

Confluence Metropolitan District

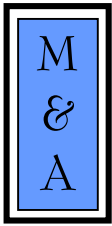
Financial Statements

December 31, 2023

**Confluence Metropolitan District
Financial Statements
December 31, 2023**

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INDEPENDENT AUDITOR'S REPORT

**To the Board of Directors
Confluence Metropolitan District
Avon, Colorado**

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of Confluence Metropolitan District (the "District"), as of and for the year ended December 31, 2023, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the Table of Contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District, as of December 31, 2023 and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America ("U.S. GAAP").

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America ("U.S. 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.

Emphasis of Matter

As discussed in Note V to the financial statements, the District has restated beginning Net Position for the correction of an error. Our opinion is not modified with respect to this matter.

Responsibilities of Management for the Financial Statements

The District's management is responsible for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP, 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 one year after the date that the financial statements are issued.

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INDEPENDENT AUDITORS REPORT
To the Board of Directors
Confluence Metropolitan District

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 U.S. 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 U.S. 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

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis in Section B be presented to supplement the basic financial statements. Such information is the responsibility of management and, 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. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

The budgetary comparison information in section E is not a required part of the basic financial statements but is supplementary information required by U.S. GAAP. The budgetary comparison information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with U.S. GAAS. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

INDEPENDENT AUDITORS REPORT
To the Board of Directors
Confluence Metropolitan District

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's financial statements as a whole. The fund budgetary comparisons in Section F are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The budgetary comparisons found in Section F are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the 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 financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the summary schedule of bond obligations and interest but does not include the basic financial statements and our auditor's report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.



McMahan and Associates, L.L.C.
Avon, Colorado
June 18, 2024

MANAGEMENT'S DISCUSSION AND ANALYSIS

Confluence Metropolitan District

Management's Discussion and Analysis December 31, 2023

As management of Confluence Metropolitan District (the "District"), we offer readers of the District's financial statements this narrative overview and analysis of the financial activities of the District for the fiscal year ended December 31, 2023.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the District's basic financial statements. The District's basic financial statements comprise three components: 1) government-wide financial statements; 2) fund financial statements; and 3) notes to the financial statements. This report also contains supplementary information presented after the notes to the financial statements.

Government-wide financial statements. The government-wide financial statements are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business.

The Statement of Net Position presents information on the District's assets, deferred outflows, liabilities, and deferred inflows with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The Statement of Activities presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

The governmental activity of the District is the financing, installation and operation of the gondola transportation and other infrastructure systems for the Avon Station Metropolitan District.

The government-wide financial statements can be found on pages C1 and C2 of this report.

Fund financial statements. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The District currently has four funds, the General Fund, the Debt Service Fund, the Capital Projects Fund, and the Gondola Reserve Fund, all of which are governmental funds.

Governmental funds. Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of expendable resources, as well as on balances of expendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the expenditures and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities. The governmental fund financial statements are located on pages C3 through C6 of this report.

Notes to the Financial Statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The Notes to the Financial Statements can be found starting on page D1 of this report.

Government-wide Financial Analysis. The following tables show condensed financial information derived from the government-wide financial statements.

Statement of Net Position

	Governmental Activities	
	<u>2023</u>	<u>2022 (as restated)</u>
Current assets	\$ 2,377,757	\$ 2,161,786
Capital and other non-current assets	28,669,067	29,747,411
Total Assets	<u>31,046,824</u>	<u>31,909,197</u>
Current liabilities	2,588,967	2,524,662
Non-current liabilities	23,112,489	23,534,785
Total Liabilities	<u>25,701,456</u>	<u>26,059,447</u>
Net position:		
Net Investment in fixed assets	(18,012,262)	(18,027,698)
Restricted for debt service	884,086	739,154
Restricted for emergencies	25,560	18,901
Unrestricted	22,547,890	23,119,393
Total Net Position	<u>\$ 5,445,274</u>	<u>\$ 5,849,750</u>

Statement of Activities

	Governmental Activities	
	<u>2023</u>	<u>2022 (as restated)</u>
REVENUES:		
Program revenues:	\$ -	\$ -
Operating grants and contributions	914,374	1,263,981
Capital Contributions	1,230,463	852,836
General revenues:		
Property and other taxes	24,319	-
Interest and other revenue	97,323	39,309
Total Revenues	<u>2,266,479</u>	<u>2,156,126</u>
EXPENSES:		
Program expenses:		
General government	960,745	663,636
Transportation	845,795	806,275
Intergovernmental agreement	-	282,337
Interest on long-term debt	864,415	827,435
Total Expenses	<u>2,670,955</u>	<u>2,579,683</u>
Change in Net Position	(404,476)	(423,557)
Net Position - Beginning	5,849,750	6,273,307
Net Position - Ending	<u>\$ 5,445,274</u>	<u>\$ 5,849,750</u>

The District is the “service district” in a dual district structure whereby the District constructed the infrastructure for the Avon Station Metropolitan District (ASMD) subdivision. The District entered into a District Facilities Joint Financing and Service Agreement with ASMD which has been subsequently amended. Pursuant to this agreement, the District is obligated to construct and provide the initial financing for the primary infrastructure for the ASMD area. ASMD is the “financing district” and as such, will ultimately pay “capital and service obligations” to reimburse the District for the costs to construct, maintain, and operate the infrastructure. The District will then use the funds received from ASMD to pay off the District’s debt. In addition, the District has an Intergovernmental Agreement with Mountain Vista Metropolitan District to provide funds for specific infrastructure regional improvements, the debt obligation within the agreement expired February 2020, the operations obligation continues.

The District's revenues consists primarily of operating and capital contributions received or accrued from ASMD pursuant to the District Facilities Construction and Service Agreement. Other sources of revenues include contributions from the Town of Avon toward the operating costs of the plaza and gondola and operating and maintenance contributions from Mountain Vista Metropolitan District.

Financial Analysis of the District's Funds

As mentioned earlier, the District uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental funds. The focus of the District's governmental funds is to provide information on near-term inflows, outflows, and balances of expendable resources. Such information is useful in assessing the District's financing requirements. In particular, unrestricted fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the District's governmental funds reported a combined ending fund balance of \$2,198,076. The fund balance primarily consists of funds being held in escrow accounts for capital reserves and future debt payments.

