

**Todd Creek Village Metropolitan District  
Adams County, Colorado**

**FINANCIAL STATEMENTS**

**With Independent Auditor's Report**

**December 31, 2022**

**Todd Creek Village Metropolitan District**

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**December 31, 2022**

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## INDEPENDENT AUDITOR'S REPORT

To the Board of Directors  
Todd Creek Village Metropolitan District  
Adams County, Colorado

### ***Opinions***

We have audited the accompanying financial statements of Todd Creek Village Metropolitan District (the District), as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the District as of December 31, 2022, and the respective changes in financial position and, where applicable, cash flows thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

### ***Basis for Opinions***

We conducted our audits in accordance with auditing standards generally accepted in the United States of America (GAAS). 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 the District, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

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

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

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern 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 GAAS 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 GAAS, we

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

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

### ***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.

### ***Supplemental Information***

Our audits were conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's basic financial statements. The supplemental information as identified in the table of contents is presented for purposes of additional analysis and legal compliance and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The 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 supplemental information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

### ***Other Matter***

The financial statements of Todd Creek Village Metropolitan District as of December 31, 2021, and for the year then ended were audited by other auditors, who expressed an unmodified opinion on those financial statements in their report dated July 29, 2022.

*Fiscal Focus Partners, LLC*

Arvada, Colorado  
February 14, 2024

## **BASIC FINANCIAL STATEMENTS**

**Todd Creek Village Metropolitan District**

**STATEMENTS OF NET POSITION**

**December 31, 2022 and 2021**

	<b>2022</b>	<b>2021</b>
<b>ASSETS</b>		
<b>Current assets</b>		
Cash and cash equivalents	\$ 646,374	\$ 384,189
Investments - restricted	4,013,915	3,855,102
Accounts receivable - users	205,372	191,201
Accounts receivable - other, net of allowance for doubtful accounts of \$106,500	1,090,596	628,331
Prepaid expenses	51,084	49,321
<b>Total current assets</b>	6,007,341	5,108,144
<b>Capital assets, net</b>	48,663,708	48,290,249
<b>Total assets</b>	54,671,049	53,398,393
 <b>DEFERRED OUTFLOWS OF RESOURCES</b>		
Deferred charge on bond refunding	4,836,180	5,104,857
 <b>LIABILITIES</b>		
<b>Current liabilities</b>		
Accounts payable	2,417,518	705,653
Accrued interest payable	107,353	109,691
Current portion of reimbursement obligation - related party	2,230,169	2,230,169
Current portion of finance-type lease obligation	30,999	17,770
Current portion of long-term debt	717,913	520,000
<b>Total current liabilities</b>	5,503,952	3,583,283
<b>Long-term obligations</b>		
Finance-type lease obligation	24,667	20,519
Long-term debt	25,643,019	26,029,264
<b>Total liabilities</b>	31,171,638	29,633,066
 <b>NET POSITION</b>		
Net investment in capital assets	24,853,121	24,577,384
Restricted	4,013,915	3,855,102
Unrestricted	(531,445)	437,698
<b>Total net position</b>	\$ 28,335,591	\$ 28,870,184

*The accompanying Notes to Financial Statements are an integral part of these statements.*

**Todd Creek Village Metropolitan District**  
**STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET POSITION**  
**For the Years Ended December 31, 2022 and 2021**

	<u>2022</u>	<u>2021</u>
<b>OPERATING REVENUES</b>		
Water revenue	\$ 5,761,086	\$ 4,534,841
Failure to connect and availability fees	183,260	223,735
Meter fees	65,450	135,350
Inspection fees	35,700	71,800
Reimbursements, contributions, and other income	511,717	220,383
<b>Total operating revenues</b>	<u>6,557,213</u>	<u>5,186,109</u>
<b>OPERATING EXPENSES</b>		
Utilities, water leases, equipment leases	3,165,052	2,212,156
District management	1,346,400	1,320,000
Repairs and maintenance	1,137,339	400,597
Office expense	365,157	322,113
Legal	112,855	171,961
MXU System	160,142	222,574
Water treatment	136,214	140,900
Engineering	83,331	53,620
Insurance	50,692	42,774
Accounting and audit	26,556	25,174
Vehicle expense	52,032	80,511
Public relations	15,439	15,760
Miscellaneous	255,505	22,524
Bad debts	62,173	-
Depreciation	1,747,152	1,580,584
<b>Total operating expenses</b>	<u>8,716,039</u>	<u>6,611,248</u>
<b>OPERATING INCOME (LOSS)</b>	<u>(2,158,826)</u>	<u>(1,425,139)</u>
<b>NONOPERATING REVENUE (EXPENSE)</b>		
Interest income	75,873	2,001
Interest expense	(1,553,586)	(1,580,834)
Trustee fees	(4,000)	(4,000)
<b>Total nonoperating expenses</b>	<u>(1,481,713)</u>	<u>(1,582,833)</u>
<b>INCOME BEFORE CAPITAL CONTRIBUTIONS</b>	<u>(3,640,539)</u>	<u>(3,007,972)</u>
<b>CAPITAL CONTRIBUTIONS</b>		
Tap fees	3,105,946	2,767,626
<b>Total capital contributions</b>	<u>3,105,946</u>	<u>2,767,626</u>
<b>CHANGE IN NET POSITION</b>	(534,593)	(240,346)
<b>NET POSITION - beginning of year</b>	<u>28,870,184</u>	<u>29,110,530</u>
<b>NET POSITION - end of year</b>	<u>\$ 28,335,591</u>	<u>\$ 28,870,184</u>

*The accompanying Notes to Financial Statements are an integral part of these statements.*

**Todd Creek Village Metropolitan District**  
**STATEMENTS OF CASH FLOWS**  
For the Years Ended December 31, 2022 and 2021

	<b>2022</b>	<b>2021</b>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Receipts from customers	\$ 6,080,774	\$ 5,169,293
Payments to suppliers for goods and services	(5,208,137)	(5,169,930)
<b>Net cash provided (used) by operating activities</b>	<b>872,637</b>	<b>(637)</b>
<b>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES</b>		
Tap fees	3,105,946	2,767,626
Acquisition of capital assets	(1,768,572)	(30,655)
Payments to related parties	-	(210,000)
Bond principal payments	(520,000)	(505,000)
Finance-type lease principal payments	(29,268)	(17,295)
Interest paid	(1,311,618)	(1,343,469)
Other debt-related expenditures	(4,000)	(4,000)
<b>Net cash provided (used) by capital and related financing activities</b>	<b>(527,512)</b>	<b>657,207</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Interest earnings received	75,873	2,001
<b>Net cash provided (used) by investing activities</b>	<b>75,873</b>	<b>2,001</b>
<b>NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS</b>	<b>420,998</b>	<b>658,571</b>
<b>CASH AND CASH EQUIVALENTS - beginning of year</b>	<b>4,239,291</b>	<b>3,580,720</b>
<b>CASH AND CASH EQUIVALENTS - end of year</b>	<b>\$ 4,660,289</b>	<b>\$ 4,239,291</b>

