<u>7,700,762</u>	<u>8,179,703</u>	<u>9,573,400</u>	<u>8,299,653</u>	<u>9,163,193</u>
Ending fund balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

RESOLUTION NO. 2022 - 11 - ____
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE JEFFERSON CENTER METROPOLITAN DISTRICT NO. 2
TO ADOPT THE 2023 BUDGET AND APPROPRIATE SUMS OF MONEY

WHEREAS, the Board of Directors of the Jefferson Center Metropolitan District No. 2 (“District”) has appointed the District Accountant to prepare and submit a proposed 2023 budget to the Board at the proper time; and

WHEREAS, the District Accountant has submitted a proposed budget to this Board on or before October 15, 2022, for its consideration; and

WHEREAS, 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 22, 2022 and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, 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; and

WHEREAS, 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.

WHEREAS, the Board of Directors of the District has made provisions therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and

WHEREAS, 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, as more fully set forth in the budget, including any interfund transfers listed therein, so as not to impair the operations of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Jefferson Center Metropolitan District No. 2:

1. That the budget as submitted, amended, and summarized by fund, hereby is approved and adopted as the budget of the Jefferson Center Metropolitan District No. 2 for the 2023 fiscal year.
2. That the budget, as 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. That 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.

ADOPTED this 22nd day of November, 2022.

(SEAL)

EXHIBIT A
(Budget)

I, James Ruthven, hereby certify that I am the duly appointed Secretary of the Jefferson Center Metropolitan District No. 2, and that the foregoing is a true and correct copy of the budget for the budget year 2023, duly adopted at a meeting of the Board of Directors of the Jefferson Center Metropolitan District No. 2 held on November 22, 2022.

By: _____
Secretary

CONDENSED SOURCES & USES
As of 11/18/22

Project Water	
Sources	Acre Feet
Pre - 12/2/19	1,869.24
2020 Exercised Options	92.47
Options to Exercise	-
Total Sources	1,961.71

Pre - December 2, 2019 Summary												
SOURCES		RESIDENTIAL USES						COMMERCIAL USES				BALANCE
Existing Agreements	Beginning Balance	MSMD	CPMD		ARP	Total Residential	Unallocated	Beginning	Allocations	CCLLC	Total Commercial	Unallocated
Totals	1869.24	200.00	36.00		1,039.01	1,275.01	-	594.23	54.50	363.05	417.55	176.68

Reconciliation to Post 12/2/19 - JCMD2

Reconciliation to Post 12/2/19 - CCLLC

Ending Balance 12/2/19	176.68
Less Restricted Beginning Commercial	(150.00)
Unrestricted Available	26.68
Plus Options Exercised	85.05
Plus Options Exercised	7.42
Net Unrestricted Available	119.15

CCLLC Held Balance	363.05
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Post - 12/2/2019 Allocations																							
SOURCES		RESIDENTIAL USES						COMMERCIAL USES													BALANCE		
Sources	Unrestricted Including CCLLC	Whisper Village	Taylor Morrison	Rangewater	Allocated	Unrestricted Available	IGA Restricted Balance	Kentro Retail 1	Kentro Retail 2	SCL - Candelas Medical	Whisper Village	Arvada Fire	Freedom Street Restaurant	Z&N Retail	Rangewater Clubhouse	Rangewater Rec Center	Brakes Plus	Taco Bell	Total Commercial	Not Allocated	Combined Allocations	CCLLC Available	Restricted Commercial Available
Allocations JCMD2	119.15	33.00	86.15	-	119.15	-	150.00	2.50	2.50	2.50	15.00	2.50	2.50	2.50	2.50	2.50	0.75	2.50	38.25	111.75	157.40	-	111.75
Allocations CCLLC	363.05	-	226.85	113.70	340.55	22.50	-	-	-	-	-	-	-	-	-	-	-	-	-	-	340.55	22.50	-

