

**NORTH VISTA HIGHLANDS METROPOLITAN  
DISTRICT NO. 3**

**PUEBLO, COLORADO**

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FINANCIAL STATEMENTS  
WITH  
INDEPENDENT AUDITORS' REPORT

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December 31, 2022



**Crady, Puca & Associates**

*Certified Public Accountants & Consultants*

**NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3  
PUEBLO, COLORADO**

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## INDEPENDENT AUDITOR'S REPORT

To the Board of Directors  
of the North Vista Highlands Metropolitan District No. 3

### Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of the North Vista Highlands Metropolitan District No. 3 as of and for the year ended December 31, 2022, and related notes to the financial statements, which collectively comprise North Vista Highlands Metropolitan District No. 3'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 North Vista Highlands Metropolitan District No. 3 as of December 31, 2022, and the respective changes in financial position and the respective 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 our report. We are required to be independent of North Vista Highlands Metropolitan District No. 3, 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 North Vista Highlands Metropolitan District No. 3's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

### 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 generally accepted auditing standards 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 generally accepted auditing standards, 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 North Vista Highlands Metropolitan District No. 3'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 North Vista Highlands Metropolitan District No. 3's ability to continue as a going concern for a reasonable period of time.

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

### **Required Supplementary Information**

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

### **Supplementary Information**

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise North Vista Highlands Metropolitan District No. 3's basic financial statements. The individual fund budgetary comparison schedule on page 19 is presented for the purpose of additional analysis and is not a required part of the basic financial statements.

The individual budgetary comparison schedule 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 individual fund budgetary schedule is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

*Crady, Puca & Associates*

Aurora, Colorado  
October 12, 2023

**GOVERNMENT-WIDE FINANCIAL STATEMENTS**

**NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3**  
**Statement of Net Position**  
**December 31, 2022**

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	<b>Total Governmental Activities</b>
<b>Assets:</b>	
Cash and investments	\$ 262
Due from county treasurer	109
Property tax receivable	107,917
Cash and investments - restricted	<u>3,609,917</u>
<b>Total assets</b>	<u><u>3,718,205</u></u>
<b>Liabilities:</b>	
Accounts payable	4,000
Intergovernmental payable	216,675
Accrued interest	572,469
Long-term liabilities:	
Due within one year	-
Due in more than one year	<u>16,763,000</u>
<b>Total liabilities</b>	<u><u>17,556,144</u></u>
<b>Deferred inflows of resources:</b>	
Unavailable revenue - property tax	<u>107,917</u>
<b>Total deferred inflows of resources</b>	<u><u>107,917</u></u>
<b>Net position:</b>	
Net investment in capital assets	-
Restricted for emergencies	126
Unrestricted	<u>(13,945,982)</u>
<b>Total net position</b>	<u><u>\$ (13,945,856)</u></u>

The accompanying notes are an integral part of this financial statement.

**NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3**  
**Statement of Activities**  
**For the Year Ended December 31, 2022**

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	<b>Total Governmental Activities</b>
<b>Expenditures:</b>	
Governmental activities:	
Intergovernmental expense for capital and operations	\$ 2,003,516
Treasurer fees	232
Paying agent fees	8,000
Bank fees	3,262
Interest expense	1,052,971
<b>Total expenditures</b>	<u>3,067,981</u>
<b>General Revenues:</b>	
Property tax	15,467
Specific ownership tax	1,373
Interest income	71,190
<b>Total general revenues</b>	<u>88,030</u>
<b>Change in net position</b>	(2,979,951)
<b>Net position, beginning of year</b>	<u>(10,965,905)</u>
<b>Net position, end of year</b>	<u>\$ (13,945,856)</u>

The accompanying notes are an integral part of this financial statement.

