

NORTH LAND INDUSTRIAL METROPOLITAN DISTRICT NO. 1

Financial Statements

Year Ended December 31, 2023

with

Independent Auditor's Report

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Board of Directors
North Land Industrial Metropolitan District No. 1
Weld County, Colorado

Independent Auditor's Report

Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of North Land Industrial Metropolitan District No. 1 (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 accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of North Land Industrial Metropolitan District No. 1 as of December 31, 2023, and the respective changes in financial position and the respective budgetary comparison for the general fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

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

Other Matters

Required Supplemental Information

Management has omitted the management's discussion and analysis that accounting principles generally accepted in the United States 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.

Wipfli LLP

Wipfli LLP
Denver, Colorado

September 15, 2024

NORTH LAND INDUSTRIAL METROPOLITAN DISTRICT NO. 1

BALANCE SHEET/STATEMENT OF NET POSITION GOVERNMENTAL FUND December 31, 2023

	<u>General</u>	<u>Total</u>	<u>Adjustments</u>	<u>Statement of Net Position</u>
ASSETS				
Cash and investments	\$ 2,705,710	\$ 2,705,710	\$ -	\$ 2,705,710
Cash and investments - restricted	1,785	1,785	-	1,785
Receivable - District No. 2	564,355	564,355	-	564,355
Prepaid expenses	6,426	6,426	-	6,426
Capital assets not being depreciated	<u>-</u>	<u>-</u>	<u>1,268,207</u>	<u>1,268,207</u>
Total Assets	<u>\$ 3,278,276</u>	<u>\$ 3,278,276</u>	<u>1,268,207</u>	<u>4,546,483</u>
LIABILITIES				
Accounts payable	<u>\$ 1,239</u>	<u>\$ 1,239</u>	<u>-</u>	<u>1,239</u>
Total Liabilities	<u>1,239</u>	<u>1,239</u>	<u>-</u>	<u>1,239</u>
FUND BALANCES/NET POSITION				
Fund Balances:				
Nonspendable:				
Prepays	6,426	6,426	(6,426)	-
Restricted:				
Emergencies	1,785	1,785	(1,785)	-
Unassigned	<u>3,268,826</u>	<u>3,268,826</u>	<u>(3,268,826)</u>	<u>-</u>
Total Fund Balances	<u>3,277,037</u>	<u>3,277,037</u>	<u>(3,277,037)</u>	<u>-</u>
Total Liabilities and Fund Balances	<u>\$ 3,278,276</u>	<u>\$ 3,278,276</u>		
Net Position:				
Net investment in capital assets			1,268,207	1,268,207
Restricted for:				
Emergencies			1,785	1,785
Unrestricted			<u>3,275,252</u>	<u>3,275,252</u>
Total Net Position			<u>\$ 4,545,244</u>	<u>\$ 4,545,244</u>

The notes to the financial statements are an integral part of these statements.

NORTH LAND INDUSTRIAL METROPOLITAN DISTRICT NO. 1

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES/STATEMENT OF ACTIVITIES GOVERNMENTAL FUND

For the Year Ended December 31, 2023

	<u>General</u>	<u>Total</u>	<u>Adjustments</u>	<u>Statement of Activities</u>
EXPENDITURES				
Accounting and audit	\$ 7,193	\$ 7,193	\$ -	\$ 7,193
Insurance	7,643	7,643	-	7,643
Legal	21,352	21,352	-	21,352
Miscellaneous expenses	631	631	-	631
Engineering	4,943	4,943	-	4,943
Capital improvements	<u>1,268,207</u>	<u>1,268,207</u>	<u>(1,268,207)</u>	<u>-</u>
Total Expenditures	<u>1,309,969</u>	<u>1,309,969</u>	<u>(1,268,207)</u>	<u>41,762</u>
GENERAL REVENUES				
Intergovernmental Revenue from District No. 2	562,110	562,110	-	562,110
Interest and other income	<u>190,540</u>	<u>190,540</u>	<u>-</u>	<u>190,540</u>
Total General Revenues	<u>752,650</u>	<u>752,650</u>	<u>-</u>	<u>752,650</u>
NET CHANGES IN FUND BALANCES	(557,319)	(557,319)	557,319	
CHANGE IN NET POSITION			710,888	710,888
FUND BALANCES/NET POSITION:				
BEGINNING OF YEAR	<u>3,834,356</u>	<u>3,834,356</u>	<u>-</u>	<u>3,834,356</u>
END OF YEAR	<u>\$ 3,277,037</u>	<u>\$ 3,277,037</u>	<u>\$ 1,268,207</u>	<u>\$ 4,545,244</u>

The notes to the financial statements are an integral part of these statements.