Budget variances. The District expenditures were similar to budgeted results. Details for each of the funds can be seen on pages E1 and F1 through F2 of this report.

Capital assets. The District's net investment in capital assets decreased by \$404,475 as a result of depreciation expense being greater than capital additions. Additional information as well as a detailed classification of the District's net capital assets can be found in the Notes to the Financial Statement on page D11 of this report.

Long-term debts. In June 2021 the District issued Series 2021 A-1 Senior Note in the amount of \$1,500,000, a Series 2021 A-2 Senior Note in the amount of \$17,200,000 and a Series 2021 B Subordinate Bond in the amount of \$4,420,000 to refund the remaining principal of the Series 2007 tax supported revenue bonds. Additional information can be found in the Notes to the Financial Statement on pages D11 through D13 of this report.

Request for Information

This financial report is designed to provide a general overview of the District's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to Confluence Metropolitan District, Marchetti & Weaver LLC, P.C., 28 Second Street, Suite 213, Edwards, CO 81632 or you may call (970) 926-6060.

GOVERNMENT-WIDE FINANCIAL STATEMENTS

**Confluence Metropolitan District
Statement of Net Position
December 31, 2023**

Assets:	
Cash and cash equivalents	2,188,122
Amounts due from Eagle County	145
Other receivables	188,595
Prepaid expenses	895
Capital and Service obligations from Avon Station Metropolitan District	23,223,793
Capital assets, net	<u>5,445,274</u>
Total Assets	<u><u>31,046,824</u></u>
 Deferred Outflow of Resources:	
Deferred charge on refunding	<u>49,953</u>
Total Deferred Outflow of Resources	<u><u>49,953</u></u>
 Liabilities:	
Current liabilities due in less than one year:	
Accounts payable	179,681
Accrued interest	1,964,333
Bonds payable	395,000
Non-current liabilities due in excess of one year:	
Due to developer	991,101
Bonds payable	<u>22,121,388</u>
Total Liabilities	<u><u>25,651,503</u></u>
 Net Position:	
Net investment in capital assets	(18,012,262)
Restricted for debt service	884,086
Restricted for emergencies	25,560
Unrestricted	<u>22,547,890</u>
Total Net Position	<u><u>5,445,274</u></u>

The accompanying notes are an integral part of these financial statements.

Confluence Metropolitan District
Statement of Activities
For the Year Ended December 31, 2023

	Program Revenues			Net (Expense) Revenue and Changes in Net Position
	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	
Functions/Programs:				
Governmental activities:				
General government	960,745	-	-	(960,745)
Transportation	845,795	286,744	-	(559,051)
Intergovernmental agreement	-	627,630	1,230,463	1,858,093
Interest	864,415	-	-	(864,415)
Total primary government	2,670,955	914,374	1,230,463	(526,118)
General revenues:				
Taxes:				
Property tax				22,338
Specific ownership tax				1,981
Other income				3,068
Interest income				94,255
Total General Revenues				121,642
Change in Net Position				(404,476)
Net Position - Beginning (restated)				5,849,750
Net Position - Ending				5,445,274

The accompanying notes are an integral part of these financial statements.
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FUND FINANCIAL STATEMENTS

**Confluence Metropolitan District
Balance Sheet
Governmental Funds
December 31, 2023**

	<u>General</u>	<u>Debt Service</u>	<u>Gondola Capital & Reserve</u>	<u>Total Governmental Funds</u>
Assets:				
Equity in pooled cash and investments	142,858	865,044	1,180,220	2,188,122
Amounts due from Eagle County	145	-	-	145
Accounts receivables	169,553	19,042	-	188,595
Prepaid expenses	895	-	-	895
Total Assets	<u>313,451</u>	<u>884,086</u>	<u>1,180,220</u>	<u>2,377,757</u>
Liabilities, Deferred Inflow of Resources,				
Liabilities:				
Accounts payable	179,681	-	-	179,681
Total Liabilities	<u>179,681</u>	<u>-</u>	<u>-</u>	<u>179,681</u>
Fund Balances:				
Nonspendable	895	-	-	895
Restricted for debt service	-	884,086	-	884,086
Restricted for emergencies	25,560	-	-	25,560
Assigned for gondola & capital reserve	-	-	1,180,220	1,180,220
Unassigned	107,315	-	-	107,315
Total Fund Balances	<u>133,770</u>	<u>884,086</u>	<u>1,180,220</u>	<u>2,198,076</u>
Total Liabilities, Deferred Inflow of Resources, and Fund Balances	<u>313,451</u>	<u>884,086</u>	<u>1,180,220</u>	<u>2,377,757</u>

The accompanying notes are an integral part of these financial statements.

**Confluence Metropolitan District
Reconciliation of the Balance Sheet of Governmental Funds
to the Statement of Net Position
December 31, 2023**

Governmental Funds Total Fund Balance		2,198,076
Amounts owed to the District for costs incurred to construct, operate, and maintain infrastructure are not collectible in the current period and, therefore, are not reported in the governmental funds.		23,223,793
Capital assets used in governmental activities are not considered current financial resources and, therefore, are not reported in the funds. Details of these amounts are as follows:		
Capital assets	12,277,956	
Accumulated depreciation	<u>(6,832,682)</u>	5,445,274
Deferred outflows are not available for current period expenditures and therefore, are not reported in the funds. This represents the District's deferred charges on refunding.		49,953
Long-term liabilities, including bonds payable and leases payable, are not due and payable in the current period and, therefore, are not reported in the funds. This is the amount of District long-term liabilities. Details of these amounts are as follows:		
Due to developer	(991,101)	
Bonds payable	(22,385,000)	
Bond issuance premium	(131,388)	
Accrued interest payable	<u>(1,964,333)</u>	(25,471,822)
Net Position of Governmental Activities		<u><u>5,445,274</u></u>

The accompanying notes are an integral part of these financial statements.

