APPLICATION FOR EXEMPTION FROM AUDIT

SHORT FORM

IF EITHER REVENUES OR EXPENDITURES EXCEED $100,000, USE THE **LONG FORM.**

Under the Local Government Audit Law (Section 29-1-601, et seq., C.R.S.) any local government may apply for an exemption from audit if neither revenues nor expenditures exceed $750,000 in the year.

EXEMPTIONS FROM AUDIT ARE NOT AUTOMATIC

To qualify for exemption from audit, a local government must complete an Application for Exemption from Audit EACH YEAR and submit it to the Office of the State Auditor (OSA).

Any preparer of an Application for Exemption from Audit-SHORT FORM must be a person skilled in governmental accounting.

Approval for an exemption from audit is granted only upon the review by the OSA.

READ ALL INSTRUCTIONS BEFORE COMPLETING AND SUBMITTING THIS FORM

ALL APPLICATIONS MUST BE FILED WITH THE OSA WITHIN 3 MONTHS AFTER THE ACCOUNTING YEAR-END.

FOR EXAMPLE, APPLICATIONS MUST BE RECEIVED BY THE OSA ON OR BEFORE MARCH 31 FOR GOVERNMENTS WITH A DECEMBER 31 YEAR-END.

GOVERNMENTAL ACTIVITY SHOULD BE REPORTED ON THE MODIFIED ACCRUAL BASIS
PROPRIETARY ACTIVITY SHOULD BE REPORTED ON A BUDGETARY BASIS

POSTMARK DATES WILL NOT BE ACCEPTED AS PROOF OF SUBMISSION ON OR BEFORE THE STATUTORY DEADLINE

PRIOR YEAR FORMS ARE OBSOLETE AND WILL NOT BE ACCEPTED.
APPLICATIONS SUBMITTED ON FORMS OTHER THAN THOSE PRESCRIBED BY THE OSA WILL NOT BE ACCEPTED.

APPLICATIONS MUST BE FULLY AND ACCURATELY COMPLETED.

FOR YOUR REFERENCE, COLORADO REVISED STATUTES CAN BE FOUND AT:

http://www.lexisnexis.com/hottopics/Colorado/

CHECKLIST

- ☑ Has the preparer signed the application?
- ☑ Has the entity corrected all Prior Year Deficiencies as communicated by the OSA?
- ☑ Has the application been PERSONALLY reviewed and approved by the governing body?
- ☑ Did you include any relevant explanations for unusual items in the appropriate spaces at the end of each section?
- ☑ Will this application be submitted electronically?
  - ☐ If yes, have you read and understand the new Electronic Signature Policy? See new policy -> here

  --or--

  - ☑ If yes, have you included a resolution?
  - ☑ Does the resolution state that the governing body PERSONALLY reviewed and approved the resolution in an open public meeting?
  - ☑ Has the resolution been signed by a MAJORITY of the governing body? (See sample resolution.)
- ☐ Will this application be submitted via a mail service? (e.g. US Post Office, FedEx, UPS, courier.)
  - ☐ If yes, does the application include ORIGINAL INK SIGNATURES from the MAJORITY of the governing body?

FILING METHODS

NEW METHOD! Register and submit your Applications at our new portal!

WEB PORTAL: **https://apps.leg.co.gov/osa/lg**

MAIL: **Office of the State Auditor**
Local Government Audit Division
1525 Sherman St., 7th Floor
Denver, CO 80203

QUESTIONS? **Email: osa.lg@coleg.gov OR Phone: 303-869-3000**

IMPORTANT!

All Applications for Exemption from Audit are subject to review and approval by the Office of the State Auditor.

Governmental Activity should be reported on the Modified Accrual Basis

Proprietary Activity should be reported on the Cash or Budgetary Basis

Failure to file an application or denial of the request could cause the local government to lose its exemption from audit for that year and the ensuing year.

In that event, AN AUDIT SHALL BE REQUIRED.

APPLICATION FOR EXEMPTION FROM AUDIT

SHORT FORM

NAME OF GOVERNMENT	**Roberts 81 Business Improvement District**	For the Year Ended
ADDRESS	**c/o Spencer Fane LLP**	12/31/22
	1700 Lincoln Street, Suite 2000	or fiscal year ended:
	Denver, CO 80203	
CONTACT PERSON	**Russell W. Dykstra**	
PHONE	**(303) 839-3800**	
EMAIL	kstahl@spencerfane.com	

PART 1 - CERTIFICATION OF PREPARER

I certify that I am skilled in governmental accounting and that the information in the application is complete and accurate, to the best of my knowledge.

NAME:	Katie Stahl
TITLE	Paralegal
FIRM NAME (if applicable)	Spencer Fane LLP
ADDRESS	1700 Lincoln Street, Suite 2000, Denver, Colorado 80203
PHONE	(303) 839-3800
DATE PREPARED	11/22/2023

PREPARER (SIGNATURE REQUIRED)

	GOVERNMENTAL (MODIFIED ACCRUAL BASIS)	PROPRIETARY (CASH OR BUDGETARY BASIS)
Please indicate whether the following financial information is recorded using Governmental or Proprietary fund types	☑	☐

PART 2 - REVENUE

REVENUE: All revenues for all funds must be reflected in this section, including proceeds from the sale of the government's land, building, and equipment, and proceeds from debt or lease transactions. Financial information will not include fund equity information.