COMMERCIAL WATER ALLOCATION COMMITMENTS
As of 11/18/22

User	Final Tap Size	Final Allocation	Final Letter Date	Preliminary Tap Size	Preliminary Allocation	Preliminary Letter Date	Available Balance (AF)
Pre-12/2/19 Allocations							
Final Allocations							594.23
Yenter	1.00	1.25					592.98
Plains End	2.00	4.00					588.98
Candelas Parkway Irrigation	1.00	1.25					587.73
King Soopers	2.00	4.00	3/20/2019				583.73
King Soopers Gas Station	0.75	0.75	3/20/2019				582.98
King Soopers Retail Center	2.00	4.00	3/20/2019				578.98
Sautter Arvada School	1.00	1.25	3/20/2019				577.73
7-11	1.00	1.25	3/20/2019				576.48
Starbucks	1.00	1.25	3/20/2019				575.23
Three Creeks Elementary	3.00	7.50	3/20/2019				567.73
Whisper Creek Station - Arvada PD	1.00	1.25	3/20/2019				566.48
Candelas Point Retail (Block 1, Lot 3)	1.50	2.50	3/29/2019				563.98
Candelas Point Retail (Block 1, Lot 4)	1.50	2.50	3/29/2019				561.48
Chase Bank	1.00	1.25	4/5/2019				560.23
First Bank	1.00	1.25	7/30/2019				558.98
Wendy's	1.00	1.25	7/30/2019				557.73
Wild Grass Lot 3 (Bldg. A)				1.50	2.50	4/11/2019	555.23
Wild Grass Lot 3 (Bldg. B)				1.50	2.50	4/11/2019	552.73
Wild Grass Lot 3 (Bldg. C)				2.00	4.00	4/11/2019	548.73
Wild Grass Lot 3 (Bldg. D)			226.85	2.00	4.00	4/11/2019	544.73
Indiana Plaza				1.00	1.25	4/19/2019	543.48
Primrose School				1.50	2.50	4/25/2019	540.98
Les Schwab				1.00	1.25	8/16/2019	539.73
Total		<u>36.50</u>			<u>18.00</u>		
Initial Allocation Not Included							
Cimarron Commercial LLC					363.05		176.68
Post-12/2/19 Allocations							
Beginning Balance							150.00
Kentro Retail 1				1.50	2.50	10/7/2009	147.50
Kentro Retail 2				1.50	2.50	10/7/2019	145.00
Candelas Medical - SCL				1.50	2.50	10/7/2019	142.50
Whisper Village Commercial (TBD)					15.00		127.50
Arvada Fire				1.50	2.50	3/19/2021	125.00
Freedom Street Restaurant				1.50	2.50	6/3/2021	122.50
Z&N Retail				1.50	2.50	1/1/2022	120.00
Rangewater Club House				1.50	2.50	6/22/2022	117.50
Rangewater Rec Center				1.50	2.50	6/22/2022	115.00
Brakes Plus				0.75	0.75	6/22/2022	114.25
Taco Bell				1.50	2.50	6/22/2022	111.75
Total					<u>38.25</u>		
Total Acre Feet Remaining Unallocated							111.75

Tap Size	AF	Ratio
0.625	0.50	1.0
0.750	0.75	1.5
1.000	1.25	2.5
1.500	2.50	5.0
2.000	4.00	8.0
3.000	7.50	15.0
4.000	12.50	25.0
6.000	25.00	50.0

RESIDENTIAL WATER ALLOCATION COMMITMENTS
As of 11/18/22

User	Acre Feet	Available Balance (AF)
Pre-12/2/19		
		1275.01
Canyon Pines	36.00	1239.01
Mountain Shadows	200.00	1039.01
Arvada Residential Partners	<u>1039.01</u>	0.00
Total	<u><u>1275.01</u></u>	
Post-12/2/19		
		482.20
Whisper Village	33.00	449.20
Taylor Morrison	308.00	141.20
Taylor Morrison	3.00	138.20
Rangewater	113.70	24.50
Taylor Morrison	<u>2.00</u>	22.50
Total	<u><u>459.70</u></u>	