(continued)

*The accompanying Notes to Financial Statements are an integral part of these statements.*

**Todd Creek Village Metropolitan District**  
**STATEMENTS OF CASH FLOWS**  
**For the Years Ended December 31, 2022 and 2021**  
**(continued)**

	<b>2022</b>	<b>2021</b>
<b>RECONCILIATION OF OPERATING INCOME (LOSS) TO</b>		
<b>NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES</b>		
Operating income (loss)	\$ (2,158,826)	\$ (1,425,139)
Adjustments to reconcile operating income (loss) to		
Depreciation and amortization	1,776,199	1,580,584
Change in assets and liabilities:		
(Increase) decrease in:		
Accounts receivable	(476,436)	10,754
Prepaid expenses	(1,763)	(49,321)
Increase (decrease) in:		
Accounts payable	1,733,463	(89,945)
Unearned revenue	-	(27,570)
Total adjustments	3,031,463	1,424,502
<b>Net cash provided (used) by operating activities</b>	<b>\$ 872,637</b>	<b>\$ (637)</b>
<b>SIGNIFICANT NONCASH TRANSACTIONS</b>		
Amortization of bond premium	\$ 29,047	\$ 29,047
Amortization of deferred outflows	268,677	268,677
Capital assets acquired through finance-type leases	-	46,100

*The accompanying Notes to Financial Statements are an integral part of these statements.*

**Todd Creek Village Metropolitan District**  
**Notes to Financial Statements**  
**December 31, 2022 and 2021**

**Note 1 - Nature of Business**

Todd Creek Village Metropolitan District (the "District") is a quasi-municipal corporation organized on November 19, 1996 and is governed pursuant to provisions of the Colorado Special District Act. The District's service area is located in Adams and Weld Counties, Colorado. The District was established to provide water and wastewater services to an area encompassing approximately 6,725 acres in Adams County and 6,000 acres in Weld County.

The District has no employees, and all operations and administrative functions are contracted. The District follows the Governmental Accounting Standards Board (GASB) accounting pronouncements, which provide guidance for determining which governmental activities, organizations, and functions should be included within the financial reporting entity. GASB pronouncements set forth the financial accountability of a governmental organization's elected governing body as the basic criterion for including a possible component governmental organization in a primary government's legal entity. Financial accountability includes, but is not limited to, appointment of a voting majority of the organization's governing body, the ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens, and fiscal dependency.

As of December 31, 2022, no component unit has been identified as reportable to the District, nor is the District a component unit of any other primary governmental entity.

***BennT Creek Regional Water Authority***

Effective January 7, 2020, the District executed an agreement establishing the BennT Creek Regional Water Authority (the "BennT Creek Authority"), along with the Town of Bennett, Colorado (together, the "Parties"). The purpose of the BennT Creek Authority is to provide water services to the District and the Town of Bennett, Colorado including, without limitation, (a) acquiring, selling, and delivering water; (b) developing water resources for their use; (c) activities for water diversion, transmission, storage, treatment, and treated storage; and (d) other services, as authorized by law and determined by the BennT Creek Authority's board to be in the best interest of the Parties, their inhabitants, and others. The BennT Creek Authority's board is made up of two members appointed by each of the Parties. In the event of a dissolution of the BennT Creek Authority, the assets are to be distributed between the Parties based on their relative proportion of average annual total amounts of treated water sold to the Parties, unless otherwise agreed to, except for water rights or interests contributed to the BennT Creek Authority by the Parties, which immediately vest back to the contributing party.

The BennT Creek Authority filed an application for conditional surface water rights and water storage rights in District Court Water Division 1, Weld County, Colorado in December of 2020. However, the BennT Creek Authority has not generated revenue, incurred expenses, or acquired assets of any consequence to date.

The District has evaluated the circumstances regarding its relationship with the BennT Creek Authority and determined that it is not a component unit reportable to the District based on current conditions.

**Note 2 - Significant Accounting Policies**

***Basis of Presentation***

The financial statements of the District have been prepared on the basis of generally accepted accounting principles (GAAP) applicable to governmental units accounted for as a proprietary enterprise fund. The enterprise fund is used since the District's powers are related to those operated in a manner similar to a utility system where net income and capital maintenance are appropriate determinations of accountability.

The District's records are maintained on the accrual basis of accounting and follow the economic resources measurement focus. Revenue is recognized when earned, and expenses are recognized when the liability is incurred. Depreciation is computed and recorded as an operating expense. Expenditures for capital assets are shown as increases in assets, and redemption of bonds are recorded as reductions in liabilities. Tap fees are recorded as capital contributions when received.

When both restricted and unrestricted resources are available for use, it is the District's policy to use restricted resources first, and then unrestricted resources as they are needed.

**Todd Creek Village Metropolitan District**  
**Notes to Financial Statements**  
**December 31, 2022 and 2021**  
**(continued)**

***Operating Revenue and Expenses***

The District distinguishes between operating revenue and expenses and nonoperating items in the statement of revenue, expenses, and changes in net position. Operating revenue and expenses generally result from providing services and producing and delivering goods in connection with the District's purpose of providing water and wastewater services to its customers. Operating revenue consists of charges to customers for services provided. Operating expenses include the cost of service, administrative expenses, and depreciation of assets. All revenue and expenses not meeting this definition are reported as nonoperating revenue and expenses or capital contributions.

***Use of Estimates***

The preparation of financial statements in conformity with generally accepted accounting principles 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 amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

***Restricted Assets***

Certain proceeds of the District's revenue bonds, as well as certain resources set aside for their repayment, are classified as restricted investment assets on the statement of net position because they are maintained in separate accounts and their use is limited by applicable bond covenants. Restricted investments totaled \$4,013,915 and \$3,855,102 at December 31, 2022 and 2021, respectively.

***Cash and Cash Equivalents / Deposits and Investments***

The District's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition.

***Accounts Receivable and Allowance for Doubtful Accounts***

Use fees and tap fees constitute a perpetual lien on or against property served until paid. Such liens may be foreclosed upon, as provided by the State of Colorado. Therefore, no provision for uncollectible user fee receivables has been made in the financial statements. Accounts receivable, other than those for use fees and tap fees, are evaluated by management for collectibility based on historical performance and known collection issues. Accounts receivable that are determined to be not collectible have been fully allowed for in the statement of net position.