## **FUND FINANCIAL STATEMENTS**

**NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3**  
**Balance Sheet**  
**Governmental Funds**  
**December 31, 2022**

	<u>General Fund</u>	<u>Debt Service Fund</u>	<u>Total Governmental Funds</u>
<b>Assets:</b>			
Cash and investments	\$ 262	\$ -	\$ 262
Due from county treasurer	27	82	109
Property tax receivable	26,979	80,938	107,917
Cash and investments - restricted	-	3,609,917	3,609,917
<b>Total assets</b>	<u>\$ 27,268</u>	<u>\$ 3,690,937</u>	<u>\$ 3,718,205</u>
<b>Liabilities:</b>			
Accounts payable	\$ -	\$ 4,000	\$ 4,000
Intergovernmental payable	-	216,675	216,675
<b>Total liabilities</b>	<u>-</u>	<u>220,675</u>	<u>220,675</u>
<b>Deferred inflows of resources:</b>			
Unavailable revenue - property tax	26,979	80,938	107,917
<b>Total deferred inflows of resources</b>	<u>26,979</u>	<u>80,938</u>	<u>107,917</u>
<b>Fund balance:</b>			
Restricted for emergencies	126	-	126
Restricted for debt service	-	3,389,324	3,389,324
Unassigned	163	-	163
<b>Total fund balance</b>	<u>289</u>	<u>3,389,324</u>	<u>3,389,613</u>
<b>Total liabilities, deferred inflows of resources, and fund balance</b>	<u>\$ 27,268</u>	<u>\$ 3,690,937</u>	<u>\$ 3,718,205</u>
<b>Amounts reported for governmental activities in the statement of net position are different because:</b>			
Total fund balance - governmental funds			\$ 3,389,613
Long-term liabilities are not due and payable in the current period, and therefore, are not reported in the funds.			<u>(17,335,469)</u>
<b>Net position of governmental activities</b>			<u>\$ (13,945,856)</u>

The accompanying notes are an integral part of this financial statement.

**NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3**  
**Statement of Revenues, Expenditures, and Changes in Fund Balance**  
**Governmental Funds**  
**For the Year Ended December 31, 2022**

	<b>General Fund</b>	<b>Debt Service Fund</b>	<b>Total Governmental Funds</b>
<b>Revenues:</b>			
Property tax	\$ 3,867	\$ 11,600	\$ 15,467
Specific ownership tax	343	1,030	1,373
Interest income	1	71,189	71,190
<b>Total revenues</b>	<b>4,211</b>	<b>83,819</b>	<b>88,030</b>
<b>Expenditures:</b>			
Current:			
General government:			
Intergovernmental expense for capital and operations	3,984	1,999,532	2,003,516
Treasurer fees	58	174	232
Paying agent fees	-	8,000	8,000
Bank fees	-	3,262	3,262
Debt Service:			
Interest	-	604,521	604,521
<b>Total expenditures</b>	<b>4,042</b>	<b>2,615,489</b>	<b>2,619,531</b>
<b>Net change in fund balance</b>	<b>169</b>	<b>(2,531,670)</b>	<b>(2,531,501)</b>
<b>Fund balance, beginning of year</b>	<b>120</b>	<b>5,920,994</b>	<b>5,921,114</b>
<b>Fund balance, end of year</b>	<b>\$ 289</b>	<b>\$ 3,389,324</b>	<b>\$ 3,389,613</b>

The accompanying notes are an integral part of this financial statement.

**NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3**  
**Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund**  
**Balance of the Governmental Funds to the Statement of Activities**  
**For the Year Ended December 31, 2022**

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	<u>Total Governmental Funds</u>
<b>Net change in fund balance of the governmental funds</b>	\$ (2,531,501)
Amounts reported for governmental activities in the statement of activities are different because:	
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 the governmental funds.	<u>(448,450)</u>
<b>Change in net position of governmental activities</b>	<u><u>\$ (2,979,951)</u></u>

The accompanying notes are an integral part of this financial statement.

**NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3**  
**Statement of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual**  
**General Fund**  
**For the Year Ended December 31, 2022**

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	<b>Original and Final Budget</b>	<b>Actual</b>	<b>Variance with Final</b>
<b>Revenues:</b>			
Property tax	\$ 3,867	\$ 3,867	\$ -
Specific ownership tax	232	343	111
Interest income	-	1	1
<b>Total revenues</b>	<u>4,099</u>	<u>4,211</u>	<u>112</u>
<b>Expenditures:</b>			
Current:			
Treasurer fees	58	58	-
Intergovernmental expense for operations	3,984	3,984	-
<b>Total expenditures</b>	<u>4,042</u>	<u>4,042</u>	<u>-</u>
<b>Net change in fund balance</b>	57	169	112
<b>Fund balance, beginning of year</b>	-	120	120
<b>Fund balance, end of year</b>	<u>\$ 57</u>	<u>\$ 289</u>	<u>\$ 232</u>

The accompanying notes are an integral part of this financial statement.