226.85

**PRIOR AGREEMENT
CONDENSED SOURCES & USES
As of 12/2/19**

WATER SOURCES		ALLOCATED RESIDENTIAL					ALLOCATED COMMERCIAL																				TOTAL								
Project Water	Acre Feet	CPMD	MSMD	ARP	Not Allocated	Total Residential	CCLLC	Yenter	Plains End	Candelas Irrigation	King Soopers	King Soopers Gas	King Soopers Retail	Sauter	7-11	Starbucks	Three Creeks	Arvada Police	Candelas Point Retail I (Block 1, Lot 3)	Candelas Point Retail II (Block 1, Lot 4)	Chase Bank	Wild Grass Lot 3 Bldg A (Retail E. of Starbucks)	Wild Grass Lot 3 Bldg B (Retail E. of Starbucks)	Wild Grass Lot 3 Bldg C (Retail E. of Starbucks)	Wild Grass Lot 3 Bldg D (Retail E. of Starbucks)	Indiana Plaza at Candelas	Primrose School	First Bank	Wendy's	Les Schwab	Not Allocated	Total Commercial	Acre Feet		
12/6/89 Annex Agmt w/ Arvada	460.00	36.00	-	74.00	-	110.00	343.82	1.25	4.00	0.93	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	350.00	460.00	
RVWSD	230.00	-	-	230.00	-	230.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	230.00	230.00
Wheatridge Salvage (Vauxmont Agmt.)	200.00	-	-	200.00	-	200.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	200.00	200.00
1991 IGA W/ Arvada (20% Water)	4.60	-	-	4.60	-	4.60	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4.60	4.60
1991 IGA W/ Arvada (20% Water)	3.91	-	-	0.98	-	0.98	2.93	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2.93	3.91	
Con Mutual (Whisper Creek Water)	200.00	-	200.00	-	-	200.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	200.00	200.00
2005 IGA W/ Arvada (20% Water)	0.38	-	-	0.09	-	0.09	0.29	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.29	0.38	
2005 IGA W/ Arvada, Section 3.2b	50.60	-	-	50.60	-	50.60	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	50.60	50.60
2005 IGA W/ Arvada (20% Water)	19.73	-	-	4.93	-	4.93	14.80	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	14.80	19.73	
Smith Water	272.40	-	-	272.40	-	272.40	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	272.40	272.40
2005 IGA W/ Arvada (20% Water)	1.62	-	-	0.41	-	0.41	1.21	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1.21	1.62	
Consolidated Mutual	126.00	-	-	126.00	-	126.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	126.00	126.00
2017 IGA, Water allocated to JCMD by the City of Arvada	300.00	-	-	75.00	-	75.00	-	-	-	0.32	4.00	0.75	4.00	1.25	1.25	1.25	7.50	1.25	2.50	2.50	1.25	2.50	2.50	4.00	4.00	1.25	2.50	1.25	1.25	1.25	176.68	48.32	300.00		
Totals	1,869.24	36.00	200.00	1,039.01	-	1,275.01	363.05	1.25	4.00	1.25	4.00	0.75	4.00	1.25	1.25	1.25	7.50	1.25	2.50	2.50	1.25	2.50	2.50	4.00	4.00	1.25	2.50	1.25	1.25	1.25	176.68	417.55	1,869.24		

RESOLUTION NO. 2022-____-____

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
JEFFERSON CENTER METROPOLITAN DISTRICT NO. 2
CALLING A REGULAR ELECTION FOR DIRECTORS
ON MAY 2, 2023**

A. The terms of the offices of Directors Gregg A. Bradbury, Charles C. McKay and Brandon E. Dooling shall expire upon the election of their successors at the regular election, to be held on May 2, 2023 (“**Election**”), and upon such successors taking office.

B. In accordance with the provisions of the Special District Act (“**Act**”) and the Uniform Election Code (“**Code**”), the Election must be conducted to elect three (3) Directors to serve until the second regular election, to occur May 4, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Jefferson Center Metropolitan District No. 2 (the “**District**”) of the City of Arvada, Jefferson County, Colorado:

1. Date and Time of Election. The Election shall be held on May 2, 2023, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, and other applicable laws. At that time, three (3) Directors shall be elected to serve until the second regular election, to occur May 4, 2027.