NORTH LAND INDUSTRIAL METROPOLITAN DISTRICT NO. 1

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND

For the Year Ended December 31, 2023

	Original & Final <u>Budget</u>	<u>Actual</u>	Variance Favorable <u>(Unfavorable)</u>
REVENUES			
Intergovernmental Revenue from District No. 2	\$ 586,048	\$ 562,110	\$ (23,938)
Interest and other income	<u>69</u>	<u>190,540</u>	<u>190,471</u>
Total Revenues	<u>586,117</u>	<u>752,650</u>	<u>166,533</u>
EXPENDITURES			
Accounting and audit	10,000	7,193	2,807
Election expense	5,000	-	5,000
Insurance	6,000	7,643	(1,643)
Legal	35,000	21,352	13,648
Miscellaneous expenses	2,500	631	1,869
Capital improvements	4,094,404	1,268,207	2,826,197
Contingency	206,000	-	206,000
Engineering	-	4,943	(4,943)
Emergency reserve	<u>1,755</u>	<u>-</u>	<u>1,755</u>
Total Expenditures	<u>4,360,659</u>	<u>1,309,969</u>	<u>3,050,690</u>
NET CHANGE IN FUND BALANCE	(3,774,542)	(557,319)	3,217,223
FUND BALANCE:			
BEGINNING OF YEAR	<u>3,774,542</u>	<u>3,834,356</u>	<u>59,814</u>
END OF YEAR	<u>\$ -</u>	<u>\$ 3,277,037</u>	<u>\$ 3,277,037</u>

The notes to the financial statements are an integral part of these statements.

NORTH LAND INDUSTRIAL METROPOLITAN DISTRICT NO. 1

Notes to Financial Statements December 31, 2023

Note 1: Summary of Significant Accounting Policies

The accounting policies of the North Land Industrial Metropolitan District No. 1 (the “District”), located in the City of Fort Lupton, (“City”) in Weld County, Colorado, conform to the accounting principles generally accepted in the United States of America (“GAAP”) as applicable to governmental units. The Governmental Accounting Standards Board (“GASB”) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The following is a summary of the more significant policies consistently applied in the preparation of financial statements.

Definition of Reporting Entity

The District was organized on July 6, 2016, as a quasi-municipal corporation and political subdivision of the State of Colorado established under the State of Colorado Special District Act. The District was established to provide operations and administration to North Land Industrial Metropolitan District No. 2 (“District No. 2”, or the “Taxing District”) for the construction, operation and maintenance of facilities and improvements through the issuance of bonds. The District's primary source of revenues is provided by District No. 2 pursuant to the District Administrative Services Agreement. The District is governed by an elected Board of Directors.

The District (the “Operating District”) was given the power to provide water, sanitation, streets, traffic and safety controls, television relay and translator services, transportation and park and recreation improvements and other related improvements for the benefit of taxpayers and service users within the Districts’ boundaries. The Service Plan requires the Operating District to convey the streets, water, sanitation and storm drainage improvements to the City for ownership and maintenance. The Operating District will own and maintain public improvements not otherwise conveyed to the City or other governmental entity for ownership and maintenance.

The District and the City have entered into an Intergovernmental Agreement as required by the City and the District’s Service Plan. Under this agreement, the Districts must obtain the approval of the City prior to: (i) any inclusion of property not within the Service Area of the District, or (ii) any consolidation with any other special districts. Prior to the issuance of general obligation bonds to parties other than the Developer, the District shall prepare a plan of finance for the purposes of determining whether the proposed issuance satisfies the Minimum Criteria as set forth in the IGA, the City has 30 days to provide written objection to the issuance.

As required by GAAP, these financial statements present the activities of the District, which is legally separate and financially independent of other state and local governments. The District follows the GASB pronouncements which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB sets 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.

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Notes to Financial Statements December 31, 2023

Financial accountability includes, but is not limited to, appointment of a voting majority of the organization's governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens and fiscal dependency. The pronouncements also require including a possible component unit if it would be misleading to exclude it.

The District is not financially accountable for any other organization. The District has no component units as defined by the GASB.

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

Basis of Presentation

The accompanying financial statements are presented per GASB Statement No. 34 - Special Purpose Governments.