## **NOTES TO FINANCIAL STATEMENTS**

**1. Summary of Significant Accounting Policies**

The accounting policies of the North Vista Highlands Metropolitan District No. 3 (the District) conform to accounting principles generally accepted in the United States of America as applicable to governments (US GAAP). The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The following is a summary of such significant policies consistently applied in the preparation of the financial statements.

**Reporting Entity**

The District was formed in November 2018, under State of Colorado Statutes as a quasi-municipal corporation and is governed by a five-member elected Board of Directors pursuant to the provisions of the Colorado Special District Act (Title 32, Article I, Colorado Revised Statutes). The District was organized concurrently with North Vista Highlands Metropolitan District No. 1, 2, 4 and 5 (District Nos. 1, 2, 4 and 5), collectively referred to as the Districts. The Districts' service area is located in the City of Pueblo, Colorado. The Districts were formed to provide public improvements to be dedicated to the City of Pueblo, Colorado or other governmental entities or retained by the Districts for the use and benefit of the residents and visitors of the Districts.

The District along with District Nos. 2, 4 and 5 were established as the financing districts and District No. 1 was established as the servicing district. As the financing districts, the District along with District Nos. 2, 4 and 5, will be responsible for financing their respective share of the improvements and associated operations and maintenance. District No. 1 was established to organize, finance, construct, own, manage, and operate the public improvements of the North Vista Highlands Development (Development).

The District complies with GASB accounting pronouncements, which provide guidance for determining which governmental activities, organizations, and functions should be included within the financial reporting entity. It defines component units as legally separate entities for which the elected officials of the primary government are financially accountable and other organizations for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity's financial statements to be misleading. Financial accountability includes, but is not limited to, appointment of a voting majority of the organization's governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens, and fiscal dependency. The District is not financially accountable for any other organization, nor is the District a component unit of any other primary governmental entity as defined by GASB.

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

**Basis of Presentation**

While separate government-wide and fund financial statements are presented, they are interrelated. The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the governmental activities of the District which are financed primarily by property and specific ownership taxes.

1. **Summary of Significant Accounting Policies (continued)**

**Basis of Presentation (continued)**

The Statement of Activities demonstrates the degree to which the direct expenses of a given function or segment are offset by general and program revenues. Direct expenses are those that are clearly identifiable within a specific function or program. Program revenues include 1) fees or charges to citizens and other governmental entities that receive or directly benefit from services provided by a given function or program, and 2) grants, contributions and other revenues that are restricted to use in the operational or capital requirements of a specific function or program. Other revenues not directly related to a particular function or program, if any, are reported separately as general revenues. The District does not have proprietary or fiduciary funds.

The fund financial statements provide information about the government's funds.

**Measurement Focus, Basis of Accounting and Financial Statement Presentation**

The accounting and financial reporting treatment is determined by the applicable measurement focus and basis of accounting. Measurement focus indicates the type of resources being measured such as current *financial resources* or *economic resources*. The basis of accounting indicates the timing of transactions or events for recognition in the financial statements.

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 the related cash flows. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the District considers revenues available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. The exceptions to this general rule are that principal and interest on general long-term debt are recognized when due. General capital asset acquisitions are reported as expenditures in governmental funds.

The District reports the following major governmental funds:

**General Fund** – is the District's primary operating fund. It accounts for all financial resources of the District not accounted for in another fund.

**Debt Service Fund** – accounts for all financial resources that are restricted, committed or assigned to expenditures for debt service.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements.

**1. Summary of Significant Accounting Policies (continued)**

**Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Net Position/Fund Balance**

**Deposits and Investments**

Investments held in the local government investment pool are reported at net asset value as allowed under US GAAP.

The District may at times follow the practice of pooling cash and investments of all funds to maximize investment earnings. Except when required by regulations or other agreements, all cash is deposited and disbursed from a minimum number of bank accounts. Cash in excess of immediate operating requirements may be pooled for deposit and flexibility. As applicable, investment earnings are allocated periodically.

**Fair Value**

Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. The District categorizes its fair value within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted market prices in active markets for identical assets; level 2 inputs are significant other observable inputs; and level 3 inputs are significant unobservable inputs. As of December 31, 2022, the District did not hold any investments required to be reported under fair value.