***Capital Assets***

Capital assets, which include water rights, water wells, storage and treatment facilities, and delivery systems, are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation or at the developer's cost. Capital assets are defined by the District as those assets with a cost or value of \$1,000 or greater. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets' lives are not capitalized.

Major outlays for capital assets and improvements for which the District retains title are capitalized as projects are constructed. Interest incurred during the construction phase of capital assets is not included as part of the capitalized value of the assets constructed.

Property, plant, and equipment of the District are depreciated using the straight-line method over the estimated useful lives (40 years for water system infrastructure). The cost of water rights includes acquisition, legal, and engineering costs related to the development and augmentation of those rights. Since the rights have a perpetual life, they are not amortized. Depreciation expense for the years ended December 31, 2022 and 2021 totaled \$1,747,152 and \$1,580,584, respectively.

***Amortization of Bond Discount and Premium***

Series 2018 bonds were issued with a premium during the year ended December 31, 2018. Bond premiums are amortized over the respective terms of the bonds using the straight-line method. Amortization

**Todd Creek Village Metropolitan District**  
**Notes to Financial Statements**  
**December 31, 2022 and 2021**  
**(continued)**

expense for bond premiums amounted to \$29,047 for the years ended December 31, 2022 and 2021 and is included in interest expense.

***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 represents a consumption of net position that applies to future periods and will not be recognized as an outflow of resources (expense/expenditure) until then. The District reports deferred outflows related to deferred charges on refunding. These deferred outflows are amortized over the respective terms of the bonds using the straight-line method. Amortization expense for deferred outflows was recognized in the amount of \$268,677 for the years ended December 31, 2022 and 2021 and is included in interest expense.

***Reimbursement Obligation - Related Party***

During 2019, the District entered into a funding and reimbursement agreement with West South Platte Water and Reservoir Company, LLLP (WSP). The purpose of the agreement is to allow WSP to finance portions of the development of public improvements to serve the District. The agreement allows for advances up to \$3,000,000 through December 31, 2021 that are non-interest bearing. The obligation will be repaid by the District or credited against the purchase and sale of district assets. As of December 31, 2022, the agreement is callable on demand by WSP. This balance amounted to \$2,230,169 as of December 31, 2022 and 2021.

***Net Position***

The District has net position consisting of three components: net investment in capital assets, restricted, and unrestricted.

**Net Investment in Capital Assets**

Net investment in capital assets consists of capital assets, net of accumulated depreciation and reduced by the outstanding balances of bonds, loans, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those net assets. As of December 31, 2022 and 2021, the District had net investment in capital assets of \$24,853,121 and \$24,577,384, respectively.

**Restricted**

The District had \$4,013,915 and \$3,855,102 restricted by contractual obligation for payment of debt service as of December 31, 2022 and 2021, respectively.

**Unrestricted**

The District's unrestricted net position (deficit) as of December 31, 2022 and 2021 is \$(531,445) and \$437,698, respectively.

***Contributed Capital***

Tap fees and water resource fees are generally recorded as capital contributions when received. Lines contributed to the District by developers are recorded as capital contributions and additions to the systems at the developer's cost or at the estimated fair value at the date of contribution.

***Budgetary Information***

In accordance with state budget law, the District's board of directors hold public hearings in the fall of each year to approve the budget and appropriate funds for the ensuing year. The appropriation is at the total fund expenditures level and lapses at year end. The District's board of directors can modify the budget by line item within the total appropriation without notification. The total appropriation can only be modified upon completion of notification and publication requirements.

The District amended its annual budget for the year ended December 31, 2022.

**Todd Creek Village Metropolitan District  
Notes to Financial Statements  
December 31, 2022 and 2021  
(continued)**

***Implementation of New Accounting Principle***

In June 2017, the Governmental Accounting Standards Board issued Statement No. 87, *Leases*, which improves accounting and financial reporting for leases by governments. This statement requires recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under this statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources. The District implemented this pronouncement effective January 1, 2022. There were no material cumulative effect adjustments recorded to the net position upon adoption. For lessee leases, right-of-use assets and liabilities were recognized on the commencement date of the lease based on present value of lease payments over the lease term. The District recognized right-of-use assets of \$528,103 with a corresponding increase in lease liability of \$528,103. As of December 31, 2022, the District reported current lease liabilities in the amount of \$188,912 and long-term lease liabilities of \$227,469. For additional information, see Note 6 - Leases.

***Subsequent Events***

The financial statements and related disclosures include evaluation of events up through and including January 15, 2024, which is the date the financial statements were available to be issued.

**Note 3 - Deposits and Investments**

Deposits and investments are reported in the financial statements as follows:

	<u>2022</u>	<u>2021</u>
Cash and cash equivalents	\$ 646,374	\$ 384,189
Investments - restricted	4,013,915	3,855,102
Total deposits and investments	<u>\$ 4,660,289</u>	<u>\$ 4,239,291</u>

The District's cash deposit and investment policy adopts state statutes.

Colorado statutes require that the District use eligible public depositories, as defined by the Colorado Public Deposit Protection Act (the "Act"). Under the Act, amounts on deposit in excess of federal insurance levels must be collateralized. As of December 31, 2022 and 2021, the federal insurance limits were \$250,000. The eligible collateral is determined by the Act and 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 the uninsured public deposits as a group. The market value of the collateral must be at least 102 percent of the aggregate uninsured deposits. The state regulatory commissions for banks and financial services are required by statute to monitor the naming of eligible depositories and reporting of the uninsured deposits and assets maintained in the collateral pools.

There are no limitations or restrictions on participant withdrawals for the investment pools that are recorded at amortized cost.

The District's cash and investments are subject to several types of risk, which are examined in more detail below:

***Custodial Credit Risk of Deposits***

Custodial credit risk is the risk that, in the event of a bank failure, the District's deposits may not be returned to it. The District's cash deposit and investment policy adopts state statutes regarding custodial credit risk of deposits. At December 31, 2022 and 2021, the District had no deposits (certificates of deposit and checking and savings accounts) that were uninsured and uncollateralized.

**Todd Creek Village Metropolitan District  
Notes to Financial Statements  
December 31, 2022 and 2021  
(continued)**

***Custodial Credit Risk of Investments***

Custodial credit risk is the risk that, in the event of the failure of the counterparty, the District will not be able to recover the value of its investments that are in the possession of an outside party. The District's cash deposit and investment policy adopts state statutes regarding custodial credit risk of investments. At December 31, 2022 and 2021, the District had \$4,013,915 and \$3,855,102, respectively, of investments held by outside parties.

