

**SOLA METROPOLITAN DISTRICT -  
COMMERCIAL  
Boulder County, Colorado**

**FINANCIAL STATEMENTS AND  
SUPPLEMENTARY INFORMATION**

**YEAR ENDED DECEMBER 31, 2023**

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
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## INDEPENDENT AUDITOR'S REPORT

To the Board of Directors  
Sola Metropolitan District - Commercial  
Boulder County, Colorado

### **Opinions**

We have audited the accompanying financial statements of the governmental activities and each major fund of Sola Metropolitan District - Commercial (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 the District as of December 31, 2023, and the respective changes in financial position thereof, 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, 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 Responsibility 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 judgement and maintain professional skepticism throughout the audit.
- Identify and assess the risk 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 judgement, 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 to those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

### **Required Supplementary Information**

Management has omitted management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinions on the basic financial statements are not affected by this missing information.

### **Supplementary Information**

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's basic financial statements. The supplementary information as identified in the table of contents is presented for the purposes of additional analysis and legal compliance and is not a required part of the basic financial statements.

Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

**Other Matters**

*Economic Dependency*

As disclosed in Note 8 of the financial statements, the District has not yet established a revenue base sufficient to pay the District's operational expenditures. Until an independent revenue base is established, the District may be dependent upon the developer for funding continued operations.

*Fiscal Focus Partners LLC*

Arvada, Colorado  
June 30, 2024

## **BASIC FINANCIAL STATEMENTS**

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
STATEMENT OF NET POSITION  
DECEMBER 31, 2023**

	Governmental Activities
<b>ASSETS</b>	
Cash and Investments	\$ 36,880
Cash and Investments - Restricted	320,168
Prepaid Insurance	7,130
Due from Other Districts	83
Receivable from County Treasurer	2,625
Property Tax Receivable	562,131
Capital Assets:	
Capital Assets Net of Depreciation	2,471,299
Total Assets	3,400,316
<b>LIABILITIES</b>	
Accounts Payable	18,257
Accrued Interest	25,033
Noncurrent Liabilities:	
Due Within One Year	905,000
Due in More Than One Year	21,930,575
Total Liabilities	22,878,865
<b>DEFERRED INFLOWS OF RESOURCES</b>	
Deferred Property Tax	562,131
Total Deferred Inflows of Resources	562,131
<b>NET POSITION</b>	
Invested in Capital Assets, Net of Related Debt	(5,682,892)
Restricted for:	
Emergency Reserve	4,500
Debt Service	292,990
Net Position - Unrestricted	(14,655,278)
Total Net Position	\$ (20,040,680)

See accompanying Notes to Basic Financial Statements.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
STATEMENT OF ACTIVITIES  
YEAR ENDED DECEMBER 31, 2023**

FUNCTIONS/PROGRAMS	Program Revenues			Net Revenue (Expense) and Change in Net Position
Primary Government: Governmental Activities:	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities
General Government	\$ 261,649	\$ 3,342	\$ -	\$ (258,307)
Interest on Long-Term Debt and Related Costs	1,720,213	16,721	-	(1,703,492)
Total Governmental Activities	\$ 1,981,862	\$ 20,063	\$ -	(1,961,799)
 <b>GENERAL REVENUES</b>				
Property Taxes				618,629
Specific Ownership Taxes				28,382
Interest Income				30,776
Fee Revenue - Copper Stone				150,976
Fee Revenue - Lafayette Traditions				74,700
Total General Revenues and Transfers				903,463
 <b>CHANGES IN NET POSITION</b>				
Net Position - Beginning of Year				(1,058,336)
				(18,982,344)
				\$ (20,040,680)

See accompanying Notes to Basic Financial Statements.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
DECEMBER 31, 2023**

	General	Debt Service	Capital Projects	Total Governmental Funds
<b>ASSETS</b>				
Cash and Investments	\$ 36,880	\$ -	\$ -	\$ 36,880
Cash and Investments - Restricted	4,500	314,710	958	320,168
Receivable from County Treasurer	437	2,188	-	2,625
Due from Other Districts	14	69	-	83
Due from Other Funds	11,809	3,055	-	14,864
Prepaid Insurance	7,130	-	-	7,130
Property Tax Receivable	141,443	420,688	-	562,131
	<u>\$ 202,213</u>	<u>\$ 740,710</u>	<u>\$ 958</u>	<u>\$ 943,881</u>
<b>LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES</b>				
<b>LIABILITIES</b>				
Accounts Payable	\$ 16,257	\$ 2,000	\$ -	\$ 18,257
Due to Other Funds	-	-	14,864	14,864
Total Liabilities	<u>16,257</u>	<u>2,000</u>	<u>14,864</u>	<u>33,121</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>				
Deferred Property Tax	141,443	420,688	-	562,131
Total Deferred Inflows of Resources	<u>141,443</u>	<u>420,688</u>	<u>-</u>	<u>562,131</u>
<b>FUND BALANCES</b>				
Nonspendable:				
Prepaid Expense	7,130	-	-	7,130
Restricted for:				
Emergency Reserves	4,500	-	-	4,500
Debt Service	-	318,022	-	318,022
Unassigned	32,883	-	(13,906)	18,977
Total Fund Balances (Deficits)	<u>44,513</u>	<u>318,022</u>	<u>(13,906)</u>	<u>348,629</u>
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	<u>\$ 202,213</u>	<u>\$ 740,710</u>	<u>\$ 958</u>	

Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds. 2,471,299

Long-term liabilities, including bonds payable, are not due and payable in the current period and, therefore, are not reported in the funds.