**Property Taxes**

Property taxes are levied annually and attach as an enforceable lien on property as of January 1. At the option of the taxpayer, property taxes may be paid in full or in two equal installments. The first of such installment is to be paid as of February 28 and the second installment is to be paid no later than June 15. If elected to be paid in full, the amount is to be paid no later than April 30. If payments are not made timely, delinquent interest accrues. If the taxes are not paid within subsequent statutory periods, the property tax lien will be sold at public auction. The County bills and collects the property taxes and remits collections to the District on a monthly basis. No provision has been made for uncollected taxes, as all taxes are deemed collectible.

Property taxes are recorded initially as deferred inflows in the year they are levied and measurable since they are not normally available nor are they budgeted as a resource until the subsequent year. These amounts are recorded as revenue in the subsequent year when they are available or collected.

**Deferred Outflows/Inflows of Resources**

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will *not* be recognized as an outflow of resources (expense/expenditure) until then. In the current year, the District did not have any items in this reporting category.

**1. Summary of Significant Accounting Policies (continued)**

**Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Net Position/Fund Balance (continued)**

**Deferred Outflows/Inflows of Resources (continued)**

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will *not* be recognized as an inflow of resources (revenue) until that time frame. In the current year, the District has one item that qualifies for reporting in this category, unavailable revenue-property taxes. These amounts are deferred and recognized as an inflow of resources in the period that the amount becomes available.

**Long-Term Obligations**

In the government-wide financial statements, long-term debt is reported as a liability in the applicable governmental activity.

**Fund Balance**

In the fund financial statements, governmental funds report aggregate amounts for five classes of fund balances on the constraints imposed on the use of these resources. The nonspendable fund balance classification includes amounts that cannot be spent because they are either (a) not spendable in form which include items such as prepaid items or inventories; or (b) legally or contractually required to be maintained intact.

The spendable portion of the fund balance comprises the remaining four classifications: restricted, committed, assigned, and unassigned.

*Restricted fund balance.* This classification reflects the constraints imposed on resources either (a) externally by creditors, grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

*Committed fund balance.* These amounts can only be used for specific purposes pursuant to constraints imposed by formal resolutions of the District's Board of Directors, the District's highest level of decision-making authority.

*Assigned fund balance.* This classification reflects the amounts constrained by the District's intent to be used for specific purposes, but are neither restricted nor committed. Assigned fund balances include all remaining amounts (except negative balances) that are reported in governmental funds, other than the General Fund, that are not classified as nonspendable and are neither restricted nor committed. As of December 31, 2022, the District has not adopted a policy designating District personnel to determine amounts that may be assigned.

*Unassigned fund balance.* This fund balance is the residual classification for the General Fund. It is also used to report negative fund balances in other governmental funds.

When an expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available, the District considers restricted funds to have been spent first. Although not included in a formal policy, the District considers decreases in fund balance to first reduce committed, then assigned, and then unassigned balances, in that order.

**1. Summary of Significant Accounting Policies (continued)**

**Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Net Position/Fund Balance (continued)**

**Net Position**

Net position represents the difference between assets and deferred outflows of resources, and liabilities and deferred inflows of resources. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction or improvement of those assets. Net position is reported as restricted when there are limitations imposed on their use either through enabling legislation or through external restrictions imposed by creditors, grantors, laws or regulations of other governments.

Sometimes the government will fund outlays for a particular purpose from both restricted and unrestricted resources. In order to calculate the amounts to report as restricted-net position and unrestricted-net position in the government-wide financial statements, a flow assumption must be made about the order in which resources are considered to be applied. It is the District's policy to consider restricted-net position to have been depleted before unrestricted-net position is applied.

**Use of Estimates**

The preparation of financial statements in conformity with US GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amount of revenues and expenses during the reporting period. Actual results could differ from those estimates.

**2. Stewardship, Compliance, and Accountability**

**Budgets and Budgetary Accounting**

Budgets are adopted on a basis consistent with US GAAP. State law requires the District to adopt annual appropriated budgets for all funds.

The District conforms to the following procedures, in compliance with Colorado Revised Statutes, in establishing the budgetary data reflected in the financial statements:

On or before October 15 of each year, the District's accountant submits to the Board of Directors a recommended budget which details the necessary property taxes needed along with other available revenues to meet the District's operating requirements.