Confluence Metropolitan District
Statement of Revenues, Expenditures
and Changes in Fund Balances
Governmental Funds
For the Year Ended December 31, 2023

	<u>General</u>	<u>Debt Service</u>	<u>Gondola Capital & Reserve</u>	<u>Total Governmental Funds</u>
Revenues:				
Property taxes	22,338	-	-	22,338
Specific ownership taxes	1,981	-	-	1,981
TIFF payments from Town of Avon	211,656	398,419	-	610,075
Capital obligation payments from Avon Station Metropolitan District	381,016	849,447	-	1,230,463
Service obligation payments from Mountain Vista Metropolitan District	17,555	-	-	17,555
Town of Avon payments for gondola and public plaza operations	286,744	-	-	286,744
Other income	3,068	-	-	3,068
Interest	15,518	38,688	40,049	94,255
Total Revenues	<u>939,876</u>	<u>1,286,554</u>	<u>40,049</u>	<u>2,266,479</u>
Expenditures:				
General government	144,557	7,000	-	151,557
Transportation	578,076	-	-	578,076
Debt service:				
Principal	-	365,000	-	365,000
Interest	-	769,622	-	769,622
Total Expenditures	<u>722,633</u>	<u>1,141,622</u>	<u>-</u>	<u>1,864,255</u>
Excess (Deficiency) of Revenues over Expenditures	<u>217,243</u>	<u>144,932</u>	<u>40,049</u>	<u>402,224</u>
Other Financial Sources (Uses):				
Transfers in	-	-	129,500	129,500
Transfers (out)	(129,500)	-	-	(129,500)
Total Other Financing Sources (Uses)	<u>(129,500)</u>	<u>-</u>	<u>129,500</u>	<u>-</u>
Net Change in Fund Balances	87,743	144,932	169,549	402,224
Fund Balances - Beginning	<u>46,027</u>	<u>739,154</u>	<u>1,010,671</u>	<u>1,795,852</u>
Fund Balances - Ending	<u><u>133,770</u></u>	<u><u>884,086</u></u>	<u><u>1,180,220</u></u>	<u><u>2,198,076</u></u>

The accompanying notes are an integral part of these financial statements.

**Confluence Metropolitan District
Reconciliation of the Statement of Revenues, Expenditures, and
Changes in Fund Balances of Governmental Funds to the
Statement of Activities
For the Year Ended December 31, 2023**

Net change in fund balances for total governmental funds 402,224

Governmental funds report capital outlays as expenditures. However, in the Statement of Activities, the cost of the assets is allocated over their estimated useful lives as depreciation expense. This is the net difference between depreciation and capital additions during the year. Details of these differences are as follows:

Depreciation expense	(404,475)	(404,475)
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The repayment of the principal of long-term debt consumes current financial resources of governmental funds. This transaction, however, has no effect on net position. This amount is the net effect of these differences in the treatment of long-term debt repayments.

Principal repayments - Bonds payable	365,000	
Amortization of premium on bonds payable	4,958	
Amortization of bond refunding costs	(4,757)	365,201

Increases and decreases in capital and service obligations owed to the District do not produce or use current financial resources and, therefore, are not reported in governmental funds. (672,432)

The change in accrued interest reported in the Statement of Activities does not require the use of current financial resources and, therefore, is not reported as an expenditure in governmental funds. (94,994)

Change in Net Position of Governmental Activities (404,476)

NOTES TO THE FINANCIAL STATEMENTS

**Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023**

I. Summary of Significant Accounting Policies

The District, a quasi-municipal organization, was organized on February 8, 1999, and is governed pursuant to provisions of the Colorado Special District Act. The District's service area is located in Eagle County, Colorado. The District was established as part of a dual district structure with the Avon Station Metropolitan District ("ASMD"). The District is considered the service district and was established to provide water, street, traffic and safety, fire protection and emergency medical services, television relay, transportation, parks and recreation, sanitation, and mosquito and pest control improvements. ASMD is the financing district and was established to provide funding and tax base for capital improvements constructed and operated by the District. The District has no employees and all services are contracted.

The District's financial statements are prepared in accordance with generally accepted accounting principles ("GAAP"). The Governmental Accounting Standards Board ("GASB") is responsible for establishing GAAP for state and local governments through its pronouncements (Statements and Interpretations). The more significant accounting policies established by GAAP used by the District are discussed below.

A. Reporting Entity

The reporting entity consists of (a) the primary government; i.e., the District, and (b) organizations for which the District is financially accountable. The District is considered financially accountable for legally separate organizations if it is able to appoint a voting majority of an organization's governing body and is either able to impose its will on that organization or there is a potential for the organization to provide specific financial benefits, to, or to impose specific financial burdens on, the District. Consideration is also given to other organizations which are fiscally dependent; i.e., unable to adopt a budget, levy taxes, or issue debt without approval by the District. Organizations for which the nature and significance of their relationship with the District are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete are also included in the reporting entity.

Based on the criteria discussed above, the District is not financially accountable for any other entity, nor is the District a component unit of any other government.

B. Government-wide and Fund Financial Statements

The District's basic financial statements include both government-wide (reporting the District as a whole) and fund financial statements (reporting the District's major funds). Both the government-wide and fund financial statements categorize primary activities as governmental type.

1. Government-wide Financial Statements

In the government-wide Statement of Net Position, all balances are reported on a full accrual, economic resource basis, which recognizes all long-term assets and receivables as well as long-term debt and obligations.

The government-wide focus is on the sustainability of the District as an entity and the change in the District's net position resulting from the current year's activities.

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

Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)

I. Summary of Significant Accounting Policies (continued)

B. Government-wide and Fund Financial Statements (continued)

2. Fund Financial Statements

The financial transactions of the District are reported in individual funds in the fund financial statements. Each fund is accounted for by providing a separate set of self-balancing accounts that comprises its assets, liabilities, reserves, fund equity, revenues and expenditures/expenses. The fund focus is on current available resources and budget compliance.

The District reports the following governmental funds:

The *General Fund* is the District's primary operating fund. It accounts for all financial resources of the District, except those required to be accounted for in another fund.

The *Debt Service Fund* accounts for the resources accumulated and payments made for principal and interest on long-term general obligation debt of the governmental funds.

The *Gondola & Capital Reserve Fund* accounts for financial resources to be used for future repairs of the gondola and capital improvements.