Bonds Payable	(9,893,892)
Accrued Bond Interest	(7,305,162)
Developer Advance Payable	(3,393,270)
Accrued Developer Advance Interest	<u>(2,268,284)</u>

Net Position of Governmental Activities \$ (20,040,680)

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES –  
GOVERNMENTAL FUNDS  
YEAR ENDED DECEMBER 31, 2023**

	General	Debt Service	Capital Projects	Total Governmental Funds
<b>REVENUES</b>				
Property Taxes	\$ 103,125	\$ 515,504	\$ -	\$ 618,629
Specific Ownership Taxes	4,731	23,651	-	28,382
Fee Revenue - Copper Stone	25,163	125,813	-	150,976
Fee Revenue - Lafayette Traditions	12,450	62,250	-	74,700
Interest Income	-	30,736	40	30,776
Intergovernmental Revenue	3,342	16,721	-	20,063
Total Revenues	<u>148,811</u>	<u>774,675</u>	<u>40</u>	<u>923,526</u>
<b>EXPENDITURES</b>				
Current:				
Accounting	36,338	-	-	36,338
Auditing	6,400	-	-	6,400
Banking Fees	225	-	-	225
County Treasurer's Fee	1,552	7,760	-	9,312
District Management	26,942	-	-	26,942
Dues and Membership	695	-	-	695
Insurance	6,938	-	-	6,938
Landscaping	30,881	-	-	30,881
Legal	12,697	-	-	12,697
Miscellaneous	1,075	-	-	1,075
Repairs and Maintenance	799	-	-	799
Irrigation Repairs	3,584	-	-	3,584
Snow Removal	4,680	-	-	4,680
Utilities	2,570	-	-	2,570
Debt Service:				
Bond Interest - Series 2009B	-	397,617	-	397,617
Bond Interest - Series 2012	-	305,600	-	305,600
Bond Principal - Series 2012	-	65,000	-	65,000
Paying Agent Fees	-	5,000	-	5,000
Total Expenditures	<u>135,376</u>	<u>780,977</u>	<u>-</u>	<u>916,353</u>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	13,435	(6,302)	40	7,173
<b>OTHER FINANCING SOURCES (USES)</b>				
Developer Advance	35,000	-	-	35,000
Total Other Financing Sources	<u>35,000</u>	<u>-</u>	<u>-</u>	<u>35,000</u>
<b>NET CHANGE IN FUND BALANCES</b>	48,435	(6,302)	40	42,173
Fund Balances (Deficits) - Beginning of Year	<u>(3,922)</u>	<u>324,324</u>	<u>(13,946)</u>	<u>306,456</u>
<b>FUND BALANCES (DEFICITS) - END OF YEAR</b>	<u>\$ 44,513</u>	<u>\$ 318,022</u>	<u>\$ (13,906)</u>	<u>\$ 348,629</u>

See accompanying Notes to Basic Financial Statements.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES  
IN FUND BALANCES OF THE GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES  
YEAR ENDED DECEMBER 31, 2023**

Net Change in Fund Balances - Total Governmental Funds \$ 42,173

Amounts reported for governmental activities in the statement of activities are different because:

Governmental funds report capital outlays as expenditures. In the statement of activities capital outlay is not reported as an expenditure. However, the statement of activities will report as depreciation expense the allocation of the cost of any depreciable asset over the estimated useful life of the asset. Therefore, this is the amount of capital outlay, depreciation and dedication of capital assets to other governments, in the current period.

Depreciation Expense (126,273)

The issuance of long-term debt (e.g. bonds, leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of government funds. Neither transaction, however, has any effect on net position.

Bond Principal 65,000  
Developer Advance (35,000)

Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.

Accrued Interest Payable - Change in Liability (759,839)  
Accrued Interest Payable Developer Advance - Change in Liability (244,397)

Changes in Net Position of Governmental Activities \$ (1,058,336)

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL  
YEAR ENDED DECEMBER 31, 2023**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
<b>REVENUES</b>			
Property Taxes	\$ 102,964	\$ 103,125	\$ 161
Specific Ownership Taxes	4,119	4,731	612
Fee Revenue - Copper Stone	25,163	25,163	-
Fee Revenue - Lafayette Traditions	12,450	12,450	-
Intergovernmental Revenue	3,323	3,342	19
Total Revenues	<u>148,019</u>	<u>148,811</u>	<u>792</u>
<b>EXPENDITURES</b>			
Accounting	37,950	36,338	1,612
Auditing	6,500	6,400	100
Banking Fees	150	225	(75)
Contingency	1,856	-	1,856
County Treasurer's Fee	1,544	1,552	(8)
District Management	26,000	26,942	(942)
Dues and Membership	900	695	205
Insurance	8,000	6,938	1,062
Landscaping	42,000	30,881	11,119
Legal	22,000	12,697	9,303
Miscellaneous	1,500	1,075	425
Repairs and Maintenance	5,000	799	4,201
Snow Removal	10,000	4,680	5,320
Irrigation Repairs	10,000	3,584	6,416
Tree care	6,600	-	6,600
Tree/plant replacement	10,000	-	10,000
Utilities	35,000	2,570	32,430
Total Expenditures	<u>225,000</u>	<u>135,376</u>	<u>89,624</u>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	(76,981)	13,435	90,416
<b>OTHER FINANCING SOURCES (USES)</b>			
Developer Advance	81,481	35,000	(46,481)
Total Other Financing Sources (Uses)	<u>81,481</u>	<u>35,000</u>	<u>(46,481)</u>
<b>NET CHANGE IN FUND BALANCE</b>	4,500	48,435	43,935
Fund Balance (Deficit) - Beginning of Year	<u>4,400</u>	<u>(3,922)</u>	<u>(8,322)</u>
<b>FUND BALANCE - END OF YEAR</b>	<u>\$ 8,900</u>	<u>\$ 44,513</u>	<u>\$ 35,613</u>

See accompanying Notes to Basic Financial Statements.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 1 DEFINITION OF REPORTING ENTITY**

SoLa Metropolitan District - Commercial (the District), a quasi-municipal corporation and political subdivision of the state of Colorado, was organized on July 10, 2008, by order and decree of the Boulder County District Court, and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The District's service area is located entirely within the city of Lafayette, in Boulder County, Colorado. The District was organized in conjunction with SoLa Metropolitan District – Institutional District. The Districts collectively will undertake the financing and construction of the public improvements. The Districts operate under a Consolidated Service Plan approved by the city of Lafayette on April 1, 2008, which was amended and restated on May 23, 2017. The District shall have the power to provide the following types of services: finance, design, construction, acquisition, installation, and to the extent necessary, operation and maintenance of services and facilities for street improvements, safety protection, transportation, water, sanitation, and park and recreation services.