***Interest Rate Risk***

Interest rate risk is the risk that the value of investments will decrease as a result of a rise in interest rates. The District's cash deposit and investment policy adopts state statutes regarding interest rate risk. Colorado revised statutes limit investment maturities to five years or less unless formally approved by the board of directors. Such actions are generally associated with a debt service reserve or sinking fund requirement. At December 31, 2022 and 2021, all of the District's investments are in investment types that are not subject to interest rate risk.

***Credit Risk***

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local governments may invest, which include: obligations of the U.S. and certain U.S. government agency securities, certain international agency securities; general obligations and revenue bonds of the U.S. local government entities, bankers' acceptances of certain banks, commercial paper, written repurchase agreements collateralized by certain authorized securities, certain money market funds, guaranteed investment contracts, and local government investment pools. The District's cash deposit and investment policy adopts state statutes regarding credit risk. As of December 31, 2022 and 2021, the District had the following investments and carrying values:

<u>Investment</u>	<u>Maturity</u>	<u>2022</u>	<u>2021</u>
Colorado Surplus Asset Fund Trust (CSAFE)	Weighted average under 60 days	\$ 4,013,915	\$ 3,855,102

***Concentration of Credit Risk***

The District's cash deposit and investment policy adopts state statutes regarding concentration of credit risk for investments. At December 31, 2022 and 2021, all of the District's investments are in investment types that are not subject to concentration of credit risk.

***Colorado Surplus Asset Fund Trust***

The District is invested in the Colorado Surplus Asset Fund Trust (CSAFE), which is an investment vehicle established by state statute for local government entities to pool surplus assets.

The state securities commissioner administers and enforces all state statutes governing the trust. The trust is similar to a 2a7 investment pool money market fund, with each share valued at \$1.00. CSAFE may invest in U.S. Treasury securities, repurchase agreements collateralized by U.S. Treasury securities, and highest rated commercial paper. A designated custodial bank serves as custodian for CSAFE's portfolio pursuant to a custodian agreement. The custodian acts as a safekeeping agent for CSAFE's investment portfolio and provides services as the depository in connection with direct investments and withdrawals. The custodian's internal records segregate investments owned by CSAFE. CSAFE is rated AAAM by Standard & Poor's. There are no unfunded commitments, the redemption frequency is daily, and there is no redemption notice period for CSAFE.

The District's investment in CSAFE is valued at amortized cost.

**Note 4 - Capital Assets**

A summary of capital asset acquisitions, dispositions, and accumulated depreciation for the years ended December 31, 2022 and 2021 are as follows:

**Todd Creek Village Metropolitan District**  
**Notes to Financial Statements**  
**December 31, 2022 and 2021**  
**(continued)**

	Balance at December 31, 2021	Additions	Disposals and Adjustments	Balance at December 31, 2022
Capital assets, not being depreciated				
Water rights	\$ 4,683,684	\$ 1,468,235	\$ -	\$ 6,151,919
Construction in progress	5,147,633	34,685	(176,064)	5,006,254
Total capital assets, not being depreciated	9,831,317	1,502,920	(176,064)	11,158,173
Capital assets being depreciated				
Right-of-use assets	-	528,103	-	528,103
Water distribution and storage	56,587,159	201,377	-	56,788,536
Sewer system	5,045,437	-	-	5,045,437
Vehicles	188,860	46,100	-	234,960
Office and other equipment	3,579	18,175	-	21,754
Total capital assets being depreciated	61,825,035	793,755	-	62,618,790
Less accumulated depreciation for				
Right-of-use assets	-	156,056	-	156,056
Water distribution and storage	21,206,148	1,437,162	-	22,643,310
Sewer system	2,013,879	126,136	-	2,140,015
Vehicles	145,565	23,652	-	169,217
Office and other equipment	511	4,146	-	4,657
Total accumulated depreciation	23,366,103	1,747,152	-	25,113,255
Total capital assets being depreciated, net	38,458,932	(953,397)	-	37,505,535
Capital assets, net	\$ 48,290,249	\$ 549,523	\$ (176,064)	\$ 48,663,708
	Balance at December 31, 2020	Increases	Adjustments/ Decreases	Balance at December 31, 2021
Capital assets, not being depreciated				
Water rights	\$ 4,683,684	\$ -	\$ -	\$ 4,683,684
Construction in progress	5,120,557	27,076	-	5,147,633
Total capital assets, not being depreciated	9,804,241	27,076	-	9,831,317
Capital assets being depreciated				
Water distribution and storage	56,587,159	-	-	56,587,159
Sewer system	5,045,437	-	-	5,045,437
Vehicles	188,860	-	-	188,860
Office and other equipment	-	3,579	-	3,579
Total capital assets being depreciated	61,821,456	3,579	-	61,825,035
Accumulated depreciation	21,785,519	1,580,584	-	23,366,103
Total capital assets being depreciated, net	40,035,937	(1,577,005)	-	38,458,932
Capital assets, net	\$ 49,840,178	\$ (1,549,929)	\$ -	\$ 48,290,249

**Todd Creek Village Metropolitan District  
Notes to Financial Statements  
December 31, 2022 and 2021  
(continued)**

**Capital Assets Acquired through a Finance-Type Lease**

The District had capital assets acquired under finance-type leases of vehicles in the amount of \$118,258. The vehicles acquired through the lease had a net book value of \$65,543 and \$43,295 as of December 31, 2022 and 2021, respectively.

**Note 5 - Long-term Debt**

Long-term debt activity for the year ended December 31, 2022 can be summarized as follows:

	Balance December 31, 2021	Additions	Reductions	Balance December 31, 2022	Due Within One Year
Bonds and contracts payable:					
Direct borrowings and direct placements:					
Water Revenue Bonds	\$ 25,765,000	\$ -	\$ (520,000)	\$ 25,245,000	\$ 560,000
Unamortized bond premiums	784,264	-	(29,047)	755,217	-
Operating lease obligations	-	528,103	(167,388)	360,715	157,913
	<u>\$ 26,549,264</u>	<u>\$ 528,103</u>	<u>\$ (716,435)</u>	<u>\$ 26,360,932</u>	<u>\$ 717,913</u>

Long-term debt activity for the year ended December 31, 2021 can be summarized as follows:

	Balance at December 31, 2020	Additions	Reductions	Balance at December 31, 2021	Due Within One Year
Bonds and contracts payable:					
Direct borrowings and direct placements:					
Water Revenue Bonds	\$ 26,270,000	\$ -	\$ (505,000)	\$ 25,765,000	\$ 520,000
Unamortized bond premiums	813,311	-	(29,047)	784,264	-
	<u>\$ 27,083,311</u>	<u>\$ -</u>	<u>\$ (534,047)</u>	<u>\$ 26,549,264</u>	<u>\$ 520,000</u>

**Bonds Payable**

**Taxable and Nontaxable Series 2018 Water Activity Enterprise Revenue and Improvement Bonds**

On December 11, 2018, the District issued Water Activity Revenue Refunding Bonds, Series 2018A and Series 2018B, in the aggregate principal amount of \$19,775,000 and \$7,465,000, respectively. These bonds are a limited obligation and payable solely from the gross revenue of the system, subject to payment of operation and maintenance expenses. These bonds were used to fully refund and defease the 2015 Revenue Bonds.