C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation

Measurement focus refers to whether financial statements measure changes in current resources only (current financial focus) or changes in both current and long-term resources (long-term economic focus). Basis of accounting refers to the point at which revenues, expenditures, or expenses are recognized in the accounts and reported in the financial statements. Financial statement presentation refers to classification of revenues by source and expenses by function.

1. Long-term Economic Focus and Accrual Basis

Governmental activities in the government-wide financial statements use the long-term economic focus and are presented on the accrual basis of accounting. Revenues are recognized when earned and expenses are recognized when incurred, regardless of the timing of the related cash flows.

2. Current Financial Focus and Modified Accrual Basis

The governmental fund financial statements use the current financial focus and are presented on the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recorded when susceptible to accrual; i.e., both measurable and available. "Available" means collectible within the current period or soon enough thereafter (60 days) to be used to pay liabilities of the current period. Expenditures are generally recognized when the related liability is incurred. The exception to this general rule is that principal and interest on general long-term debt, if any, is recognized when due.

**Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)**

I. Summary of Significant Accounting Policies (continued)

C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation (continued)

3. Financial Statement Presentation

Amounts reported as program revenues include capital grants and contributions, including special assessments. Internally dedicated resources are reported as *general revenues* rather than as program revenues. Likewise, general revenues include all taxes and interest income.

D. Financial Statement Accounts

1. Cash and Cash Equivalents

Cash and equivalents are defined as deposits that can be withdrawn at any time without notice or penalty and investments with maturities of three months or less.

Investments are stated at net asset value or fair value. The change in fair value of investments is recognized as an increase or decrease to investment assets and investment income. The District's investment policy is detailed in note III.A.

2. Receivables

Receivables are reported net of an allowance for uncollectible accounts. There was no allowance as of December 31, 2023.

3. Property Taxes

Property taxes are assessed in one year as a lien on the property, but not collected by governmental units until the subsequent year. In accordance with GAAP, the assessed but uncollected property taxes have been recorded as a receivable and as deferred inflow of resources.

4. Capital Assets

Capital assets, which include land, buildings, equipment, vehicles, and infrastructure assets, are reported in the governmental activity columns in the government-wide financial statements. The District defines capital assets as assets with an initial cost of \$5,000 or more and an estimated useful life in excess of five years. Such assets are recorded at historical cost. Donated capital assets are recorded at estimated fair value at the date of donation.

Improvements, Gondola, and Buildings are depreciated using the straight-line method over the following estimated useful lives:

Assets	Years
Improvements	15
Gondola	30
Buildings	25

Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)

I. Summary of Significant Accounting Policies (continued)

D. Financial Statement Accounts (continued)

5. Long-term Capital and Service Obligations Receivable

Avon Station Metropolitan District ("ASMD") is obligated under the District Facilities Construction and Service Agreement to reimburse the District over time for the cost of the infrastructure constructed (capital obligation) as well as operating and maintenance costs (service obligation) by the District. These items represent the portion of the obligations not yet been paid by ASMD as of December 31, 2023.

6. Long-term Debt

Long-term debt and other long-term obligations are reported as liabilities on the Statement of Net Position. Bond premium are deferred and amortized over the respective life of the respective debt using a straight-line method. Bonds payable are reported including the applicable bond premium. Bond issuance costs are expensed in the period incurred. The deferred cost on bond refunding is being amortized over the lesser of the life of the new bond or the remaining life of the refunded bonds using the straight-line method which approximates the effective interest method. The amortization amount is a component of interest expense and the unamortized deferred cost is reflected as a deferred outflow of resources.

7. Deferred Outflows and 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 assets that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The District only has one item that qualifies for reporting in this category. It is the deferred charge on refunding reported in the Statement of Net Position. A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded debt or refunding debt.

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 assets that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The District does not have any items to report under this category.

**Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)**

I. Summary of Significant Accounting Policies (continued)

D. Financial Statement Accounts (continued)

8. Fund Balance

The District classifies governmental fund balances as follows:

Nonspendable - includes fund balance amounts that cannot be spent either because it is not in spendable form or because of legal or contractual requirements.

Restricted – includes fund balance amounts that are constrained for specific purposes which are externally imposed by providers, such as creditors or amounts constrained due to constitutional provisions or enabling legislation.

Committed – includes fund balance amounts that are constrained for specific purposes that are internally imposed by the government through formal action of the highest level of decision making authority which is the Board of Directors.

Assigned – includes spendable fund balance amounts that are intended to be used for specific purposes that are neither considered restricted or committed. Fund balance may be assigned by the Board of Directors or its management designee.

Unassigned - includes residual positive fund balance within the General Fund which has not been classified within the other above mentioned categories. Unassigned fund balance may also include negative balances for any governmental fund if expenditures exceed amounts restricted, committed, or assigned for those specific purposes.

The District uses restricted amounts first when both restricted and unrestricted fund balance is available unless there are legal documents/contracts that prohibit doing this, such as in grant agreements requiring dollar for dollar spending. Additionally, the District first uses committed, then assigned, and lastly unassigned amounts of unrestricted fund balance when expenditures are made.

The District does not have a formal minimum fund balance policy. However, the District's budget includes a calculation of targeted reserve positions and management reports the targeted amounts annually to Board of Directors.

E. Use of Estimates

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

**Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)**

II. Stewardship, Compliance, and Accountability

A. Budgetary Information

In the fall of each year, the District's Board of Directors formally adopts a budget with appropriations by fund for the ensuing year pursuant to the Local Government Budget Law of Colorado. The budgets for the funds are adopted on a basis consistent with generally accepted accounting principles ("GAAP").

As required by Colorado statutes, the District followed the following timetable in approving and enacting a budget for 2023:

- (1) For the 2023 budget year, prior to August 25, 2022, the County Assessor sent to the District the certified assessed valuation of all taxable property within the District's boundaries and prior to December 10, 2022, the County Assessor sent the final recertified assessed valuation to the District.
- (2) On or before October 15, 2022, the District's accountant submitted to the District's Board of Directors a recommended budget which detailed the necessary property taxes needed along with other available revenues to meet the District's operating requirements.
- (3) A public hearing on the proposed budget and capital program was held by the Board no later than 45 days prior to the close of the fiscal year.
- (4) For the 2023 budget, prior to December 15, 2022, the District computed and certified to the County Commissioners a rate of levy that derived the necessary property taxes as computed in the proposed budget.
- (5) For the 2023 budget, the final budget and appropriating resolution was adopted prior to December 31, 2022.