The District follows the Governmental Accounting Standards Board (GASB) accounting pronouncements which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB pronouncements set forth the financial accountability of a governmental organization's elected governing body as the basic criterion for including a possible component governmental organization in a primary government's legal entity. Financial accountability includes, but is not limited to, appointment of a voting majority of the organization's governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens and fiscal dependency.

The District is not financially accountable for any other organization, nor is the District a component unit of any other primary governmental entity.

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

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The more significant accounting policies of the District are described as follows:

**Government-Wide and Fund Financial Statements**

The government-wide financial statements include the statement of net position and the statement of activities. These financial statements include all of the activities of the District. The effect of interfund activity has been removed from these statements. Governmental activities are normally supported by taxes and intergovernmental revenues.

The statement of net position reports all financial and capital resources of the District. The difference between the sum of assets and deferred outflows of resources and the sum of liabilities and deferred inflows of resources is reported as net position.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Government-Wide and Fund Financial Statements (Continued)**

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.

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

**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 related cash flows. Depreciation is computed and recorded as an operating expense. Expenditures for property and equipment are shown as increases in assets, and redemption of bonds and notes are recorded as a reduction in liabilities.

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 government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. The major sources of revenue susceptible to accrual are property taxes and specific ownership taxes. All other revenue items are considered to be measurable and available only when cash is received by the District. The District determined that Developer advances are not considered as revenue susceptible to accrual. Expenditures, other than interest on long-term obligations are recorded when the liability is incurred, or the long-term obligation is due.

The District reports the following major governmental funds:

The General Fund is the District's primary operating fund. It accounts for all financial resources of the general government, 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 Capital Projects Fund is used to account for financial resources to be used for the acquisition and construction of capital equipment and facilities.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Budgets**

In accordance with the State Budget Law, the District's Board of Directors holds public hearings in the fall each year to approve the budget and appropriate the funds for the ensuing year. The appropriation is at the total fund expenditures level and lapses at year-end. The District's Board of Directors can modify the budget by line item within the total appropriation without notification. The 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 District has amended its annual budget for the year ended December 31, 2023.

**Pooled Cash and Investments**

The District follows the practice of pooling cash and investments of all funds to maximize investment earnings. Except when required by trust or other agreements, all cash is deposited to and disbursed from a single bank or investment account. Cash in excess of immediate operating requirements is pooled for deposit and investment flexibility. Investment earnings are allocated periodically to the participating funds based upon each fund's average equity balance in the total cash.

**Property Taxes**

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the Board of County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April, at the taxpayer's election, or in equal installments in February and June. Delinquent taxpayers are notified in August and generally sales of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District.

Property taxes, net of estimated uncollectible taxes, are recorded initially as a deferred inflow of resources in the year they are levied and measurable. The deferred property tax revenues are recorded as revenue in the year they are available or collected.

**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. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation.

Capital assets which are anticipated to be conveyed to other governmental entities are recorded as construction in progress and are not included in the calculation of the net investment in capital assets component of the District's net position.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Capital Assets (Continued)**

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend the life of the asset are not capitalized. Improvements are capitalized and depreciated over the remaining useful lives on a straight-line basis, as applicable.

Streets	30 Years
Parks and Trails	25 Years
Detention Pond	50 Years
Landscaping	15 Years

**Deferred Inflows of Resources**

In addition to liabilities, the statement of net position reports 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 and so will not be recognized as an inflow of resources (revenue) until that time. The District has one item that qualifies for reporting in this category. Accordingly, the item, *deferred property tax revenue*, is deferred and recognized as an inflow of resources in the period that the amount becomes available.

**Equity**

**Net Position**

For government-wide presentation purposes when both restricted and unrestricted resources are available for use, it is the District's practice to use restricted resources first, then unrestricted resources as they are needed.

**Fund Balance**

Fund balance for governmental funds should be reported in classifications that comprise a hierarchy based on the extent to which the government is bound to honor constraints on the specific purposes for which spending can occur. Governmental funds report up to five classifications of fund balance: nonspendable, restricted, committed, assigned, and unassigned. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications describe the relative strength of the spending constraints:

*Nonspendable Fund Balance* – The portion of fund balance that cannot be spent because it is either not in spendable form (such as prepaid amounts or inventory) or legally or contractually required to be maintained intact.

*Restricted Fund Balance* – The portion of fund balance that is constrained to being used for a specific purpose by external parties (such as bondholders), constitutional provisions, or enabling legislation.

*Committed Fund Balance* – The portion of fund balance that can only be used for specific purposes pursuant to constraints imposed by 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.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Equity (Continued)**

**Fund Balance (Continued)**

*Assigned Fund Balance* – The portion of fund balance that is constrained by the government’s intent to be used for specific purposes but is neither restricted nor committed. Intent is expressed by the Board of Directors to be used for a specific purpose. Constraints imposed on the use of assigned amounts are more easily removed or modified than those imposed on amounts that are classified as committed.

*Unassigned Fund Balance* – The residual portion of fund balance that does not meet any of the criteria described above.

If more than one classification of fund balance is available for use when an expenditure is incurred, it is the District’s practice to use the most restrictive classification first.

**Deficits**

The Capital Projects Fund reported a deficit of \$13,906 as of December 31, 2023. This deficit is anticipated to be eliminated in 2024 through the receipt of developer advances.

**NOTE 3 CASH AND INVESTMENTS**

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

Statement of Net Position:

Cash and Investments	\$ 36,880
Cash and Investments - Restricted	320,168
Total Cash and Investments	\$ 357,048

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

Deposits with Financial Institutions	\$ 43,573
Investments	313,475
Total Cash and Investments	\$ 357,048

**Deposits with Financial Institutions**

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. Eligibility is determined by state regulators. 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 for all the uninsured public deposits as a group is to be maintained by another institution or held in trust. The market value of the collateral must be at least 102% of the aggregate uninsured deposits.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 3 CASH AND INVESTMENTS (CONTINUED)**

**Deposits with Financial Institutions (Continued)**

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.

On December 31, 2023, the District's cash deposits had a bank balance and a carrying balance of \$43,573.