The 2018A Series bonds bear interest at a range between 4.375 percent and 5 percent per annum payable semiannually on June 1 and December 1. The 2018B Series bonds bear interest at 5.875 percent per annum payable semiannually on June 1 and December 1. The bonds are subject to mandatory sinking fund redemption prior to maturity, in part, on December 1 each year, according to terms described in the trust indenture.

The bonds are special limited revenue obligations of the District's enterprise, payable solely from and secured by the pledged revenue and funds, as defined in the bond trust indenture. Gross revenue of the enterprise is pledged to payment of the bonds and remitted to the trustee in accordance with the Indenture of Trust. The trustee disburses operating, capital, and debt payments upon review and approval of the bondholder and district management. The District is subject to various performance covenants that are included in the trust indenture.

**Todd Creek Village Metropolitan District  
Notes to Financial Statements  
December 31, 2022 and 2021  
(continued)**

The District had deferred outflows of \$4,836,180 and \$5,104,857 related to deferred charges on bond refundings at December 31, 2022 and 2021, respectively.

***Bond Maturities***

Annual debt service requirements to maturity for the above bonds and note obligations are as follows:

Year Ended December 31,	Principal	Interest	Total
2023	\$ 560,000	\$ 1,288,238	\$ 1,848,238
2024	575,000	1,258,050	1,833,050
2025	615,000	1,226,981	1,841,981
2026	710,000	1,193,781	1,903,781
2027	740,000	1,155,700	1,895,700
2028-2032	4,295,000	5,133,901	9,428,901
2033-2037	5,520,000	3,820,275	9,340,275
2038-2042	5,145,000	2,295,775	7,440,775
2043-2047	5,775,000	1,065,970	6,840,970
2048	1,310,000	57,313	1,367,313
	<u>\$ 25,245,000</u>	<u>\$ 18,495,984</u>	<u>\$ 43,740,984</u>

**Note 6 – Leases**

For the year ended December 31, 2022, the financial statements include the adoption of GASB Statement No. 87, Leases (GASB 87). The primary objective of this statement is to enhance the relevance and consistency of information about governments' leasing activities. This statement establishes a single model for lease accounting based on the principle that leases are financings of the right to use an underlying asset. The District is involved in various leasing arrangements for buildings, vehicles and equipment. All existing and newly acquired leases during the current year were analyzed and classified as either qualified or non-qualified leases, for both lessor and lessee positions. With this implementation, a respective receivable or payable is recognized.

**Lease Liabilities**

The District has entered into five lease agreements as the lessee for buildings, vehicles, and equipment. The liability related to these leases was initially recognized on January 1, 2022 with the adoption of GASB 87. Out of these, two of the leases are related to vehicles (finance-type leases), two of the leases are related to equipment, and one of the leases is related to a building. Where the lease doesn't specify an interest rate, the District calculated the lease liability using a present value rate of 6% based on its incremental rate of borrowing at the lease commencement date. The interest rate on the vehicle leases range from 6.35% to 6.75%. The leased vehicles are pledged as collateral under the terms of the leases. The District has determined that its various water leases are not subject to the requirements of GASB 87.

**Todd Creek Village Metropolitan District  
Notes to Financial Statements  
December 31, 2022 and 2021  
(continued)**

Below is a schedule of future lease liabilities as of December 31, 2022:

Year Ended December 31,	Operating Leases		Finance-Type Leases		Total
	Principal	Interest	Principal	Interest	
2023	\$ 157,913	\$ 9,475	\$ 30,999	\$ 2,678	\$ 167,388
2024	92,019	11,374	13,644	1,232	103,393
2025	68,009	12,991	11,023	442	81,000
2026	42,774	11,227	-	-	54,001
	<u>\$ 360,715</u>	<u>\$ 45,067</u>	<u>\$ 55,666</u>	<u>\$ 4,352</u>	<u>\$ 405,782</u>

## Note 7 - Water Agreements

### ***Water Lease Agreement - Coors***

The District executed a water lease agreement on March 31, 2017 that terminated and replaced previous water lease agreements with Coors Brewing Company (Coors). The agreement commenced on April 1, 2017 with an initial lease term ending on March 31, 2022, with the option for up to two five-year renewals. During 2022, no renewal option was exercised. Under the terms of the agreement, the District received the right to up to 200 acre feet, with the option to increase by an additional 200 acre feet, up to 400 acre feet total of water per delivery season at a rate of \$750 per acre foot.

### ***Water Share Purchase and Leaseback Agreement - H3O***

On June 17, 2014, the District entered into a water share purchase and leaseback agreement with H3O LLC (H3O). Principals of H3O also serve on the District's board of directors. Under this agreement, H3O funded the \$1,000,000 settlement with Valley Bank and Trust on the District's behalf. As a result, the District conveyed its original 17 Brantner Share certificates to H3O, and the District agrees to lease consumable water from H3O at a rate of \$350 per acre foot per year. The lease rate shall be adjusted at every five-year interval during the term of the lease by the local Consumer Price Index or a comparable index. The term of the lease will continue for as long as H3O owns the Brantner Shares and will terminate when and to the extent H3O sells all or a portion of the shares. The District has first right of refusal upon H3O's decision to sell the shares, on the same terms and price H3O offers to any third party. An assignment and consent to assignment on May 14, 2019 amended the lease rate to \$650 per acre foot per year and to the take or pay lease condition with respect to the entire 130 acre feet of Brantner Water available in a calendar year, such that, in addition to the lease fee due for the water diverted, a lease fee for the shortfall, if any, will be due annually.

### ***Water Lease Agreements - H3O***

The District entered into two water lease agreements with H3O to lease consumable water and potable and nonpotable water at \$650 per acre foot. The leases expired on December 31, 2013; however, the District and H3O have been operating under the terms of the initial lease subsequent to the termination date.

On January 1, 2016, the District entered into a water lease agreement with H3O with a termination date of December 31, 2018. Effective January 1, 2019, the water lease agreement was extended through December 31, 2025. Under the terms of this new agreement, H3O will lease from the District up to 300 acre feet of water reusable effluent annually at a rate of \$650 per acre foot paid monthly.