The government-wide financial statements (i.e. the governmental funds balance sheet/statement of net position and the governmental funds statement of revenues, expenditures, and changes in fund balances/statement of activities) report information on all of the governmental activities of the District. The statement of net position reports all financial and capital resources of the District. The difference between the (a) assets and deferred outflows of resources and the (b) liabilities and deferred inflows of resources of the District is reported as net position. The statement of activities demonstrates the degree to which expenditures/expenses of the governmental funds are supported by general revenues. For the most part, the effect of interfund activity has been removed from these statements.

The statement of activities demonstrates the degree to which the direct and indirect expenses of a given function or segment are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

Major individual governmental funds are reported as separate columns in the fund financial statements.

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Notes to Financial Statements December 31, 2023

Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the District considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. The material sources of revenue subject to accrual are property taxes and interest. Expenditures, other than interest on long-term obligations, are recorded when the liability is incurred or the long-term obligation is paid.

The District reports the following major governmental fund:

General Fund - The General Fund is the general operating fund of the District. It is used to account for all financial resources not accounted for and reported in another fund.

Budgetary Accounting

Budgets are adopted on a non-GAAP basis for the governmental funds. In accordance with the Local Government Budget Law of Colorado, the District's Board of Directors holds public hearings in the fall of each year to adopt the budget and appropriate the funds for the ensuing year. The District's Board of Directors can modify the budget by line item within the total appropriation without notification. The appropriation can only be modified upon completion of notification and publication requirements. The budget includes each fund on its basis of accounting unless otherwise indicated. The appropriation is at the total fund expenditures level and lapses at year end.

Assets, Liabilities and Net Position

Fair Value of Financial Instruments

The District's financial instruments include cash and investments, accounts receivable and accounts payable. The District estimates that the fair value of all financial instruments at December 31, 2023, does not differ materially from the aggregate carrying values of its financial instruments recorded in the accompanying balance sheet. The carrying amount of these financial instruments approximates fair value because of the short maturity of these instruments.

Estimates

The preparation of these financial statements in conformity with GAAP requires the District management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

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Notes to Financial Statements December 31, 2023

Deferred Outflows/Inflows of Resources

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

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The District does not have any items that qualify for reporting in this category.

Capital Assets

Capital assets, which include property, plant, equipment and infrastructure assets (e.g. roads, bridges, sidewalks, and similar items), are reported in the applicable governmental activities columns in the government-wide financial statements. Capital assets are defined by the District as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of two years. Such assets are recorded at historical or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated acquisition value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the assets or materially extend the life of the asset are not capitalized. Improvements are capitalized and depreciated over the remaining useful lives of the related fixed assets, as applicable using the straight-line method. Depreciation on property that will remain assets of the District is reported on the statement of activities as a current charge. Improvements that will be conveyed to other governmental entities are classified as construction in progress and are not depreciated. Land and certain landscaping improvements are not depreciated.

Fund Equity

Fund balance of governmental funds is reported in various categories based on the nature of any limitations requiring the use of resources for specific purposes. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications make the nature and extent of the constraints placed on a government's fund balance more transparent:

Nonspendable Fund Balance

Nonspendable fund balance includes amounts that cannot be spent because they are either not spendable in form (such as inventory or prepaids) or are legally or contractually required to be maintained intact.

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Notes to Financial Statements December 31, 2023

The nonspendable fund balance in the General Fund in the amount of \$6,426 represents prepaid insurance.

Restricted Fund Balance

The restricted fund balance includes amounts restricted for a specific purpose by external parties such as grantors, bondholders, constitutional provisions or enabling legislation.

The restricted fund balance in the General Fund represents Emergency Reserves that have been provided as required by Article X, Section 20 of the Constitution of the State of Colorado. A total of \$1,785 of the General Fund balance has been reserved in compliance with this requirement.

Committed Fund Balance

The portion of fund balance that can only be used for specific purposes pursuant to constraints imposed by a formal action of the government's highest level of decision-making authority, the Board of Directors. The constraint may be removed or changed only through formal action of the Board of Directors.

Assigned Fund Balance

Assigned fund balance includes amounts the District intends to use for a specific purpose. Intent can be expressed by the District's Board of Directors or by an official or body to which the Board of Directors delegates the authority.

Unassigned Fund Balance

Unassigned fund balance includes amounts that are available for any purpose. Positive amounts are reported only in the General Fund. All other funds can report negative amounts.

For the classification of Governmental Fund balances, the District considers an expenditure to be made from the most restrictive first when more than one classification is available.

Net Position

Net Position represents the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources. The District can report three categories of net position, as follows:

Net investment in capital assets – consists of net capital assets, reduced by outstanding balances of any related debt obligations and deferred inflows of resources attributable to the acquisition, construction, or improvement of those assets and increased by balances of deferred outflows or resources related to those assets.