**Investments**

The District has adopted a formal investment policy which follows the state statutes regarding investments.

The District generally limits its concentration of investments to those noted with an asterisk (\*) below, which are believed to have minimal credit risk, minimal interest rate risk and no foreign currency risk. Additionally, the District is not subject to concentration risk or investment custodial risk disclosure requirements for investments that are in the possession of another party.

Colorado Revised Statutes limit investment maturities to five years or less unless formally approved by the Board of Directors. Such actions are generally associated with a debt service reserve or sinking fund requirements.

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local governments may invest which include:

- . Obligations of the United States, certain U.S. government agency securities and securities of the World Bank
- . General obligation and revenue bonds of U.S. local government entities
- . Certain certificates of participation
- . Certain securities lending agreements
- . Bankers' acceptances of certain banks
- . Commercial paper
- . Written repurchase agreements and certain reverse repurchase agreements collateralized by certain authorized securities
- \* Certain money market funds
- . Guaranteed investment contracts
- . Local government investment pools

**Fair Value Measurement and Application**

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, and Level 3 inputs are significant unobservable inputs. Investments not measured at fair value and not categorized include governmental money market funds (PFM Funds Governmental Select series), money market funds (generally held by Bank Trust Departments in their role as paying agent or trustee), CSAFE (which are recorded at amortized cost), and COLOTRUST (which are recorded at net asset value).

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 3 CASH AND INVESTMENTS (CONTINUED)**

**Fair Value Measurement and Application (Continued)**

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

<u>Investment</u>	<u>Maturity</u>	<u>Amount</u>
Morgan Stanley Institutional Liquidity Fund - Government	Weighted-Average Less than 41 Days	\$ 313,475
		<u>\$ 313,475</u>

**Morgan Stanley Institutional Liquidity Fund - Government**

During 2023, the debt service money and capital project escrow funds were invested in the Morgan Stanley Institutional Liquidity Fund - Government (MSILF Govt). This portfolio is an institutional mutual fund which invests in repurchase agreements, U.S. Government Agency debt, and U.S. Treasury debt with maturities of 41 days or less. The MSILF Govt Fund is rated AAAM by Standard and Poor's and is measured at net asset value.

**NOTE 4 CAPITAL ASSETS**

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

	<u>Balance at December 31, 2022</u>	<u>Increases</u>	<u>Decreases</u>	<u>Balance at December 31, 2023</u>
<b>Governmental Activities:</b>				
Capital Assets, Being Depreciated:				
Streets	\$ 1,925,353	\$ -	\$ -	\$ 1,925,353
Parks and Trails	662,589	-	-	662,589
Landscaping	491,246	-	-	491,246
Detention Pond	142,039	-	-	142,039
Total Capital Assets, Being Depreciated	<u>3,221,227</u>	-	-	<u>3,221,227</u>
Less Accumulated Depreciation				
Streets	320,890	64,178	-	385,068
Parks and Trails	132,520	26,504	-	159,024
Landscaping	156,040	32,750	-	188,790
Detention Pond	14,205	2,841	-	17,046
Total Accumulated Depreciation	<u>623,655</u>	<u>126,273</u>	-	<u>749,928</u>
Total Capital Assets, Being Depreciated, Net	<u>2,597,572</u>	<u>(126,273)</u>	-	<u>2,471,299</u>
Governmental Activities Capital Assets, Net	<u>\$ 2,597,572</u>	<u>\$ (126,273)</u>	<u>\$ -</u>	<u>\$ 2,471,299</u>

On December 31, 2023, depreciation expense was charged to the general government function of the District in the amount of \$126,273.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 5 LONG-TERM OBLIGATIONS**

The District's outstanding long-term obligations on December 31, 2023, were as follows:

	Balance at December 31, 2022	Additions	Reductions	Balance at December 31, 2023	Due Within One Year
<b>Bonds Payable</b>					
Senior Limited Tax Convertible					
Capital Appreciation					
Revenue Bonds Series 2012	\$ 3,820,000	\$ -	\$ 65,000	\$ 3,755,000	\$ 75,000
Subordinate Convertible					
Capital Appreciation					
Revenue Bonds Series 2009B	3,253,892	-	-	3,253,892	425,000
Revenue Bonds Series 2009C	2,885,000	-	-	2,885,000	405,000
Accrued Interest on:					
Series 2009B	3,616,827	689,630	397,617	3,908,840	-
Series 2009C	2,903,029	468,260	-	3,371,289	-
<b>Subtotal Bonds Payable</b>	<b>16,478,748</b>	<b>1,157,890</b>	<b>462,617</b>	<b>17,174,021</b>	<b>905,000</b>
<b>Other Debts</b>					
Developer Advances					
Operating	1,294,329	35,000	-	1,329,329	-
Capital	2,063,941	-	-	2,063,941	-
Accrued Interest on					
Developer Advances:					
Operating	530,044	79,282	-	609,326	-
Capital	1,493,843	165,115	-	1,658,958	-
<b>Subtotal Other Debts</b>	<b>5,382,157</b>	<b>279,397</b>	<b>-</b>	<b>5,661,554</b>	<b>-</b>
<b>Total Long-Term Obligations</b>	<b>\$ 21,860,905</b>	<b>\$ 1,437,287</b>	<b>\$ 462,617</b>	<b>\$ 22,835,575</b>	<b>\$ 905,000</b>

The detail of the District's long-term obligations is as follows:

**\$2,194,600 Subordinate Limited Property Tax Supported Convertible Capital Appreciation Revenue Bonds, Series 2009B, dated November 2, 2009**, with an interest rate of 10.5%. From the date of issuance through December 15, 2013 (the Conversion Date), the bonds were capital appreciation bonds. During this period, the bonds paid no interest and accreted in value at an accretion rate of 10.612%. The original accreted value of the bonds was \$3,325,000. In 2011, \$71,108 was repaid on the bonds, and on the Conversion Date the bonds ceased to be capital appreciation bonds and had a value of \$3,253,892 that automatically converted to current interest bonds. As of December 15, 2013, the bonds were fully accreted. The bonds are subject to redemption prior to maturity, with the consent of the Consent Parties of 100% of the bonds, in integral multiples of \$1,000, in any order of maturity or partial maturities, on any date, upon payment of par plus accrued interest, without redemption premium. The bonds are subject to mandatory sinking fund redemption, in part, by lot, on December 15, 2017, and on each December 15 thereafter.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 5 LONG-TERM OBLIGATIONS (CONTINUED)**