On January 1, 2016, the District entered into a water lease agreement with H3O with a termination date of December 31, 2025. Under terms of this agreement, the District will lease up to 300 acre feet of water annually to H3O at a rate of \$650 per acre foot paid monthly.

**Todd Creek Village Metropolitan District  
Notes to Financial Statements  
December 31, 2022 and 2021  
(continued)**

***Water Storage and Facilities Usage and Public Improvements Agreement - H3O***

On August 21, 2013, the District entered into a water storage and facilities usage and public improvements agreement with H3O. H3O is granted the use of the following: (1) the District's water storage reservoirs, including but not limited to Signal Reservoir No. 1 and Signal Reservoir No. 2, (the "Signal Reservoirs") or other district water storage reservoirs designated by the District; (2) water transmission lines, wells, pumps, facilities, and appurtenances for the purpose of storing up to 200 acre feet of water and transmitting up to 2,000 acre feet of water per year, provided such storage and transmission does not interfere with the District's use of the facilities; and (3) the Signal Reservoirs and the District's adjoining land necessary for the purposes of installing temporary and permanent water pumps, pipelines, and associated facilities to withdraw water from the Signal Reservoirs and to construct access roads and load out areas to accept withdrawn water into water trucks. H3O's right of usage is subject to the District's use of the facilities for the benefit of the District's present or future customers, and H3O is not entitled to use any facilities needed for public use by the District's present or future customers.

As partial consideration for the right of usage, H3O has paid the District \$50 per acre foot of water pumped through the District's water lines, as measured at the District's alluvial wells or the Guthrie turnout on the Brantner Ditch but not to exceed \$100,000 per year. As additional consideration, H3O agrees to construct improvements to the reservoir estimated to be \$750,000 and improvements to the water lines and to the District's delivery systems from the reservoirs, estimated to be \$250,000. The public improvements were dedicated to the District on or before the end of the term of this agreement (December 31, 2018) at no cost to the District. The District and H3O have continued operating under the terms of the agreement subsequent to the end of its term.

***Water Purchase and Sale Agreement - Adams County***

The District entered into a water lease agreement with Adams County on September 24, 2020 to sell up to 120 acre feet of water at \$300 per acre foot to Adams County each year. The agreement commenced on November 1, 2020 with an initial term ending on October 31, 2023. On or before October 31 of each year of the agreement term, Adams County shall provide the District with a written delivery projection for that year of the agreement term.

***Water Lease Agreement - HTC***

On January 1, 2016, the District entered into a new water lease agreement with HTC Golf Acquisitions, LLC (HTC) to lease nonpotable water to the golf course. The lease, as subsequently extended, expired on December 31, 2022. Under the terms of the lease, the District leases 300 acre feet of water annually to HTC at a rate of \$596.31 per acre foot, or \$1.83 per thousand gallons of nonpotable water drawn by HTC. The District and HTC have been operating under the terms of the initial lease subsequent to the original expiration date.

***Water Lease Agreements - WSP***

On December 1, 2017, the District amended and restated a water lease agreement dated October 1, 2016 with WSP to lease consumptive water. The lease was set to expire on December 31, 2019. Under the terms of the lease, the District would lease and deliver 900 acre feet of water annually to WSP at a rate of \$400 per acre foot of consumptive water.

On May 14, 2019, the District entered into the first amendment and extension to the amended and restated water lease agreement dated December 1, 2017. This action (1) extended the term through December 31, 2025, with a unilateral one-month termination notice period; (2) replaced the 900 acre feet annual delivery schedule with an annual lease request to be provided by WSP and responded to by the District, without jeopardizing the District's ability to meet its municipal water demands, at the District's sole discretion; (3) provides the District the ability to curtail and resume leasing consumptive water through notice to WSP, if the District determines, in its sole discretion that leasing consumptive water jeopardizes the District's ability to supply water to meet its current or future municipal water demands; (4) provides for WSP to request that the District deliver other water if the District has capacity to do so, at a rate of \$100 per acre foot; and (5) adjusts the lease fee to include a profit calculation and guaranteed profit margin of 20 percent per annum by way of an additional annual payment due during the following year.

**Todd Creek Village Metropolitan District  
Notes to Financial Statements  
December 31, 2022 and 2021  
(continued)**

On December 1, 2020, the District entered into another lease agreement with WSP to lease water to the District on a monthly basis for amounts requested by the District. Any requests are subject to a delivery rate determined on a monthly basis. Additionally, the lease calls for an additional monthly lease fee in an amount equal to WSP's actual cost incurred per acre foot to acquire the water requested by the District. The lease has a stated maturity date of December 31, 2021 but has been automatically renewed annually as long as WSP continues to own the subject water rights.

Principals of WSP also serve on the District's board of directors.

***Water Lease - Purchase Agreement - SACWSD and Adams County***

On December 8, 2015, the District; Adams County, Colorado (the "County"); and South Adams County Water and Sanitation District (SACWSD) entered into an intergovernmental agreement regarding the Mann Lakes Reservoir (Mann Lakes). The County agreed to lease to the District and SACWSD certain storage and inlet/outlet capacity, as well as granted a license to use, access, manage, operate, repair, and maintain Mann Lakes and the area around Mann Lakes, which is controlled by the County. The County further granted the District and SACWSD a purchase option for the reservoir storage and inlet/outlet capacity, effective when the reservoir becomes operational and remaining in effect through the end of the lease purchase term. The minimum purchase amount is \$6,238,925, adjusted for credits to and from the District, as detailed in the lease purchase agreement. The term of the lease purchase expired on December 31, 2015; is subject to an automatic renewal for 12 consecutive one-year periods unless terminated prior to the end of the lease term; and is subject to annual appropriation by the District and SACWSD. The District made an earnest payment to the County of \$30,000, which shall be credited to the first year's lease purchase payment. Lease purchase payments are \$120,000 annually and are due on April 1 of each year once the reservoir becomes operational. The District anticipates that the reservoir will be operational during 2025.

***Agreement for Purchase and Sale of Raw Water Assets - WSP***

On November 22, 2019, the District entered into a purchase and sale agreement with WSP, a related party whose principals also serve on the District's board of directors (see Note 8). The District agreed to sell certain capital assets and water rights held by the District (as included in Note 4) to WSP with the guarantee that WSP will provide firm-yield raw water on demand to the District through a utility agreement, described below.