Restricted net position – net position is considered restricted if their use is constrained to a particular purpose. Restrictions are imposed by external organizations such as federal or state laws. Restricted net position is reduced by liabilities and deferred inflows of resources related to the restricted assets.

NORTH LAND INDUSTRIAL METROPOLITAN DISTRICT NO. 1

Notes to Financial Statements
December 31, 2023

Unrestricted net position – consists of all other net position that does not meet the definition of the above two components and is available for general use by the District.

When an expense is incurred for purposes for which both restricted and unrestricted net position are available, the District will use the most restrictive net position first.

Note 2: Cash and Investments

As of December 31, 2023, cash and investments are classified in the accompanying financial statements as follows:

Statement of Net Position:

Cash and investments	\$ 2,705,710
Cash and investments - Restricted	<u>1,785</u>
Total	<u>\$ 2,707,495</u>

Cash and investments as of December 31, 2023, consist of the following:

Deposits with financial institutions	\$ 11,584
Investments - COLOTRUST	<u>2,695,911</u>
	<u>\$ 2,707,495</u>

Deposits

Custodial Credit Risk

The Colorado Public Deposit Protection Act, (“PDPA”) requires that all units of local government deposit cash in eligible public depositories. State regulators determine eligibility. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool is to be maintained by another institution, or held in trust for all the uninsured public deposits as a group. The market value of the collateral must be at least equal to 102% of the aggregate uninsured deposits. The State Commissioners 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. The District follows state statutes for deposits. None of the District’s deposits were exposed to custodial credit risk.

Investments

Investment Valuation

The District categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs. The District’s investment, is not required to be categorized within the fair value hierarchy. This investment’s value is calculated using the net asset value (NAV) per share.

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Notes to Financial Statements December 31, 2023

Credit Risk

The District's investment policy requires that the District follow state statutes for investments. Colorado statutes specify the types of investments meeting defined rating and risk criteria in which local governments may invest. These investments include obligations of the United States and certain U.S. Government agency entities, certain money market funds, guaranteed investment contracts, and local government investment pools.

Custodial and Concentration of Credit Risk

None of the District's investments are subject to custodial or concentration of credit risk.

Interest Rate Risk

Colorado revised statutes limit investment maturities to five years or less unless formally approved by the Board of Directors.

As of December 31, 2023, the District had the following investment:

COLOTRUST

The local government investment pool, Colorado Local Government Liquid Asset Trust ("COLOTRUST"), is rated AAAM by Standard & Poor's with a weighted average maturity of under 60 days. COLOTRUST is an investment trust/joint venture established for local government entities in Colorado to pool surplus funds. The State Securities Commissioner administers and enforces all State statutes governing the Trust. COLOTRUST records its investments at fair value and the District records its investment in COLOTRUST using the net asset value method. COLOTRUST operates similarly to a money market fund with each share maintaining a value of \$1.00. The COLOTRUST offers shares in three portfolios, one of which is COLOTRUST PLUS+. COLOTRUST PLUS+ may invest in U.S. Treasuries, government agencies, the highest-rated commercial paper, certain corporate securities, certain money market funds, and certain repurchase agreements, and limits its investments to those allowed by State statutes. Purchases and redemptions are available daily at a net asset value (NAV) of \$1.00. A designated custodial bank provides safekeeping and depository services to COLOTRUST in connection with the direct investment and withdrawal function of COLOTRUST. The custodian's internal records identify the investments owned by participating governments. There are no unfunded commitments and there is no redemption notice period. On December 31, 2023, the District had \$2,695,911 invested in COLOTRUST Plus+.

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Notes to Financial Statements
December 31, 2023

Note 3: Capital Assets

An analysis of the changes in capital assets for the year ended December 31, 2023 is as follows:

<u>Governmental Type Activities:</u>	<u>Balance</u> <u>1/1/2023</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance</u> <u>12/31/2023</u>
<u>Capital assets not being depreciated:</u>				
Construction in progress	\$ -	\$ 1,268,207	\$ -	\$ 1,268,207
Total capital assets not being depreciated	-	1,268,207	-	1,268,207
<u>Capital assets being depreciated:</u>				
Government type assets, net	\$ -	\$ 1,268,207	\$ -	\$ 1,268,207

All Capital Assets will be owned and maintained upon acceptance by the Town of Hudson.

Note 3: Long Term Obligations

Debt Authorization

As of December 31, 2023, the District has a remaining principal electoral authorization of \$1,245,000,000 as authorized in the May 3, 2016 election. The District has not budgeted to issue any new debt during 2024. Per the District’s Service Plan, the District cannot issue debt in excess of \$103,750,000.