**\$2,098,174 Junior Lien Limited Tax Supported Convertible Capital Appreciation Revenue Bonds, Series 2009C, dated November 2, 2009**, with an interest rate of 8.0%. From the date of issuance through December 15, 2013 (the Conversion Date), the bonds were capital appreciation bonds. During this period, the bonds paid no interest and accreted in value at an accretion rate of 8.037%. On the Conversion Date, the bonds ceased to be capital appreciation bonds and had a value of \$2,885,000 that automatically converted to current interest bonds. As of December 15, 2013, the bonds were fully accreted. The bonds are subject to redemption prior to maturity, with the consent of the Consent Parties of 100% of the bonds, in integral multiples of \$1,000, in any order of maturity or partial maturities, on any date, upon payment of par plus accrued interest, without redemption premium. The bonds are subject to mandatory sinking fund redemption, in part, by lot, on December 15, 2017, and on each December 15 thereafter.

The Series 2009B and Series 2009C Bonds are secured by and payable from the Pledged Revenue, consisting primarily of the following, net of collection costs: 1) the Required Mill Levy, 2) the portion of the Specific Ownership Tax which is collected as a result of the imposition of the Required Mill Levy, and 3) any other legally available monies which the District determines to be treated as Pledged Revenue. Required Mill Levy means an ad valorem mill levy imposed upon all taxable property of the District and the Institutional District each year in an amount sufficient to pay the principal and interest on the bonds as the same become due and payable, which shall not be less than 40 mills and not more than 50 mills.

Additionally, the 2009B and 2009C Bonds are being issued on a basis fully subordinate to any senior bonds issued by the District. Pursuant to the Series 2009B and 2009C Bond Indentures, the District is permitted to issue up to \$8,000,000 in aggregate principal amount of senior bonds (not including refunding) without the consent of the Consent Parties for such bonds.

To the extent principal of the 2009B and 2009C Bonds is not paid when due, such principal will remain outstanding until paid. To the extent interest on the 2009B and 2009C Bonds is not paid when due, such interest will compound on each interest payment date, at the rate then borne by the bonds. The 2009B and 2009C Bonds are not subject to early termination.

The 2009B and 2009C Bonds are not subject to acceleration and no assets have been pledged as collateral on the bonds.

**Events of Default on the 2009B and 2009C Bonds**

Events of default occur if the District fails or refuses to impose the Subordinate Required Mill Levy or the Junior Lien Required Mill Levy or to apply the Pledged Revenue as required by the Series 2009B and Series 2009C Indentures and does not comply with other customary terms and conditions consistent with normal municipal financing as described in the Series 2009B and Series 2009C Indentures.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 5 LONG-TERM OBLIGATIONS (CONTINUED)**

**\$2,098,174 Junior Lien Limited Tax Supported Convertible Capital Appreciation Revenue Bonds, Series 2009C, dated November 2, 2009 (Continued)**

**Events of Default on the 2009B and 2009C Bonds (continued)**

Currently, pledged revenue of the District is not sufficient to pay when due the debt service with respect to the Series 2009B and 2009C Bonds. For so long as the District levies the Maximum Required Mill Levy, the inability of the District to pay the debt service requirements with respect to the Bonds when they come due does not constitute an event of default. On December 31, 2023, the accrued unpaid interest on the Series 2009B is \$3,908,840 and the accrued unpaid interest on the Series 2009C Bonds is \$3,371,289.

**\$3,125,171 Senior Limited Property Tax Supported Convertible Capital Appreciation Revenue Bonds, Series 2012, dated February 3, 2012**, with an interest rate of 8.0%

(Senior Bonds). The District issued its Senior Bonds for the purpose of paying capital costs of public improvements to be constructed by the District. The accreted value of the Series 2012 Bonds was \$3,885,000 upon conversion on December 1, 2014. As of December 1, 2014, the bonds were fully accreted. The Senior Bonds mature on December 1, 2041, and after conversion will accrue interest at a rate of 8.0% per annum. The Senior Bonds are subject to mandatory sinking fund redemption beginning on December 1, 2021. Revenues pledged to the Senior Bonds are revenues derived from: 1) the Senior Mill Levy of not less than 40 mills and not more than 50 mills imposed on taxable property of the District and the Institutional District, 2) specific ownership taxes remitted to the District as a result of the debt service mill levy and 3) any other legally available revenues the District, at its discretion, credits to pay the Senior Bonds.

To the extent principal of the Senior Bonds is not paid when due, such principal will remain outstanding until paid. To the extent interest on the Senior Bonds is not paid when due, such interest will compound on each interest payment date, at the rate then borne by the bonds. The Senior Bonds are not subject to early termination.

The Senior Bonds are not subject to acceleration and no assets have been pledged as collateral on the bonds.

**Events of Default on the Senior Bonds**

Events of default occur if the District fails or refuses to impose the Senior Mill Levy or to apply the Pledged Revenue as required by the Senior Indenture and does not comply with other customary terms and conditions consistent with normal municipal financing as described in the Senior Indenture.

The failure to pay the principal of or the interest on the Senior Bonds when due or to cause the Bond Reserve Fund to be replenished shall not, in and of itself, constitute an Event of Default under the Senior Bonds Indenture if the reason of such failure is an insufficiency of Pledged Revenues.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 5 LONG-TERM OBLIGATIONS (CONTINUED)**

The District's long-term obligations\* will mature as follows:

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2024	\$ 75,000	\$ 300,400	\$ 375,400
2025	85,000	294,400	379,400
2026	95,000	287,600	382,600
2027	105,000	280,000	385,000
2028	120,000	271,600	391,600
2029-2033	815,000	1,192,400	2,007,400
2034-2038	1,325,000	790,800	2,115,800
2039-2041	1,135,000	186,800	1,321,800
Total	<u>\$ 3,755,000</u>	<u>\$ 3,604,000</u>	<u>\$ 7,359,000</u>

\*As a result of the District's inability to pay debt service requirements on the Series 2009B and Series 2009C Bonds, the Debt Service Requirements to Maturity for the Series 2009B and Series 2009C Bonds are not presented here.