The following is a listing of the prices and net book value of assets to be sold as part of this purchase and sale agreement at closing, as of December 31, 2022:

	Price	Original Cost	Net Book Value
Mann Lakes Reservoir	\$ 4,915,622	\$ 4,915,622	\$ 4,915,622
River One Pipeline	3,800,000	2,253,056	1,905,503
Signal Reservoirs	1,882,000	1,619,526	1,022,513
SS Pipeline (Marcus to Smith Connector)	456,800	-	-
2013 and 2016 Water Decreases	564,000	-	-
Signal Ditch Stock (minimal value)	-	-	-
	<u>\$ 11,618,422</u>	<u>\$ 8,788,204</u>	<u>\$ 7,843,638</u>

The Mann Lakes asset would be conveyed by a license agreement, by which the District grants to WSP the perpetual license and right to receive the interest and benefits of the District in, to, and under the Mann Lakes Agreements (see Water Lease - Purchase Agreement - SACWSD and Adams County above), including the District's purchase option, in exchange for an amount equal to the total amount paid by the District for its share of the costs of designing, permitting, and constructing the reservoirs. These costs are included in construction in progress and have not been depreciated.

The purchase price would be determined by the fair market value of the listed assets, as defined in the agreement, less any funds owed to WSP as part of the funding and reimbursement agreement described in Note 2. The District intends to use the proceeds from the sale of these assets to reduce its outstanding bond obligations, as described in Note 5.

**Todd Creek Village Metropolitan District**  
**Notes to Financial Statements**  
**December 31, 2022 and 2021**  
**(continued)**

**Closings**

According to the purchase and sale agreement WSP has a period of one year from the effective date to conduct due diligence and secure financing for the purchase and has the right to terminate the agreement if it is unable to perform. In the event that WSP is unable to perform within this period, the District would then have the ability to terminate the agreement. The purchase and sale agreement also provides the opportunity for up to three separate closings, at which point certain portions of assets would be conveyed at their established prices. On January 1, 2023, the District entered into the Third Amendment to the Agreement, which extended the due diligence period, and the right to terminate, to July 21, 2023.

In the event that the sale reaches initial closing, WSP and the District would be obligated to enter into a utility agreement, which would allow WSP to supply raw water to the District for a stated water management and delivery fee and a water resource fee. If this utility agreement were to be entered into, the agreement would need to be assessed for accounting and financial reporting treatment, including under the following accounting pronouncements: GASB Statement No. 60, *Accounting and Financial Reporting for Service Concession Arrangements*, GASB Statement No. 87, *Leases*; and GASB Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*.

**Note 8 - Related Party Transactions**

Two of the members of the District's board of directors are the two members of West South Platte Water, LLC (the "Company"). The District entered into an agreement to manage and perform the administrative duties, maintain and administer operations, and handle the financial affairs of the District for 2022. The contract automatically renews annually, subject to the District's annual budget and appropriation, unless terminated by either party upon thirty days written notice. As of December 31, 2022 and 2021, the District owed \$117,102 and \$110,000, respectively, to the Company, which is included in the accounts payable on the statement of net position.

The two members of H3O (see Note 7) also serve on the District's board of directors. At December 31, 2022 and 2021, the District owed H3O \$81,484 and \$94,250, respectively, and H3O owed the District \$750 related to the water agreements disclosed in Note 7.

The two members of HTC (see Note 7) also serve on the District's board of directors. At December 31, 2022 and 2021, HTC owed the District \$1,791 and \$6,658, respectively, related to the water agreements disclosed in Note 7.

The two members of WSP also serve on the District's board of directors. For the years ended December 31, 2022 and 2021, respectively, the District paid WSP \$81,000 and \$75,000 for rent expense included in the amount disclosed in Note 9. The District owed WSP \$157,754 at December 31, 2021 related to the rent agreement disclosed in Note 9 and the water agreements disclosed in Note 7. At December 31, 2021, WSP owed the District \$105,000 related to the water agreements disclosed in Note 7.

WSP also advanced funds to the District under the terms of the funding and reimbursement agreement disclosed in Note 2. At December 31, 2022 and 2021, the District owed WSP \$2,230,169 related to this agreement.

**Note 9 - Commitments and Contingencies**

**Commitments**

The District leases office space from WSP, a related party (see Note 8), under a triple-net agreement that expires in August 2026. The District also entered into a lease during with WSP to lease pumping equipment with payments commencing in 2020 that expires in 2023. Additionally, the District has leases for office equipment with a bank and a financing company spanning through 2024 and 2025, respectively.

Total rental payments from the operating leases for the years ended December 31, 2022 and 2021 was \$287,388 and \$302,620, respectively.

**Todd Creek Village Metropolitan District  
Notes to Financial Statements  
December 31, 2022 and 2021  
(continued)**

Minimum base rental payments, excluding expected property taxes, due for the next five years and in total are as follows for the years ending December 31:

2023	\$ 287,388
2024	133,393
2025	81,000
2026	<u>54,000</u>
Total	<u>\$ 555,781</u>

In January 2017, the District entered into an agreement with a third party to provide professional consulting and management services for planning, financing, constructing, and installing certain public improvements at a rate of 5 percent of gross billings for all contractors hired and constructions performed by the third party to complete the public improvements. The agreement was renewed in January 2018 and automatically renews each succeeding year until it is terminated.

***Litigation***

The District is involved in litigation from time to time in the ordinary course of business. In such instances, management evaluates whether the likely outcome of any such litigation will materially affect the net position, results of operations, or cash flows of the District.

**Note 10- Tax, Spending, and Debt Limitations**

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

The District's management believes it qualifies under the Water Activity Enterprise definition of TABOR and, therefore, is not subject to the requirements of TABOR. However, TABOR is complex and subject to interpretation.

**Note 11 – Risk Management**

The District is exposed to various risks of loss related to torts, thefts of, damage to, or destruction of assets; errors or omissions; injuries to employees; or acts of God.

The District is a member of the Colorado Special District Property and Liability Pool (the Pool) as of December 31, 2022. The Pool is an organization created by intergovernmental agreement to provide property, liability, public officials' liability, boiler and machinery, and workers compensation coverage to its members. Settled claims have not exceeded this coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for liability, property and public officials' liability coverage. In the event aggregated losses incurred by the Pool exceed amounts recoverable from reinsurance contracts and funds accumulated by the Pool, the Pool may require additional contributions from the Pool members. Any excess funds which the Pool determines are not needed for purposes of the Pool may be returned to the members pursuant to a distribution formula.