After a required publication of "Notice of Proposed Budget" and a public hearing, the District adopts the proposed budget and an appropriating resolution, which legally appropriates expenditures for the upcoming year.

Prior to December 15, the District computes and certifies to the County Commissioners a rate of levy that derived the necessary property taxes as computed in the proposed budget.

The budget and the appropriating resolution are adopted prior to December 15.

**2. Stewardship, Compliance, and Accountability (continued)**

**Budgets and Budgetary Accounting (continued)**

After adoption of the budget resolution, the District may make the following changes: (a) it may transfer appropriated monies between funds or between spending agencies within a fund, as determined by the original appropriation level; (b) it may approve supplemental appropriations to the extent of revenues in excess of the estimated revenues in the budget; (c) it may approve emergency appropriations; and (d) it may approve the reduction of appropriations for which originally estimated revenues are insufficient. The budget is only amended in conformity with Colorado Revised Statutes which allows the District to amend the budget and adopt a supplementary appropriation if money for a specific purpose, other than ad valorem taxes, becomes available to meet a contingency.

The level of control in the budget at which expenditures exceed appropriations is at the fund level. All appropriations lapse at year end.

**TABOR Amendment - Revenue and Spending Limitation Amendment**

In November 1992, Colorado voters amended Article X of the Colorado Constitution by adding Section 20 commonly known as the Taxpayer's Bill of Rights ("TABOR"). TABOR contains revenue, spending, tax and debt limitations that apply to the State of Colorado and local governments. Spending and revenue limits are determined based upon inflation and local growth. Fiscal Year Spending is generally defined as expenditures plus reserve increases with certain exceptions. Revenue in excess of the Fiscal Year Spending limit must be refunded unless the voters approve retention of such revenue.

TABOR also requires local governments to establish emergency reserves to be used for declared emergencies only. Emergencies, as defined by TABOR, exclude economic conditions, revenue shortfalls, or salary or fringe benefit increases. These reserves must be at least 3% of Fiscal Year Spending (excluding bonded debt service, federal grants and sales of assets). The District has reserved a portion of its December 31, 2022 year-end fund balance in the General Fund for emergencies as required under TABOR totaling \$126, which is the approximate required reserve as of December 31, 2022.

On November 6, 2018, a majority of the District's electors authorized the District to collect and spend or retain in a reserve all current levied taxes and fees of the District without regard to any limitations under Article X, Section 20 of the Colorado Constitution.

The District's management believes it is in compliance with the provisions of TABOR, as it is currently understood. However, TABOR is complex and subject to interpretation. Many of the provisions may not become fully understood without judicial review.

**NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3**  
**Notes to Financial Statements**  
**December 31, 2022**

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**3. Detailed Notes on the Funds**

**Deposits and Investments**

As of December 31, 2022, cash and investments are classified in the accompanying financial statements as follows:

Cash and investments	\$ 262
Cash and investments - restricted	3,609,917
	<u>\$ 3,610,179</u>

The following is a summary of deposits and investments held by the District at December 31, 2022:

<u>Type</u>	<u>Ratings per Standard &amp; Poor's</u>	<u>Total as of December 31, 2022</u>
Deposits with financial institutions		\$ 1,666
COLOTRUST PLUS+	AAAm	3,608,513
Total		<u>\$ 3,610,179</u>

**Cash Deposits**

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. State regulators determine eligibility. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool is to be maintained by another institution or held in trust for all of the uninsured public deposits as a group. The market value of the collateral must be at a minimum of 102% of the aggregate uninsured deposits.

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

**Investments**

The District has not adopted a formal investment policy; however, it follows Colorado Revised Statutes (CRS) regarding investments.

At December 31, 2022, the District invested in the Colorado Local Governmental Liquid Asset Trust (COLOTRUST), a local government investment vehicle established for local governmental entities in Colorado to pool surplus funds. COLOTRUST offers three investment options, one of which is COLOTRUST PLUS+. As an investment pool, COLOTRUST operates under the Colorado Revised Statutes (24-75-701) and is overseen by the Colorado Securities Commissioner. COLOTRUST PLUS+ may invest in U.S. Treasuries, government agencies, the highest-rated commercial paper, certain corporate securities, certain money market funds, and certain repurchase agreements, and limits its investments to those allowed by State statutes. Purchases and redemptions are available daily at a net asset value (NAV) of \$1.00. A designated custodial bank provides safekeeping and depository services to COLOTRUST in connection with the direct investment and withdrawal function of COLOTRUST. The custodian's internal records identify the investments owned by participating governments.