**Debt Authorization**

On May 6, 2008, a majority of the qualified electors of the District authorized the issuance of indebtedness in an amount not to exceed \$119,000,000 for general obligation bonds at an interest rate not to exceed 10% per annum. As the 2009B and 2009C Bonds were issued on the same date, as part of the same plan of finance, the two series have been treated as a single issue for federal tax law purposes and for the purpose of the District's electoral authorization. When viewed as a single issue, the combined yield (net effective interest rate) for the bonds is 9.1464% and is therefore, within the 10% maximum net effective interest rate set forth in the election questions.

On May 8, 2012, a majority of the qualified electors of the District authorized the issuance of indebtedness in an amount not to exceed \$276,000,000 for general obligation bonds at an interest rate not to exceed 10% per annum.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 5 LONG-TERM OBLIGATIONS (CONTINUED)**

**Debt Authorization (Continued)**

As of December 31, 2023, the District had authorized but unissued general obligation indebtedness in the following amounts allocated for the following purposes:

<u>Purpose</u>	<u>Amount Authorized 5/6/2008</u>	<u>Amount Authorized 5/8/2012</u>	<u>Total Authorized</u>
Streets	\$ 17,000,000	\$ 23,000,000	\$ 40,000,000
Water	17,000,000	23,000,000	40,000,000
Sanitation	17,000,000	23,000,000	40,000,000
Safety Protection	17,000,000	23,000,000	40,000,000
Public Transportation	17,000,000	23,000,000	40,000,000
Debt Refunding	17,000,000	46,000,000	63,000,000
Intergovernmental Contracts	17,000,000	23,000,000	40,000,000
Parks and Recreation	-	23,000,000	23,000,000
Mosquito Control	-	23,000,000	23,000,000
Fire Protection	-	23,000,000	23,000,000
Television Relay/Translation	-	23,000,000	23,000,000
Total	<u>\$ 119,000,000</u>	<u>\$ 276,000,000</u>	<u>\$ 395,000,000</u>

<u>Purpose</u>	<u>Total Authorized</u>	<u>Amount Used Series 2009B</u>	<u>Amount Used Series 2009C</u>	<u>Amount Used Series 2012</u>	<u>Remaining Authorization 2023</u>
Streets	\$ 40,000,000	\$ 2,017,715	\$ 439,987	\$ 2,809,530	\$ 34,732,768
Water	40,000,000	71,325	579,096	290,641	39,058,938
Sanitation	40,000,000	105,560	1,079,091	25,000	38,790,349
Safety Protection	40,000,000	-	-	-	40,000,000
Public Transportation	40,000,000	-	-	-	40,000,000
Debt Refunding	63,000,000	-	-	-	63,000,000
Intergovernmental Contracts	40,000,000	-	-	-	40,000,000
Parks and Recreation	23,000,000	-	-	-	23,000,000
Mosquito Control	23,000,000	-	-	-	23,000,000
Fire Protection	23,000,000	-	-	-	23,000,000
Television Relay/Translation	23,000,000	-	-	-	23,000,000
Total	<u>\$ 395,000,000</u>	<u>\$ 2,194,600</u>	<u>\$ 2,098,174</u>	<u>\$ 3,125,171</u>	<u>\$ 387,582,055</u>

Pursuant to the Consolidated Service Plan, the District, as well as SoLa Metropolitan District - Institutional, shall not issue debt in excess of \$23,000,000 total aggregate principal amount. The District's maximum mill levy per the Service Plan is 50 mills for debt service for as long as the aggregate debt attributable to the District exceeds 50% of the District's assessed valuation, as adjusted for changes in the ratio of actual value to assessed of property within the District. Additionally, the District's maximum operations mill levy is 20 mills, but the maximum operations mill levy shall be reduced if the District's debt mill levy exceeds 40 mills so that the total of the debt and operations mill levy is limited to 60 mills.

The District has no open Line of Credits.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 5 LONG-TERM OBLIGATIONS (CONTINUED)**

**Developer Advance**

The District has entered into Reimbursement Agreements with the Developer as follows:

**Facilities Funding and Reimbursement Agreement**

On December 20, 2011, the District and SoLa, Inc. (the Developer) entered into the Facilities Funding and Reimbursement Agreement 2011 – 2014, as amended on November 11, 2014, and as amended on November 15, 2017, to extend the term of the Agreement through December 31, 2047, pursuant to which the District agrees to reimburse the Developer for advances made to or on behalf of the District plus interest of 8% compounding annually for costs related to the construction of public improvements and organizational costs of the District and the Institutional District subject to limitations set forth in the Service Plan. As of December 31, 2023, outstanding advances under the agreement totaled \$2,063,941 and accrued interest totaled \$1,658,958.

**Operations Funding Agreement**

On December 20, 2011, the District and the Developer entered into the 2012 – 2018 Operation Funding Agreement, as amended on May 16, 2017, to adjust the interest rate from 8% to 6%, pursuant to which the District agrees to reimburse the Developer for advances made to or on behalf of the District for operations, maintenance, and administrative expenses of the District, including advances made prior to 2012 plus 6% interest per annum until paid.

On September 12, 2022, the District entered into an Operating Reimbursement Agreement that amended, superseded, and replaced in its entirety the 2012 – 2018 Operation Funding Agreement as amended on May 16, 2017. Pursuant to the Operating Reimbursement Agreement, the District agrees to reimburse the Developer for the advances related to the operations, maintenance, and administrative expenses of the District, including all advances made prior to the date of the agreement, plus 6% simple interest per annum (cumulatively, the operating reimbursement amount) until paid or until December 31, 2048, whichever date occurs first. Any portion of the operating reimbursement amount not paid by December 31, 2048, shall be deemed discharged, paid and canceled.

As of December 31, 2023, outstanding advances under the agreement totaled \$1,329,329 and accrued interest totaled \$609,326.