Line#	Description			Round to nearest Dollar	Please use this space to provide any necessary explanations
2-1	Taxes:	Property	(report mills levied in Question 10-6)	$ -	
2-2		Specific ownership		$ -	
2-3		Sales and use		$ -	
2-4		Other (specify):		$ -	
2-5	Licenses and permits			$ -	
2-6	Intergovernmental:	Grants		$ -	
2-7		Conservation Trust Funds (Lottery)		$ -	
2-8		Highway Users Tax Funds (HUTF)		$ -	
2-9		Other (specify):		$ -	
2-10	Charges for services			$ -	
2-11	Fines and forfeits			$ -	
2-12	Special assessments			$ -	
2-13	Investment income			$ -	
2-14	Charges for utility services			$ -	
2-15	Debt proceeds		(should agree with line 4-4, column 2)	$ -	
2-16	Lease proceeds			$ -	
2-17	Developer Advances received		(should agree with line 4-4)	$ -	
2-18	Proceeds from sale of capital assets			$ -	
2-19	Fire and police pension			$ -	
2-20	Donations			$ -	
2-21	Other (specify):			$ -	
2-22				$ -	
2-23				$ -	
2-24	(add lines 2-1 through 2-23)		TOTAL REVENUE	$ -	

PART 3 - EXPENDITURES/EXPENSES

EXPENDITURES: All expenditures for all funds must be reflected in this section, including the purchase of capital assets and principal and interest payments on long-term debt. Financial information will not include fund equity information.

Line#	Description		Round to nearest Dollar	Please use this space to provide any necessary explanations
3-1	Administrative		$ -	
3-2	Salaries		$ -	
3-3	Payroll taxes		$ -	
3-4	Contract services		$ -	
3-5	Employee benefits		$ -	
3-6	Insurance		$ -	
3-7	Accounting and legal fees		$ -	
3-8	Repair and maintenance		$ -	
3-9	Supplies		$ -	
3-10	Utilities and telephone		$ -	
3-11	Fire/Police		$ -	
3-12	Streets and highways		$ -	
3-13	Public health		$ -	
3-14	Capital outlay		$ -	
3-15	Utility operations		$ -	
3-16	Culture and recreation		$ -	
3-17	Debt service principal	(should agree with Part 4)	$ -	
3-18	Debt service interest		$ -	
3-19	Repayment of Developer Advance Principal	(should agree with line 4-4)	$ -	
3-20	Repayment of Developer Advance Interest		$ -	
3-21	Contribution to pension plan	(should agree to line 7-2)	$ -	
3-22	Contribution to Fire & Police Pension Assoc.	(should agree to line 7-2)	$ -	
3-23	Other (specify):			
3-24			$ -	
3-25			$ -	
3-26	(add lines 3-1 through 3-24)	TOTAL EXPENDITURES/EXPENSES	$ -	

If TOTAL REVENUE (Line 2-24) or TOTAL EXPENDITURES (Line 3-26) are GREATER than $100,000 - STOP. You may not use this form. Please use the "Application for Exemption from Audit - LONG FORM".

PART 4 - DEBT OUTSTANDING, ISSUED, AND RETIRED

Please answer the following questions by marking the appropriate boxes.		Yes	No
4-1	Does the entity have outstanding debt? If Yes, please attach a copy of the entity's Debt Repayment Schedule.	☐	☐
4-2	Is the debt repayment schedule attached? If no, MUST explain:	☐	☐
4-3	Is the entity current in its debt service payments? If no, MUST explain:	☐	☐

4-4

Please complete the following debt schedule, if applicable: (please only include principal amounts)(enter all amount as positive numbers)	Outstanding at end of prior year*	Issued during year	Retired during year	Outstanding at year-end
General obligation bonds	$ -	$ -	$ -	$ -
Revenue bonds	$ -	$ -	$ -	$ -
Notes/Loans	$ -	$ -	$ -	$ -
Lease Liabilities	$ -	$ -	$ -	$ -
Developer Advances	$ -	$ -	$ -	$ -
Other (specify):	$ -	$ -	$ -	$ -
TOTAL	$ -	$ -	$ -	$ -

*must tie to prior year ending balance

	Please answer the following questions by marking the appropriate boxes.		Yes	No
4-5	Does the entity have any authorized, but unissued, debt?		☑	☐
If yes:	How much?	$ 30,000,000.00		
	Date the debt was authorized:	11/6/2018		
4-6	Does the entity intend to issue debt within the next calendar year?		☐	☐
If yes:	How much?	$ -		
4-7	Does the entity have debt that has been refinanced that it is still responsible for?		☐	☐
If yes:	What is the amount outstanding?	$ -		
4-8	Does the entity have any lease agreements?		☐	☐
If yes:	What is being leased?			
	What is the original date of the lease?			
	Number of years of lease?			
	Is the lease subject to annual appropriation?		☐	☐
	What are the annual lease payments?	$ -		