**3. Detailed Notes on the Funds (continued)**

**Investments (continued)**

COLOTRUST PLUS+ records its investment at fair value and the District records its investment in COLOTRUST PLUS+ using the net asset value method. There are no unfunded commitments and there is no redemption notice period. The weighted average maturity is 60 days or less.

**Custodial Credit Risk:** At December 31, 2022, all of the District’s deposits were insured by the Federal Deposit Insurance Corporation or held in eligible public depositories as required by PDPA.

**Interest Rate Risk:** CRS limit investment maturities to five years or less unless formally approved by the Board. In accordance with CRS, the District manages its exposure to declines in fair value by limiting the weighted average maturity of its investments.

**Credit Risk:** Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. The District follows the general provisions of CRS which limits the District’s exposure to credit risk. CRS specify investment instruments meeting defined rating and risk criteria in which local governmental entities may invest. The allowed investments may include but are not limited to the following:

- Certain money market funds
- Local government investment pool

**Long-Term Obligations**

Changes in long-term obligations for the year ended December 31, 2022 are as follows:

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Deletions</u>	<u>Ending Balance</u>	<u>Due Within One Year</u>
General Obligation Bonds:					
Series 2020 Bonds	\$ 11,760,000	\$ -	\$ -	\$ 11,760,000	\$ -
Series 2021 Subordinate Bonds	<u>5,003,000</u>	<u>-</u>	<u>-</u>	<u>5,003,000</u>	<u>-</u>
Governmental activities long-term debt	\$ <u>16,763,000</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>16,763,000</u>	\$ <u>-</u>

**Limited Tax General Obligation Bonds, Series 2020**

On January 31, 2020, the District issued \$11,760,000 of Limited Tax General Obligation Bonds (“Series 2020 Bonds”). The Series 2020 Bonds were issued for the purpose of paying project costs, funding the surplus fund in the amount of \$966,000, funding the capitalized interest fund in the amount of \$1,809,774, and paying the costs of issuance. The Series 2020 Bonds mature December 1, 2049 and bear an annual interest rate of 5.125% calculated on the basis of a 360-day year of twelve 30-day months, payable to the extent of pledged revenue available, semiannually on each June 1 and December 1, commencing on June 1, 2020.

The Series 2020 Bonds are subject to a mandatory sinking fund redemption commencing on December 1, 2026 and 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, commencing on March 1, 2025 and any date thereafter, upon payment of principal and accrued interest with a redemption premium that ranges between 0% and 3%.

**3. Detailed Notes on the Funds (continued)**

**Long-Term Obligations (continued)**

***Limited Tax General Obligation Bonds, Series 2020 (continued)***

The Series 2020 Bonds are secured by pledged revenues which include property tax revenue, specific ownership tax revenue, capital fees (if any), and other legally available moneys which the District determines, in its sole discretion, to credit the bond fund. In connection with the Series 2020 Bonds, the District is required to fund a Surplus Fund in the amount of \$966,000 which was funded upon issuance. In addition, the District is required to build a Surplus Fund with a maximum balance of \$2,352,000. As of December 31, 2022, the Surplus Fund has a balance of \$998,539. The required mill levy shall not be more than 60 mills, adjusted for changes in the method of calculating assessed valuations, however, as long as the amount on deposit in the Surplus Fund is less than the maximum surplus amount, the required mill levy shall be 60 mills, adjusted for changes in the method of calculating assessed valuations.

Events of default as defined in the Series 2020 Bond Indenture are 1) the District fails or refuses to impose the required mill levy or to apply pledge revenue as outlined in the Indenture, 2) the default by the District in the performance or observance of any other of the covenants, agreements, or conditions of the indentures or bond resolution, and fails to remedy the same after notice thereof pursuant to the Indenture, and 3) the filing of a petition under the federal bankruptcy laws or other applicable laws seeking to adjust the obligations represented by the Series 2020 Bonds. The failure to pay the principal and interest on the Series 2020 Bonds when due shall not, of itself, constitute an event of default.

In the event of default, the trustee shall have the following remedies 1) receivership, 2) suit for judgment, and 3) mandamus or other suits. Acceleration of the Series 2020 Bonds is not an available remedy for an event of default.