**NOTE 6 NET POSITION**

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

Net investment in capital assets consists of capital assets, net of accumulated depreciation and reduced by the outstanding balances of bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets. As of December 31, 2023, the District had net investment in capital assets calculated as follows:

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 6 NET POSITION (CONTINUED)**

	Governmental Activities
Net Investment in Capital Assets:	
Capital Assets, Net	\$ 2,471,299
Current Portion of Outstanding Long-Term Obligations	(353,140)
Noncurrent Portion of Outstanding Long-Term Obligations	<u>(7,801,051)</u>
Net Investment in Capital Assets	<u>\$ (5,682,892)</u>

The restricted component of net position consists of assets that are restricted for use either externally imposed by creditors, grantors, contributors, or laws and regulations of other governments or imposed by law through constitutional provisions or enabling legislation. As of December 31, 2023, the District had restricted net position of \$292,990 for debt service.

The unrestricted component of net position is the net amount of the assets, deferred outflows of resources, liabilities, and deferred inflows of resources that are not included in the determination of net investment in capital assets or the restricted component of net position.

The District has a deficit in unrestricted net position. The deficit is a result of the District being responsible for the repayment of bonds issued for public improvements which were conveyed to other governmental entities and which costs were removed from the District's financial records.

**NOTE 7 RELATED PARTY**

The Developer of the property which constitutes the District is SoLa, Inc. Certain members of the board of directors are employees of, owners of, or otherwise associated with the Developer and may have conflicts of interest in dealing with the District.

**NOTE 8 ECONOMIC DEPENDENCY**

The District has not yet established a revenue base sufficient to pay operational expenditures. Until an independent revenue base is established, continuation of operations in the District will be dependent upon funding by the Developer.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
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**NOTE 9 AGREEMENTS**

**Facilities Funding, Construction, and Operations Agreement**

On December 20, 2011, the District and SoLa Metropolitan District - Institutional (the Institutional District) entered into the SoLa Metropolitan District - Commercial and SoLa Metropolitan District - Institutional Facilities Funding, Construction and Operations Agreement establishing certain expectations as to the financing, construction, operation and maintenance of improvements as contemplated in the Service Plan of the Districts for the purpose of providing, in a timely and coordinated fashion, essential services within the Districts. Pursuant to this agreement, the District is designated as the Management District and agrees to provide: 1) project administration services (generally comprised of contracting for and supervising the acquisition, construction, operation and maintenance of public improvements), and 2) district administration services (including, but not limited to, serving as the depository for district records, coordinating board meetings, filing notices, preparing financial reports and budgets, and coordinating legal, accounting, management, engineering and other professional services) for both Districts. Pursuant to this agreement, the Institutional District agrees to impose a mill levy to pay its share of the costs of such services, at a rate determined annually in accordance with the procedures set forth in the agreement, and to remit the revenues therefrom to the District.

**Senior Capital Pledge Agreement**

On January 1, 2012, the District and the Institutional District entered into the Senior Capital Pledge Agreement pursuant to which each District pledged to impose the Senior Mill Levy for payment of its share of debt service on the Senior Bonds.

**SoLa Subdivision Agreement**

The District has provided its consent to the Agreement: SoLa Subdivision/SoLa Subdivision SID dated January 21, 2012, by and between the city of Lafayette, Colorado and the Developer, which anticipates that the District will issue bonds to pay for completion of certain specified public improvements required under this agreement and sets forth a schedule for financing and completion of the same. On April 12, 2012, the District funded a City Escrow account in the amount of \$1,414,106 to pay for improvements required under this agreement. The Developers contributed additional amounts of \$54,505 in 2014 and \$85,500 in 2017. As of December 31, 2023, the District has incurred expenditures in the amount of \$1,553,492 under this agreement. On December 31, 2023, the balance in this account was \$958, which includes \$339 of interest earnings.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
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**NOTE 9 AGREEMENTS (CONTINUED)**

**Development Agreement – Murphy Public Improvements**

The District and the city of Lafayette (the City) entered into a Development Agreement with Murphy Oil USA, Inc. (Murphy) on December 16, 2013, establishing that the District shall construct certain city public improvements that must be completed prior to the City's willingness to grant a certificate of occupancy for any buildings constructed on Lot 2C, Filing 1 (the Property). In connection with this agreement, the District is required to establish an escrow account in the amount equal to 125% of the estimated improvement costs. The District deposited \$150,841 to the escrow account held with Land Title Guarantee Company. If and when the City initially accepts any of the Murphy Public Improvements, the City shall have the Escrow Agent transfer to the District any remaining funds in the escrow account, less the minimum warranty amount, which is 10% of the estimated costs of the improvements. There is a three-year warranty period on the improvements, and once expired, the balance of any remaining funds in the escrow account will be returned to the District. On December 31, 2023, the balance in this account was \$6,867.

**Copper Stone Fee Payment Agreement**

On April 1, 2018, the District and SoLa Metropolitan District - Institutional (the Institutional District) entered into an agreement with Copper Stone Apartments, LLC, an entity exempt from property taxation, for the purpose of collecting a District Fee in substitution of a payment in lieu of taxes (PILOT). The annual amount of the District Fee is set forth in the agreement and is reasonably calculated in an amount estimated to be equal the revenue that would be derived from the annual Debt Service Mill Levy and the Operations Mill Levy imposed by the Institutional District. The agreement is effective commencing in tax collection year 2018 through tax collection year 2033. In 2023, the District recognized \$150,976 in revenue related to the agreement.

**Lafayette Traditions Fee Payment Agreement**

On June 4, 2020, the District and SoLa Metropolitan District - Institutional (the Institutional District) entered into an agreement with Lafayette Traditions Apartments, LLC, an entity exempt from property taxation, for the purpose of collecting a District Fee in substitution of a payment in lieu of taxes (PILOT). The annual amount of the District Fee is set forth in the agreement and is reasonably calculated in an amount estimated to be equal the revenue that would be derived from the annual Debt Service Mill Levy and the Operations Mill Levy imposed by the Institutional District. The agreement is effective commencing in tax collection year 2020 through tax collection year 2035. In 2023, the District recognized \$74,700 in revenue related to the agreement.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
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**NOTE 10 RISK MANAGEMENT**

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

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

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

**NOTE 11 TAX, SPENDING, AND DEBT LIMITATIONS**

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

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.