2. Precinct. The District shall consist of one (1) election precinct for the convenience of the eligible electors of the District.

3. Conduct of Election. The Election shall be conducted as an independent mail ballot election in accordance with all relevant provisions of the Code. The Designated Election Official shall have on file, no later than fifty-five (55) days prior to the Election, a plan for conducting the independent mail ballot Election.

4. Designated Election Official. [REDACTED] shall be the Designated Election Official and is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, Code or other applicable laws. The Election shall be conducted in accordance with the Act, Code and other applicable laws. Among other matters, the Designated Election Official shall appoint election judges as necessary, arrange for the required notices of election (either by mail or publication) and printing of ballots, and direct that all other appropriate actions be accomplished.

5. Call for Nominations. The Designated Election Official shall provide Call for Nominations as required under Section 1-13.5-501, C.R.S., as applicable.

6. Absentee Ballot Applications. NOTICE IS FURTHER GIVEN, pursuant to Section 1-13.5-1002, C.R.S., that applications for and return of absentee ballots may be filed with the Designated Election Official of the District, at 141 Union Blvd., Suite 150, Lakewood,

Colorado 80228 between the hours of 8:00 a.m. and 5:00 p.m., until the close of business on the Tuesday immediately preceding the Election (April 25, 2023).

7. Self-Nomination and Acceptance Forms. Self-Nomination and Acceptance Forms are available and can be obtained from the Designated Election Official of the District at 141 Union Blvd., Suite 150, Lakewood, Colorado 80228, 303-987-0835, and on the District's website at: <https://jeffersoncentermd2.colorado.gov>.

8. Cancellation of Election. If the only matter before the electors is the election of Directors of the District and if, at 5:00 P.M. on February 28, 2023, the sixty-third day prior to the regular election, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent, the Designated Election Official shall cancel the Election and declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with law.

9. Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board of Director's intention that the various provisions hereof are severable.

10. Repealer. All acts, orders and resolutions, or parts thereof, of the Board of Directors which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

11. Effective Date. The provisions of this Resolution shall take effect as of the date adopted and approved by the Board of Directors of the District.

RESOLUTION APPROVED AND ADOPTED on _____, 2022.

**JEFFERSON CENTER METROPOLITAN
DISTRICT NO. 2**

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: September 2, 2022

RE: Notice of 2023 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 the CPI (8.5%) 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.



October 15, 2022

Dear Client:

Our Firm prides itself on providing the highest level of service in the most efficient manner. In the current economic environment, we are facing increased costs in all areas of the business. In order to continue to provide consistent high-level service we have found it necessary to implement a rate increase.

In accordance with the Firm's fee engagement letter, this letter is to advise you that effective January 1, 2023, the hourly rates of selected attorneys and staff will be adjusted. Hourly rates will be as follows: Shareholders \$425 - \$550; Of Counsel \$380 - \$425; Associates \$275 - \$375; Paralegals and Directors \$225 - \$240; Law Clerks \$150; File Clerks \$30.

Commencing on January 1, 2023, we will begin charging most costs incurred on your behalf as an administrative fee equal to 1% of the legal fees charged in a given month. This fee includes such costs as long-distance telephone calls, research requiring a subscription database, in-office photocopies and faxes, ordinary postage, and messenger and delivery services, and includes a small overhead component. This fee may be adjusted with notice.

This fee is based on our historic experience, as well as client feedback, that invoices that itemize every photocopy, fax, and delivery charge are confusing. Any advances made on behalf of the client as well as major costs, such as major travel expenses, application/submittal/recording fees, election expenses, court costs, publication costs, express delivery, and conference calls and videoconferencing where a third-party provider is used, will be separately invoiced at our actual cost. If you have any questions or concerns about this change, please let us know.

We appreciate your continued trust and confidence in our Firm and look forward to representing your interests in 2023 and beyond.

Very truly yours,

McGEADY BECHER P.C.

A handwritten signature in blue ink that reads "Cheryl L. Matlosz". The signature is fluid and cursive.

Cheryl L. Matlosz
Firm Administrator