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 in the budget; c) it may approve emergency appropriations; and d) it may reduce appropriations for which originally estimated revenues are insufficient.

Taxes levied in one year are collected in the succeeding year. Thus, taxes certified in 2022 were collected in 2023 and taxes certified in 2023 will be collected in 2024. Taxes are due on January 1st in the year of collection; however, they may be paid in either one installment (no later than April 30th) or two equal installments (not later than February 28th and June 15th) without interest or penalty. Taxes which are not paid within the prescribed time bear interest at the rate of one percent (1%) per month until paid. Unpaid amounts and the accrued interest thereon become delinquent on June 15th.

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

**Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)**

II. Stewardship, Compliance, and Accountability (continued)

B. TABOR 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. TABOR requires, with certain exceptions, advance voter approval for any new tax, tax rate increase, mill levy above that for the prior year, extension of any expiring tax, or tax policy change directly causing a net tax revenue gain to any local government. Any revenues earned in excess of the fiscal year spending limit must be refunded in the next fiscal year, unless voters approve retention of such excess revenue.

Except for refinancing bonded debt at a lower interest rate or adding new employees to existing pension plans, TABOR requires advance voter approval for the creation of any multiple-fiscal year debt or other financial obligation unless adequate present cash reserves are pledged irrevocably and held for payments in all future fiscal years.

TABOR also requires local governments to establish an emergency reserve to be used for declared emergencies only. The reserve is calculated at 3% of fiscal year spending. Fiscal year spending excludes bonded debt service and enterprise spending. The District has reserved \$25,560, which is the approximate required reserve, at December 31, 2023.

On November 3, 1998, a majority of the District's electors authorized the District (1) to increase taxes annually unlimited as to rate or amount by the imposition of an ad valorem property tax levy, which is limited to 20 years, and (2) to collect, keep, and expend all District revenues during 1999, and continuing thereafter without regard to limitations under TABOR.

Also, on November 3, 1998, the voters of the District authorized the issuance of \$46,800,000 in debt, \$46,800,000 in contractual obligations, and approved an increase in property tax revenue to pay such obligations. On May 2, 2006, voters of the District increased debt authorizations by \$47,300,000 and contractual obligations by \$46,800,000, bringing the total authorizations for \$94,100,000 for debt and \$93,600,000 for contractual obligations.

On November 3, 2020, a majority of the District's electors authorized the District to increase refunding debt by \$47,800,000 and to increase taxes annually to pay such debt, and to collect, keep and expend all District revenues during 2020 and continuing thereafter without regard to limitations under TABOR.

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

**Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)**

II. Stewardship, Compliance, and Accountability (continued)

C. Authorized But Unissued Debt

At December 31, 2023, the District had authorized but unissued general obligation debt for the following improvement purposes:

	<u>1998 Election Authorization</u>	<u>2006 Election Authorization</u>	<u>2020 Election Authorization</u>	<u>Authorizations Used</u>	<u>Authorizations Remaining</u>
Transportation	27,500,000	27,500,000	-	(9,994,422)	45,005,578
Parks and recreation	8,100,000	8,100,000	-	(5,453,142)	10,746,858
Street	7,500,000	7,500,000	-	(7,180,352)	7,819,648
Television	1,500,000	-	-	-	1,500,000
Sewer	500,000	1,500,000	-	(1,095,288)	904,712
Water	500,000	1,500,000	-	(768,604)	1,231,396
Traffic safety	500,000	-	-	(173,192)	326,808
Fire protection	500,000	-	-	-	500,000
Mosquito and pest control	100,000	-	-	-	100,000
Operation and maintenance	100,000	1,200,000	-	-	1,300,000
Refunding district debt	-	-	47,800,000	(23,120,000)	24,680,000
	<u>46,800,000</u>	<u>47,300,000</u>	<u>47,800,000</u>	<u>(47,785,000)</u>	<u>94,115,000</u>

III. Detailed Notes on all Funds

A. Deposits and Investments

The District's deposits are entirely covered by federal depository insurance ("FDIC") or by collateral held under Colorado's Public Deposit Protection Act ("PDPA"). The FDIC insures the first \$250,000 of the District's deposits at each financial institution. Deposit balances over \$250,000 are collateralized as required by PDPA. The carrying amount of the District's demand deposits was \$114,021 at year end.

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local governments, and entities such as the District, may invest which include:

- Obligations of the United States and certain U.S. government agency securities
- Certain international agency securities
- General obligation and revenue bonds of U.S. local government entities
- Bankers' acceptances of certain banks
- Commercial paper
- Written repurchase agreements collateralized by certain authorized securities
- Certain money market mutual funds
- Guaranteed investment contract
- Local government investment pools

Interest Rate Risk. As a means of limiting its exposure to interest rate risk, the District diversifies its investments by security type and institution, and limits holdings in any one type of investment with any one issuer and type of issuer. The District coordinates its investment maturities to closely match cash flow needs and restricts the maximum investment term to less than five years (less in some cases) from the purchase date. As a result of the limited length of maturities the District has limited its interest rate risk.

**Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)**

III. Detailed Notes on all Funds (continued)

A. Deposits and Investments (continued)

Credit Risk. District investment policy limits investments to those authorized by State statutes. The District's general investment policy is to apply the prudent-person rule: investments are made as a prudent person would be expected to act, with discretion and intelligence, to seek reasonable income, preserve capital, and, in general, avoid speculative investments.

Concentration of Credit Risk. The District diversifies its investments by security type and institution. Financial institutions holding District funds must provide the District a copy of the certificate from the Banking Authority that states that the institution is an eligible public depository.

At year end, the District had the following deposits and investments with the following maturities:

	Standard & Poors Rating	Carrying Amounts	Term to Maturity	
			Less than one year	More than one year
<i>Deposits:</i>				
Checking and savings	Not rated	114,021	114,021	-
Money market	Not rated	554,190	554,190	-
<i>Investments:</i>				
Certificates of deposit	Not rated	469,486	238,450	231,036
Investment pool	AAAm	1,050,425	1,050,425	-
		<u>2,188,122</u>	<u>1,957,086</u>	<u>231,036</u>

At December 31, 2023, the District had the following recurring fair value measurements.