On May 6, 2008, District voters passed an election question to initially increase property taxes by \$35,000 annually for the first full fiscal year and then by the additional amounts that are raised annually thereafter by the imposition of an ad valorem property tax levy of 20 mills to pay the District's operational and maintenance costs, without regard to any limitation under TABOR. Additionally, on May 8, 2012, District voters passed an election question to increase property taxes annually by up to \$23,000,000 without regard to any limitations under TABOR or Section 29-1-301, Colorado Revised Statutes with no mill levy limitation. However, the District's Consolidated Service Plan limits the District's operations mill levy to 20.000 mills.

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.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

**NOTE 11 TAX, SPENDING, AND DEBT LIMITATIONS (CONTINUED)**

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.

## **SUPPLEMENTARY INFORMATION**

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
DEBT SERVICE FUND  
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL  
YEAR ENDED DECEMBER 31, 2023**

	Budget		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
<b>REVENUES</b>				
Property Taxes	\$ 514,819	\$ 515,504	\$ 515,504	\$ -
Specific Ownership Taxes	20,593	23,651	23,651	-
Fee Revenue - Copper Stone	125,813	125,813	125,813	-
Fee Revenue - Lafayette Traditions	62,250	62,250	62,250	-
Interest Income	4,675	30,736	30,736	-
Other revenue	5,233	-	-	-
Intergovernmental Revenue	16,617	16,721	16,721	-
Total Revenues	<u>750,000</u>	<u>774,675</u>	<u>774,675</u>	<u>-</u>
<b>EXPENDITURES</b>				
County Treasurer's Fee	7,722	7,760	7,760	-
Paying Agent Fees	4,000	5,000	5,000	-
Bond Interest - Series 2009B	365,770	397,617	397,617	-
Bond Interest - Series 2012	305,600	305,600	305,600	-
Bond Principal - Series 2012	65,000	65,000	65,000	-
Contingency	1,908	-	-	-
Total Expenditures	<u>750,000</u>	<u>780,977</u>	<u>780,977</u>	<u>-</u>
<b>NET CHANGE IN FUND BALANCE</b>	-	(6,302)	(6,302)	-
Fund Balance - Beginning of Year	<u>312,517</u>	<u>324,324</u>	<u>324,324</u>	<u>-</u>
<b>FUND BALANCE - END OF YEAR</b>	<u><u>\$ 312,517</u></u>	<u><u>\$ 318,022</u></u>	<u><u>\$ 318,022</u></u>	<u><u>\$ -</u></u>

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
CAPITAL PROJECTS FUND  
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL  
YEAR ENDED DECEMBER 31, 2023**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
<b>REVENUES</b>			
Interest Income	\$ -	\$ 40	\$ 40
Total Revenues	<u>-</u>	<u>40</u>	<u>40</u>
<b>EXPENDITURES</b>			
Total Expenditures	<u>-</u>	<u>-</u>	<u>-</u>
<b>NET CHANGE IN FUND BALANCE</b>	-	40	40
Fund Balance (Deficit) - Beginning of Year	<u>-</u>	<u>(13,946)</u>	<u>(13,946)</u>
<b>FUND BALANCE (DEFICIT) - END OF YEAR</b>	<u><u>\$ -</u></u>	<u><u>\$ (13,906)</u></u>	<u><u>\$ (13,906)</u></u>

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY  
DECEMBER 31, 2023**

\$3,125,171 Series 2012  
Senior Limited Property Tax  
Supported Convertible Capital  
Appreciation Revenue Bonds  
Conversion Date 12/1/2014  
Principal at Conversion \$3,885,000  
Interest Rate 8.0%  
Interest and Principal  
Payable December 1

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2024	\$ 75,000	\$ 300,400	\$ 375,400
2025	85,000	294,400	379,400
2026	95,000	287,600	382,600
2027	105,000	280,000	385,000
2028	120,000	271,600	391,600
2029	130,000	262,000	392,000
2030	150,000	251,600	401,600
2031	160,000	239,600	399,600
2032	180,000	226,800	406,800
2033	195,000	212,400	407,400
2034	220,000	196,800	416,800
2035	240,000	179,200	419,200
2036	265,000	160,000	425,000
2037	285,000	138,800	423,800
2038	315,000	116,000	431,000
2039	345,000	90,800	435,800
2040	380,000	63,200	443,200
2041	410,000	32,800	442,800
Total	<u>\$ 3,755,000</u>	<u>\$ 3,604,000</u>	<u>\$ 7,359,000</u>

\*As a result of the District's inability to pay the debt service requirements on the Series 2009B and Series 2009C Bonds, the Debt Service Requirements to Maturity for the Series 2009B and Series 2009C Bonds are not presented here. For additional information on the long-term obligations of the District, see Note 5.

**SOLA METROPOLITAN DISTRICT - COMMERCIAL  
SCHEDULE OF ASSESSED VALUATION, MILL LEVY, AND PROPERTY TAXES COLLECTED  
DECEMBER 31, 2023**

Year Ended December 31,	Prior Year Assessed Valuation for Current Year Property Tax Levy	Total Mills Levied		Total Property Taxes		Percent Collected to Levied
		General Operations	Debt Service	Levied	Collected	
2019	\$ 8,149,117	10.053	50.000	\$ 489,379	\$ 489,155	99.95 %
2020	10,111,311	10.000	50.000	606,679	583,733	96.22
2021	10,379,255	10.000	50.000	622,756	621,867	99.86
2022	10,336,286	10.000	50.000	620,177	622,335	100.35
2023	10,296,376	10.000	50.000	617,783	618,629	100.14
Estimated for the Year Ending December 31, 2024	\$ 8,413,756	16.811	50.000	\$ 562,131	-	

NOTE: Property taxes collected in any one year include collection of delinquent property taxes assessed in prior years, as well as reductions for property tax refunds or abatements. Information received from the County Treasurer does not permit identification of specific year of assessment.

Source: Boulder County Assessor and Treasurer.