## **SUPPLEMENTAL INFORMATION**

**Todd Creek Village Metropolitan District**  
**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES**  
**IN FUNDS AVAILABLE - BUDGET AND ACTUAL (BUDGETARY BASIS)**

**For the Year Ended December 31, 2022**

	<b>Original Budgeted Amounts</b>	<b>Final Budgeted Amounts</b>	<b>Actual Amounts</b>	<b>Variance From Final Favorable (Unfavorable)</b>
<b>REVENUES</b>				
Charges for services	\$ 4,266,978	\$ 4,266,978	\$ 4,380,368	\$ 113,390
Failure to connect fees	107,428	107,428	183,260	75,832
Conservation fees	274,644	274,644	272,958	(1,686)
Other fees	72,435	72,435	35,700	(36,735)
Meters	129,800	129,800	65,450	(64,350)
Water lease	1,320,000	1,320,000	1,107,760	(212,240)
Net investment income	2,135	2,135	75,873	73,738
Tap fees	7,933,666	7,933,666	3,105,946	(4,827,720)
Capital contributions	420,168	420,168	209,832	(210,336)
Grant proceeds	1,960,784	1,960,784	-	(1,960,784)
Miscellaneous income	190,000	190,000	301,885	111,885
<b>Total Revenues</b>	<b>16,678,038</b>	<b>16,678,038</b>	<b>9,739,032</b>	<b>(6,939,006)</b>
<b>EXPENDITURES</b>				
<b>Administration</b>				
Legal	178,709	178,709	112,855	65,854
Accounting and audit	25,677	25,677	26,556	(879)
District management	1,346,400	1,346,400	1,346,400	-
Engineering	52,469	52,469	83,331	(30,862)
Insurance	49,321	49,321	50,692	(1,371)
Community relations	17,242	17,242	15,439	1,803
Miscellaneous	15,000	15,000	255,505	(240,505)
Office and administrative	232,831	232,831	216,069	16,762
Office rental costs	101,520	101,520	153,344	(51,824)
<b>Total Administration</b>	<b>2,019,169</b>	<b>2,019,169</b>	<b>2,260,191</b>	<b>(241,022)</b>

(continued)

**Todd Creek Village Metropolitan District**  
**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES**  
**IN FUNDS AVAILABLE - BUDGET AND ACTUAL (BUDGETARY BASIS)**

**For the Year Ended December 31, 2022**  
(continued)

	<b>Original Budgeted Amounts</b>	<b>Final Budgeted Amounts</b>	<b>Actual Amounts</b>	<b>Variance From Final Favorable (Unfavorable)</b>
<b>Raw Water Operations</b>				
Equipment lease	204,000	204,000	204,000	-
Repair and maintenance	276,750	276,750	203,749	73,001
Reservoir lease	120,000	120,000	120,000	-
Tools and supplies	12,900	12,900	7,240	5,660
Utilities	424,000	424,000	394,340	29,660
Vehicle	32,444	32,444	22,970	9,474
<b>Total raw water</b>	<b>1,070,094</b>	<b>1,070,094</b>	<b>952,299</b>	<b>117,795</b>
<b>Water Treatment</b>				
Equipment rent	-	-	2,295	(2,295)
Repair and maintenance	205,450	205,450	298,879	(93,429)
Treatment facility operations	8,039	8,039	21,282	(13,243)
Tools and supplies	-	-	26,692	(26,692)
Utilities	81,000	81,000	114,275	(33,275)
Water treatment and testing	147,935	147,935	85,945	61,990
Vehicle	35,925	35,925	16,037	19,888
<b>Total water treatment</b>	<b>478,349</b>	<b>478,349</b>	<b>565,405</b>	<b>(87,056)</b>
<b>Water Distribution</b>				
Meters and MXU system	120,315	120,315	160,142	(39,827)
Repair and maintenance	634,913	634,913	750,076	(115,163)
Tools and supplies	41,785	41,785	17,617	24,168
Utilities	165,050	165,050	86,689	78,361
Water treatment and testing	-	-	-	-
Vehicle	46,825	46,825	8,769	38,056
<b>Total raw water</b>	<b>1,008,888</b>	<b>1,008,888</b>	<b>1,023,293</b>	<b>(14,405)</b>
<b>Water Rights</b>				
Water acquisition	333,716	571,340	2,109,179	(1,537,839)
Water rights legal and professional	275,323	275,323	164,885	110,438
<b>Total water rights</b>	<b>609,039</b>	<b>846,663</b>	<b>2,274,064</b>	<b>(1,427,401)</b>
<b>Capital outlay</b>	<b>6,506,120</b>	<b>6,506,120</b>	<b>1,768,572</b>	<b>4,737,548</b>

(continued)

**Todd Creek Village Metropolitan District**  
**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES**  
**IN FUNDS AVAILABLE - BUDGET AND ACTUAL (BUDGETARY BASIS)**

**For the Year Ended December 31, 2022**  
(continued)

	<b>Original Budgeted Amounts</b>	<b>Final Budgeted Amounts</b>	<b>Actual Amounts</b>	<b>Variance From Final Favorable (Unfavorable)</b>
<b>Debt Service</b>				
Interest	1,316,294	1,316,294	1,284,909	31,385
Principal on bonds	520,000	520,000	520,000	-
Finance-type lease payments	-	-	29,268	(29,268)
Trustee fees	5,500	5,500	4,000	1,500
<b>Total debt service</b>	<u>1,841,794</u>	<u>1,841,794</u>	<u>1,838,177</u>	<u>3,617</u>
<b>Total expenditures</b>	<u>13,533,453</u>	<u>13,771,077</u>	<u>10,682,001</u>	<u>3,089,076</u>
<b>Excess of Revenues over (under) expenditures</b>	<u>3,144,585</u>	<u>2,906,961</u>	<u>(942,969)</u>	<u>(3,849,930)</u>
<b>BEGINNING FUNDS AVAILABLE -</b>	<u>3,682,418</u>	<u>3,682,418</u>	<u>2,301,770</u>	<u>(1,380,648)</u>
<b>ENDING FUNDS AVAILABLE</b>	<u>\$ 6,827,003</u>	<u>\$ 6,589,379</u>	<u>\$ 1,358,801</u>	<u>\$ (5,230,578)</u>

**Todd Creek Village Metropolitan District**  
**RECONCILIATION OF ACTUAL (BUDGETARY BASIS) TO STATEMENT**  
**OF REVENUES, EXPENSES AND CHANGES IN NET POSITION**

**For the Year Ended December 31, 2022**

Revenues (budgetary basis)	\$ 9,739,032
Total revenues per Statement of Revenues, Expenses and Changes in Net Position	<u>9,739,032</u>
Expenditures (budgetary basis)	10,682,001
Depreciation and amortization	2,044,876
Allowance for doubtful accounts	31,976
Debt service - principal	(549,268)
Capital outlay	(1,768,572)
Operating lease adjustment	<u>(167,388)</u>
Total expenses per Statement of Revenues, Expenses and Changes in Net Position	<u>10,273,625</u>
Change in net position per Statement of Revenues, Expenses and Changes in Net Position	<u><u>\$ (534,593)</u></u>