Investments Measured at Fair Value	Total	Fair Value Measurements Using		
		Level 1	Level 2	Level 3
Certificates of deposit	469,486	-	469,486	-
Total	<u>469,486</u>	<u>-</u>	<u>469,486</u>	<u>-</u>

Investments Measured at Net Asset Value	Total
Colotrust	1,050,425
	<u>1,050,425</u>

Fair Value of Investments. The District measures and records its investments using fair value measurement guidelines established by generally accepted accounting principles. These guidelines recognize a three-tiered fair value hierarchy, as follows:

- *Level 1:* Quoted prices for identical investments in active markets;
- *Level 2:* Observable inputs other than quoted market prices; and,
- *Level 3:* Unobservable inputs.

**Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)**

III. Detailed Notes on all Funds (continued)

A. Deposits and Investments (continued)

Investments classified in Level 1 are valued using prices quoted in active markets for those securities. Investments classified in Level 2 are valued using the following approaches:

- U.S. Treasuries, U.S. Agencies, and Commercial Paper: quoted prices for identical securities in markets that are not active;
- Repurchase Agreements, Negotiable Certificates of Deposit, and Collateralized Debt Obligations: matrix pricing based on the securities' relationship to benchmark quoted prices;
- Money Market, Bond, and Equity Mutual Funds: published fair value per share (unit) for each fund.

The Investment Pool represents investments in COLOTRUST. The net asset value of the pool is determined by the pool's share price. The District has no regulatory oversight for the pool. At December 31, 2023, the District's investments in COLOTRUST were 69% of the District's investment portfolio and certificates of deposit were 31% of the investment portfolio.

The District had invested \$1,050,425 in the Colorado Local Government Liquid Asset Trust (the "Trust"). The Trust is an investment vehicle established for local government entities in Colorado to pool surplus funds. The State Securities Commissioner administers and enforces all State statutes governing the Trust. The Trust operates similarly to a money market fund, measured at net asset value, and each share is equal in value to \$1.00. Investments consist of U.S. Treasury bills, notes and note strips and repurchase agreements collateralized by U.S. Treasury securities. A designated custodial bank provides safekeeping and depository services in connection with the direct investment and withdrawal functions. Substantially all securities owned are held by the Federal Reserve Bank in the account maintained for the custodial bank.

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**Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)**

III. Detailed Notes on all Funds (continued)

B. Capital Assets

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balance</u>
Capital assets, being depreciated:				
Improvements	286,189	-	-	286,189
Upper Terminal	173,442	-	-	173,442
Gondola	7,715,648	-	-	7,715,648
Lower Public Plaza	4,102,677	-	-	4,102,677
Total capital assets	<u>12,277,956</u>	<u>-</u>	<u>-</u>	<u>12,277,956</u>
Less accumulated depreciation for:				
Improvements	(286,189)	-	-	(286,189)
Upper Terminal	(89,531)	(5,781)	-	(95,312)
Gondola	(4,070,529)	(261,938)	-	(4,332,467)
Lower Public Plaza	(1,981,958)	(136,756)	-	(2,118,714)
Total accumulated depreciation	<u>(6,428,207)</u>	<u>(404,475)</u>	<u>-</u>	<u>(6,832,682)</u>
Net Capital Assets	<u>5,849,749</u>	<u>(404,475)</u>	<u>-</u>	<u>5,445,274</u>

Depreciation and capital outlay was allocated as follows:

	<u>Capital Outlay</u>	<u>Depreciation Expense</u>
General government	-	267,719
Transportation	-	136,756
	<u>-</u>	<u>404,475</u>

C. Long-Term Obligations

Developer Advances

On August 22, 2006, the District entered into a Funding and Reimbursement Agreement with East West Resort Development XIV L.L.P. The Developer agreed to advance funds to the District, up to a maximum of \$25,000,000 to enable the District to improve property and to acquire those public facilities and improvements that were paid for by the Developer within the District boundaries. Any amounts advanced to the District under this original agreement bear an annual interest rate of 12 percent, and the agreement automatically renewed each year unless terminated by the Developer.

On December 18, 2007 the District entered into the First Amendment to the Funding and Reimbursement Agreement. The Amendment acknowledged the repayment of principal amounts owed to the Developer for advances made to the District excluding unpaid interest of \$1,062,963 which remains due and owing to the Developer. In addition the Developer agreed to continue to advance funds to the District up to a maximum of \$1,000,000 through January 31, 2009 to enable the District to provide operations and continue to improve property and to acquire those public facilities and improvements that have been paid for by the Developer within the District boundaries. Any amounts advanced to the District under this amended agreement also bear an annual interest rate of 12 percent, and the agreement automatically renews each year unless terminated by the Developer.

**Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)**

III. Detailed Notes on all Funds (continued)

C. Long-Term Obligations (continued)

Developer Advances (continued)

On August 26, 2008, the District entered into the Second Amendment to the Funding and Reimbursement Agreement. The amendment modified the interest rate to the prime rate specified in the Wall Street Journal on January 1, plus 2%. All other terms of the Agreement remain the same.

On January 31, 2009, the District entered into a Third Amendment to the Funding and Reimbursement Agreement whereby the Developer agreed to continue to advance funds up to a maximum of \$1,400,000 through December 31, 2011. All other terms of the Agreement remained the same.

On November 29, 2011, the District entered into a Fourth Amendment to the Funding and Reimbursement Agreement whereby the Developer shall have no further obligation to advance funds to the District after December 31, 2011. All other terms of the Agreement remained the same.

Repayment of amounts due to the Developer is subordinated to debt service requirements of the District's Tax Supported Revenue Bonds. At December 31, 2023, in addition to outstanding developer advances of \$991,101, unpaid interest due to the developer totaled \$1,900,667.