***Subordinate Limited Tax General Obligation Bonds, Series 2021B***

On November 1, 2021, the District issued \$5,003,000 of Subordinate Limited Tax General Obligation Bonds ("Series 2021B Bonds"). The Series 2021B Bonds were issued for the purpose of paying project costs and paying the costs of issuance. The Series 2021 Bonds mature December 15, 2051 and bear an annual interest rate of 9% calculated on the basis of a 360-day year of twelve 30-day months, payable to the extent of subordinate pledged revenue available, annually on each December 15, commencing on December 15, 2021. Accrued unpaid interest will compound annually on each interest payment date.

The Series 2021B Bonds are subject to a mandatory sinking fund redemption commencing on December 15, 2021 from subordinate pledged revenue, if any, on deposit in the subordinate mandatory redemption account as determined by the Trustee on each November 11. Amounts shall be applied first to interest and then to principal after accrued interest has been paid.

The Series 2021B Bonds maturing on or after March 1, 2025 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, upon payment of principal and accrued interest with a redemption premium that ranges between 0% and 3%.

**3. Detailed Notes on the Funds (continued)**

**Long-Term Obligations (continued)**

***Subordinate Limited Tax General Obligation Bonds, Series 2021B (continued)***

The Series 2021B Bonds are secured by subordinate pledged revenues which include subordinate property tax revenue, subordinate specific ownership tax revenue, subordinate capital fees (if any), and other legally available moneys which the District determines, in its sole discretion, to credit the subordinate bond fund. The subordinate mill levy is 60 mills less the senior mill levy or lesser amount to generate sufficient funds to pay bonds. The combined required mill levy shall not be more than 60 mills, adjusted for changes in the method of calculating assessed valuations.

Events of default as defined in the Series 2021B Bond Indenture are 1) the District fails or refuses to impose the required subordinate mill levy or to apply the subordinate pledge revenue as outlined in the Indenture, 2) the default by the District in the performance or observance of any other of the covenants, agreements, or conditions of the indentures or bond resolution, and fails to remedy the same after notice thereof pursuant to the Indenture, and 3) the filing of a petition under the federal bankruptcy laws or other applicable laws seeking to adjust the obligations represented by the Series 2021B Bonds. The failure to pay the principal and interest on the Series 2021B Bonds when due shall not, of itself, constitute an event of default.

In the event of default, the trustee shall have the following remedies 1) receivership, 2) suit for judgment, and 3) mandamus or other suits. Acceleration of the Series 2021B Bonds is not an available remedy for an event of default.

The Series 2021B Bonds are cash flow bonds with a principal amount of \$5,003,000 due upon final maturity on December 15, 2051. Due to the uncertainty of the timing of principal and interest payments on the Series 2021 B Bonds, amounts are not included in the annual long-term debt payment schedule.

The following is a summary of the annual long-term debt principal and interest requirements for the Series 2020 Bonds.

<b>Year Ending December 31,</b>	<b>Principal</b>	<b>Interest</b>	<b>Total</b>
2023	\$ -	\$ 602,700	\$ 602,700
2024	-	602,700	602,700
2025	-	602,700	602,700
2026	90,000	602,700	692,700
2027	135,000	598,088	733,088
2028-2032	1,180,000	2,846,169	4,026,169
2033-2037	1,750,000	2,487,419	4,237,419
2038-2042	2,490,000	1,966,975	4,456,975
2043-2047	3,445,000	1,236,150	4,681,150
2048-2049	2,670,000	231,137	2,901,137
<b>Total</b>	<b>\$ 11,760,000</b>	<b>\$ 11,776,738</b>	<b>\$ 23,536,738</b>

**3. Detailed Notes on the Funds (continued)**

**Long-Term Obligations (continued)**

***Authorized Debt***

As of December 31, 2022, the District had total authorized debt of \$1.32 billion including \$240,000,000 for refunding debt, of which \$16,763,000 has been issued, leaving an authorized but unissued balance of \$1,303,237,000. Under the Service Plan, the Districts have total authorized debt of \$120,000,000, of which \$17,053,407 has been issued by the Districts, leaving an authorized but unissued balance of \$102,946,593.