Funding, Acquisition and Reimbursement Agreements

District entered into Funding, Acquisition and Reimbursement Agreements (“Agreement”) with various parties as follows: on October 22, 2022, with Land 5 Investments, LLC, on February 5, 2021 ALE Partnership and on October 12, 2023, Lloyd Land. Pursuant to each of these agreements the District agreed to pay the actual Reimbursement Costs of completed improvements together with interest from the date of transfer of the improvements to the District or the City at an annual rate equal to the net effective interest rate of the Bonds from bond proceeds and Supplemental Revenues, as defined in the Agreement, which includes System Development Fees, an Operating Mill Levy, and a maintenance assessment.. The actual Reimbursement Costs shall not exceed \$6,200,000 unless subsequently authorized by amendment to the Agreements. The Developer agreed to construct certain Improvements in conformance with the requirements, standards and specifications of the City and will be transferred or dedicated to the District or the City for public use, free of all liens, encumbrances and obligations, in accordance with the terms of the Service Plan or as otherwise may be specified in writing by the District. The Developer further agreed to supply certain documentation as outlined in the Agreement. At December 31, 2023 there are no amounts outstanding under any of these Agreements.

NORTH LAND INDUSTRIAL METROPOLITAN DISTRICT NO. 1

Notes to Financial Statements
December 31, 2023

Note 4: Agreements with Other Governments

District Administrative Service Agreement

On October 27, 2016, District No. 2 and the District entered into a District Administrative Service Agreement which details the functions and responsibilities of the Operating District and the rights and obligations of the Taxing District regarding the Administrative Services provided on their behalf by the Operating District. The Operating District will own, operate and maintain all Public Improvements within its boundaries that are not dedicated to the City, or any other public entity. The Taxing District shall pay all Administrative Costs, through the imposition of the Operating Mill levy if possible. The Agreement is annually appropriated.

Note 5: Tax, Spending and Debt Limitations

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

Spending and revenue limits are determined based on the prior year’s Fiscal Year Spending adjusted for allowable increases based upon inflation and local growth. Fiscal Year Spending is generally defined as expenditures plus reserve increases with certain exceptions. Revenue in excess of the Fiscal Year Spending limit must be refunded unless the voters approve retention of such revenue.

TABOR requires local governments to establish Emergency Reserves. These reserves must be at least 3% of Fiscal Year Spending (excluding bonded debt service). Local governments are not allowed to use the emergency reserves to compensate for economic conditions, revenue shortfalls, or salary or benefit increases.

The District’s management believes it is in compliance with the provisions of TABOR. However, TABOR is complex and subject to interpretation. Many of the provisions, including the interpretation of how to calculate Fiscal Year Spending limits will require judicial interpretation.

On May 3, 2016, a majority of the District’s electors authorized the District to collect and spend or retain in a reserve all currently levied taxes and fees of the District without regard to any limitations under Article X, Section 20 of the Colorado Constitution.

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Notes to Financial Statements
December 31, 2023

Note 6: Risk Management

Except as provided in the Colorado Governmental Immunity Act, 24-10-101, et seq., CRS, the District may be exposed to various risks of loss related to torts, theft of, damage to, or destruction of assets; errors or omissions; injuries to agents; and natural disasters. The District has elected to participate in the Colorado Special Districts Property and Liability Pool (“the Pool”) which is an organization created by intergovernmental agreement to provide common liability and casualty insurance coverage to its members at a cost that is considered economically appropriate. Settled claims have not exceeded this commercial coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for auto, public officials’ liability, and property and general liability coverage. In the event aggregated losses incurred by the Pool exceed its amounts recoverable from reinsurance contracts and its accumulated reserves, the District may be called upon to make additional contributions to the Pool on the basis proportionate to other members. Any excess funds which the Pool determines are not needed for purposes of the Pool may be returned to the members pursuant to a distribution formula.

Note 7: Reconciliation of Government-Wide Financial Statements and Fund Financial Statements

The Governmental Fund Balance Sheet/Statement of Net Position includes an adjustments column. The adjustments may have the following elements:

- 1) capital improvements used in government activities are not financial resources and, therefore are not reported in the funds.

The Governmental Fund Statement of Revenues, Expenditures, and Changes in Fund Balances/Statement of Activities includes an adjustments column. The adjustments may have the following elements:

- 1) governmental funds report capital outlays as expenditures, however, in the statement of activities, the costs of those assets are held as construction in process pending transfer to other governmental entities or depreciated over their useful lives.