2021A-1 and A2021-A2 Senior Notes and 2021B Subordinate Bonds

On June 10, 2021, the District closed on two loans in the aggregate amount of \$18,700,000 consisting of the 2021A-1 Senior Loan in the amount of \$1,500,000 and the 2021A-2 Senior Loan in the amount of \$17,200,000. The proceeds of these loans were used to redeem the Refunded 2007 bonds on June 17, 2021. \$499,414 of the proceeds from the 2021A-2 Loan were credited to the Senior Reserve Fund. Interest rates on the 2021A-1 and 2021A-2 loans are 1.540% to 3.06% and are due on December 1 and June 1 beginning in 2021. The loans are scheduled to be paid off in 2025 and 2050, respectively.

The 2021B Bonds were issued on June 10, 2021 in the amount of \$4,420,000 with a premium of \$143,783. Principal payments on the bonds begin in 2021 and carry an interest rate of 5.50%. The bonds will be paid off in 2050.

The refunding resulted in a loss on refunding of \$61,846 and an economic loss of \$8,725,393.

**Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)**

III. Detailed Notes on all Funds (continued)

C. Long-Term Obligations (continued)

For the year ended December 31, 2023, the District had the following changes in long-term obligations:

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Reductions</u>	<u>Ending Balance</u>	<u>Due Within One Year</u>
Due to Developer	991,101	-	-	991,101	-
Bonds payable:					
2021A-1 Senior Refunding	1,130,000	-	(365,000)	765,000	380,000
2021A-2 Senior Refunding	17,200,000	-	-	17,200,000	15,000
2021B Subordinate Bonds	4,420,000	-	-	4,420,000	-
2021 Premium	136,346	-	(4,958)	131,388	-
Total bonds payable:	<u>22,886,346</u>	<u>-</u>	<u>(369,958)</u>	<u>22,516,388</u>	<u>395,000</u>
Total Long-Term Obligations	<u><u>23,877,447</u></u>	<u><u>-</u></u>	<u><u>(369,958)</u></u>	<u><u>23,507,489</u></u>	<u><u>395,000</u></u>

The future maturities for the District's bonds are as follows:

	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2024	395,000	764,001	1,159,001
2025	550,000	757,324	1,307,324
2026	590,000	742,320	1,332,320
2027	610,000	720,030	1,330,030
2028	660,000	697,148	1,357,148
2029 - 2033	3,875,000	3,086,023	6,961,023
2034 - 2038	3,540,000	3,212,848	6,752,848
2039 - 2043	3,735,000	2,963,400	6,698,400
2044 - 2048	5,290,000	1,774,300	7,064,300
2049 - 2050	<u>3,140,000</u>	<u>275,825</u>	<u>3,415,825</u>
Total	<u><u>22,385,000</u></u>	<u><u>14,993,219</u></u>	<u><u>37,378,219</u></u>

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**Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)**

IV. Other Information

A. District Facilities and Construction Agreement

CMD has entered into a second Amended and Restated Joint Facilities Construction and Service Agreement (the "Agreement") with Avon Station Metropolitan District ("ASMD") dated April 26, 2007. This Agreement was amended on May 25, 2021.

Under the Agreement, ASMD is to provide funding and the necessary tax base for financing the construction, operation, and maintenance of the public improvements that benefit both Districts. ASMD may also obtain financing for the construction of the public improvements and pay the proceeds to CMD.

CMD will manage the construction and operation of the public improvements, and own, operate, and maintain the public improvements pursuant to a long-term operations and maintenance program.

Under the Agreement, ASMD has assigned all revenue raised from mill levies assessed by ASMD to CMD in order to offset the expenses of the construction of the public improvements and CMD's costs of operation and maintenance of such public improvements. The Agreement remains in force until all terms and conditions have been performed in their entirety. ASMD's primary revenue source is property taxes collectible annually based on a set mill levy applied to the assessed valuation of ASMD's property.

ASMD has assigned all revenue raised from mill levies assessed by ASMD to CMD in order to offset the expenses of the construction of the public improvement and CMD's costs of operation and maintenance of such public improvements. The Agreement remains in force until all terms and conditions have been performed in their entirety.

During 2023 ASMD paid \$1,230,463 to CMD in accordance with this Agreement. ASMD has a service and capital obligation to CMD pursuant to the agreement for costs incurred in excess of funds received. The Agreement does not establish specific payment dates for these obligations. The capital and service obligation receivables total \$23,223,793 at December 31, 2023. There is no allowance for uncollectible obligation at December 31, 2023.

B. Capital Pledge Agreement

On May 1, 2007 the District entered into a Capital Pledge Agreement with ASMD and the Trustee whereby ASMD has pledged certain revenues to assist in the repayment of the CMD bonds to the extent of the pledged revenues. The Capital Pledge Agreement was amended and restated on June 1, 2021.

In June 2021 the District entered into the Amended and Restated Capital Pledge Agreement and the Capital Pledge Agreement (subordinate) in connection with CMD's issuance of the 2021 obligations.

**Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)**

IV. Other Information (continued)

C. Intergovernmental Agreement with Avon Urban Renewal Authority

The District entered into an Intergovernmental Agreement with the Avon Urban Renewal Authority (the "Authority") and Avon Station Metropolitan District concerning incremental taxes on October 9, 2007.

Under the Intergovernmental Agreement the Authority agreed to remit to the Districts the incremental revenue it receives as a result of ad valorem property taxes and specific ownership taxes levied by the Districts except those upon Lot B in ASMD and upon any increase in the number of dwelling units permitted or commercial square footage in the zoning entitlement as of February 27, 2007. The Districts can use any District Tax Increment Revenue remitted for those purposes permitted by the Service Plan, including paying for public improvements within the Districts. For the year ended December 31, 2023, approximately tax increment revenue was collected under this agreement.

D. Risk Management

Colorado Special Districts Property and Liability Pool

The District is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omission; and general liability. The District is a member of the Colorado Special District Property and Liability Pool ("Pool") for property and liability insurance.