**4. Agreements**

***Joint Resolution Regarding Intent to Implement a Common Plan of Finance***

On October 9, 2020, the District and District No. 1 approved a Joint Resolution Regarding Intent to Implement a Common Plan of Finance (Finance Plan). Under the Finance Plan, the District hereby declared its intent to transfer all available proceeds to District No. 1 for the payment of capital costs. As a result of this agreement, the District has recorded an intergovernmental payable at December 31, 2022 of \$216,675 to reflect capital improvements costs incurred by District No. 1 not yet funded by the District.

**5. Risk Management**

The District is exposed to various risks of loss related to workers compensation, general liability, unemployment, torts, theft of, damage to, and destruction of assets, and errors and omissions. The District has elected to participate in the Colorado Special Districts Property and Liability Pool ("the Pool"). The Pool is an organization created by intergovernmental agreement to provide common liability and casualty insurance coverage to its members at a cost that is considered economically appropriate. Settled claims have not exceeded this commercial coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for auto, public official's liability, property and general liability coverage. In the event aggregated losses incurred by the Pool exceed its amounts recoverable from reinsurance contracts and its accumulated reserves, the District may be called upon to make additional contributions to the Pool on the basis proportionate to other 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. During the year ended December 31, 2022, the Pool has made no distributions nor required additional contributions from the District.

**NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3**  
**Notes to Financial Statements**  
**December 31, 2022**

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**6. Related Party**

During the year, the President of the Board of Directors, who resigned in May 2022, was also the Developer. Another member is the son of the Developer. The remaining members of the Board of Directors, who held positions throughout the year, are associated with the Developer or sub-developers of the District. Therefore, all members may have conflicts of interest in dealing with the District. Management believes that all potential conflicts, if any, have been disclosed to the Board.

As of December 31, 2022, two of members of the Board of Directors, who are related to the Developer, also serve as board members on Districts No. 1, 2, 4 and 5.

**7. Reconciliation of Government-Wide and Fund Financial Statements**

**Explanation of Differences between the Governmental Funds Balance Sheet and the Government-Wide Statement of Net Position**

The governmental funds balance sheet includes a reconciliation between fund balance-total governmental funds and net position-governmental activities as reported in the government-wide statement of net position. Explanation of the reconciling items is as follows:

Long-term liabilities are not due and payable in the current period, and therefore, are not reported in the funds. The details of this difference are as follows:

Series 2020 Bonds	\$	(11,760,000)
Series 2021 Subordinate Bonds		(5,003,000)
Accrued interest on bonds		(572,469)
Net adjustment	\$	<u>(17,335,469)</u>

**Explanation of Differences between the Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balances and the Government-Wide Statement of Activities**

The governmental fund statement of revenues, expenditures, and changes in fund balances includes a reconciliation between net changes in fund balances – total governmental funds and changes in net position of governmental activities as reported in the government-wide statement of activities. Explanation of the reconciling items is as follows:

The reconciliation states that “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 details of this difference is as follows:

Interest on long-term debt	\$	<u>(448,450)</u>
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## **SUPPLEMENTARY INFORMATION**

**NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3**  
**Schedule of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual**  
**Debt Service Fund**  
**For the Year Ended December 31, 2022**

	<u>Original and Final Budget</u>	<u>Actual</u>	<u>Variance with Final</u>
<b>Revenues:</b>			
Property tax	\$ 11,600	\$ 11,600	\$ -
Specific ownership tax	696	1,030	334
Interest income	-	71,189	71,189
<b>Total revenues</b>	<u>12,296</u>	<u>83,819</u>	<u>71,523</u>
<b>Expenditures:</b>			
Current:			
Intergovernmental expense for capital	5,242,978	1,999,532	3,243,446
Treasurer fees	174	174	-
Paying agent fees	9,000	8,000	1,000
Bank fees	-	3,262	(3,262)
Debt service:			
Interest	602,700	604,521	(1,821)
<b>Total expenditures</b>	<u>5,854,852</u>	<u>2,615,489</u>	<u>3,239,363</u>
<b>Net change in fund balance</b>	(5,842,556)	(2,531,670)	(3,167,840)
<b>Fund balance, beginning of year</b>	<u>7,420,422</u>	<u>5,920,994</u>	<u>(1,499,428)</u>
<b>Fund balance, end of year</b>	<u>\$ 1,577,866</u>	<u>\$ 3,389,324</u>	<u>\$ (4,667,268)</u>

The accompanying notes are an integral part of this financial statement.