The Pool was formed by an intergovernmental agreement to provide public officials, property, general and automobile liability coverage for claims up to \$1,000,000, except if the claim falls within the government immunity statute, then the coverage is \$150,000 per person and a \$600,000 aggregate claim. The Pool is reinsured for 80% of the first \$250,000 of all claims and 100% for claims in excess of \$250,000. The District may be required to make additional contributions in the event aggregate losses incurred by the Pool exceed amounts recoverable from reinsurance contracts. 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. Any settled claims are not expected to exceed coverage. A summary of audited statutory basis financial information for the Pool as of and for the year ended December 31, 2022 (the latest available information) is as follows:

Assets	<u>69,212,177</u>
Liabilities	45,329,704
Capital and surplus	<u>23,882,473</u>
Total	<u><u>69,212,177</u></u>
Revenue	27,064,468
Underwriting expenses	<u>25,447,966</u>
Underwriting gain (loss)	1,616,502
Other income	<u>462,530</u>
Net income (loss)	<u><u>2,079,032</u></u>

Confluence Metropolitan District
Notes to the Financial Statements
December 31, 2023
(continued)

IV. Other Information (continued)

E. Related Parties

A majority of the members of the Board of Directors of the District are employees of East West Partners (the Developer) or related entities.

V. Restatement of Net Position

The beginning Net Position has been decreased by \$355,610 to correct an error in the calculation of the Capital and Service Obligation Receivable from 2021 and 2022.

REQUIRED SUPPLEMENTARY INFORMATION

Confluence Metropolitan District
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual
Governmental Funds - Sales Tax Fund
For the Year Ended December 31, 2023

	Original and Final Budget	Actual	Final Budget Variance Positive (Negative)
Revenues:			
Property taxes	34,306	22,338	(11,968)
Specific ownership taxes	1,229	1,981	752
TIFF payments from Town of Avon	208,920	211,656	2,736
Capital obligation payments from Avon Station Metropolitan District	378,262	381,016	2,754
Service obligation payments from Mountain Vista Metropolitan District	17,482	17,555	73
Town of Avon payments for gondola and public plaza operations	344,150	286,744	(57,406)
Other income	200	3,068	2,868
Interest	4,500	15,518	11,018
Total Revenues	989,049	939,876	(49,173)
Expenditures:			
General government:			
Accounting and auditing	37,350	48,070	(10,720)
Insurance	50,000	37,557	12,443
Legal	28,000	18,453	9,547
Administration - Other	5,500	2,358	3,142
Treasurer fees	670	670	-
Landscape	72,150	37,449	34,701
Transportation:			
Utilities	30,000	38,073	(8,073)
Gondola insurance	44,400	41,482	2,918
Gondola operations	324,450	316,293	8,157
Gondola repair and maintenance	-	2,650	(2,650)
Gondola management	75,000	75,000	-
Plaza operations	94,500	99,739	(5,239)
Other	4,950	4,839	111
Contingency	10,000	-	10,000
Total General Government Expenditures	776,970	722,633	54,337
Other Financing Sources:			
Transfers (out)	(129,500)	(129,500)	-
Total Other Financing Sources	(129,500)	(129,500)	-
Net Change in Fund Balance	82,579	87,743	5,164
Fund Balance - Beginning	87,951	46,027	(41,924)
Fund Balance - Ending	170,530	133,770	(36,760)

SUPPLEMENTARY INFORMATION

Confluence Metropolitan District
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual
Governmental Funds - Debt Service Fund
For the Year Ended December 31, 2023

	Original and Final Budget	Actual	Final Budget Variance Positive (Negative)
Revenues:			
TIFF payments from Town of Avon	405,021	398,419	(6,602)
Capital obligation payments from Avon Station Metropolitan District	820,110	849,447	29,337
Interest	22,034	38,688	16,654
Total Revenues	1,247,165	1,286,554	39,389
Expenditures:			
General government:			
Paying agent fees	10,000	7,000	3,000
Debt service:			
Principal	365,000	365,000	-
Interest	769,622	769,622	-
Total Expenditures	1,144,622	1,141,622	3,000
Net Change in Fund Balance	102,543	144,932	42,389
Fund Balance - Beginning	734,459	739,154	4,695
Fund Balance - Ending	837,002	884,086	47,084

Confluence Metropolitan District
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual
Governmental Funds - Gondola & Capital Reserve Fund
For the Year Ended December 31, 2023

	Original and Final Budget	Actual	Final Budget Variance Positive (Negative)
Revenues:			
Interest	5,000	40,049	35,049
Total Revenues	5,000	40,049	35,049
Expenditures:			
Capital expenditures	100,000	-	100,000
Total General Government Expenditures	100,000	-	100,000
Other Financing Sources:			
Transfers in	129,500	129,500	-
Total Other Financing Sources	129,500	129,500	-
Net Change in Fund Balance	34,500	169,549	135,049
Fund Balance - Beginning	1,004,021	1,010,671	6,650
Fund Balance - Ending	1,038,521	1,180,220	141,699

**Confluence Metropolitan District
Schedule of Bond Obligations and Interest
Requirements to Maturity
December 31, 2023**

Limited Tax Supported Revenue Refunding Loan Series 2021A1 and 2021A2 and
Subordinate Limited Tax Supported Refunding Bonds Series 2021B
Principal Due June 1 and December 1
Interest at 1.54% to 5.00% Due June 1 and December 1

Year Ended December 31	Principal	Interest	Total
2024	395,000	764,001	1,159,001
2025	550,000	757,324	1,307,324
2026	590,000	742,320	1,332,320
2027	610,000	720,030	1,330,030
2028	660,000	697,148	1,357,148
2029	685,000	672,405	1,357,405
2030	740,000	646,795	1,386,795
2031	770,000	618,795	1,388,795
2032	825,000	589,653	1,414,653
2033	855,000	558,375	1,413,375
2034	915,000	525,828	1,440,828
2035	950,000	490,870	1,440,870
2036	525,000	761,200	1,286,200
2037	540,000	732,325	1,272,325
2038	610,000	702,625	1,312,625
2039	635,000	669,075	1,304,075
2040	710,000	634,150	1,344,150
2041	730,000	595,100	1,325,100
2042	815,000	554,950	1,369,950
2043	845,000	510,125	1,355,125
2044	935,000	463,650	1,398,650
2045	970,000	412,225	1,382,225
2046	1,065,000	358,875	1,423,875
2047	1,110,000	300,300	1,410,300
2048	1,210,000	239,250	1,449,250
2049	1,265,000	172,700	1,437,700
2050	1,875,000	103,125	1,978,125
	22,385,000	14,993,219	37,378,219