Please use this space to provide any explanations or comments:

PART 5 - CASH AND INVESTMENTS

	Please provide the entity's cash deposit and investment balances.	Amount	Total
5-1	YEAR-END Total of ALL Checking and Savings Accounts	$ -	
5-2	Certificates of deposit	$ -	
	Total Cash Deposits		$ -
	Investments (if investment is a mutual fund, please list underlying investments):		
5-3		$ -	
		$ -	
		$ -	
		$ -	
	Total Investments		$ -
	Total Cash and Investments		$ -

	Please answer the following questions by marking in the appropriate boxes	Yes	No	N/A
5-4	Are the entity's Investments legal in accordance with Section 24-75-601, et. seq., C.R.S.?	☐	☐	☐
5-5	Are the entity's deposits in an eligible (Public Deposit Protection Act) public depository (Section 11-10.5-101, et seq. C.R.S.)?	☐	☐	☐

If no, MUST use this space to provide any explanations:

PART 6 - CAPITAL AND RIGHT-TO-USE ASSETS

Please answer the following questions by marking in the appropriate boxes.

		Yes	No
6-1	Does the entity have capital assets?	☐	☐
6-2	Has the entity performed an annual inventory of capital assets in accordance with Section 29-1-506, C.R.S.,? If no, MUST explain:	☐	☐

6-3

Complete the following capital & right-to-use assets table:	Balance - beginning of the year*	Additions (Must be included in Part 3)	Deletions	Year-End Balance
Land	$ -	$ -	$ -	$ -
Buildings	$ -	$ -	$ -	$ -
Machinery and equipment	$ -	$ -	$ -	$ -
Furniture and fixtures	$ -	$ -	$ -	$ -
Infrastructure	$ -	$ -	$ -	$ -
Construction In Progress (CIP)	$ -	$ -	$ -	$ -
Leased Right-to-Use Assets	$ -	$ -	$ -	$ -
Other (explain):	$ -	$ -	$ -	$ -
Accumulated Depreciation/Amortization (Please enter a negative, or credit, balance)	$ -	$ -	$ -	$ -
TOTAL	$ -	$ -	$ -	$ -

Please use this space to provide any explanations or comments:

PART 7 - PENSION INFORMATION

Please answer the following questions by marking in the appropriate boxes.

		Yes	No
7-1	Does the entity have an "old hire" firefighters' pension plan?	☐	☑
7-2	Does the entity have a volunteer firefighters' pension plan?	☐	☑

If yes: Who administers the plan?

Indicate the contributions from:

Tax (property, SO, sales, etc.):	$ -
State contribution amount:	$ -
Other (gifts, donations, etc.):	$ -
TOTAL	$ -

What is the monthly benefit paid for 20 years of service per retiree as of Jan 1? $ -

Please use this space to provide any explanations or comments:

PART 8 - BUDGET INFORMATION

Please answer the following questions by marking in the appropriate boxes.

		Yes	No	N/A
8-1	Did the entity file a budget with the Department of Local Affairs for the current year in accordance with Section 29-1-113 C.R.S.?	☐	☐	☐
8-2	Did the entity pass an appropriations resolution, in accordance with Section 29-1-108 C.R.S.? If no, MUST explain:	☐	☑	☐

If yes: Please indicate the amount budgeted for each fund for the year reported:

Governmental/Proprietary Fund Name	Total Appropriations By Fund
General Fund	$ 50,000

PART 9 - TAXPAYER'S BILL OF RIGHTS (TABOR)

	Please answer the following question by marking in the appropriate box	Yes	No
9-1	**Is the entity in compliance with all the provisions of TABOR [State Constitution, Article X, Section 20(5)]?** Note: An election to exempt the government from the spending limitations of TABOR does not exempt the government from the 3 percent emergency reserve requirement. All governments should determine if they meet this requirement of TABOR.	☑	☐

If no, MUST explain:

PART 10 - GENERAL INFORMATION

	Please answer the following questions by marking in the appropriate boxes.	Yes	No
10-1	**Is this application for a newly formed governmental entity?**	☐	☑
If yes:	**Date of formation:**		
10-2	**Has the entity changed its name in the past or current year?**	☐	☑
If yes:	**Please list the NEW name & PRIOR name:**		
10-3	**Is the entity a metropolitan district?** **Please indicate what services the entity provides:**	☐	☑
10-4	**Does the entity have an agreement with another government to provide services?**	☐	☑
If yes:	**List the name of the other governmental entity and the services provided:**		
10-5	**Has the district filed a *Title 32, Article 1 Special District Notice of Inactive Status* during**	☐	☑
If yes:	**Date Filed:**		
10-6	**Does the entity have a certified Mill Levy?**	☐	☑
If yes:	**Please provide the following mills levied for the year reported (do not report $ amounts):**		

Bond Redemption mills	-
General/Other mills	-
Total mills	-

Please use this space to provide any explanations or comments:

PART 11 - GOVERNING BODY APPROVAL

	Please answer the following question by marking in the appropriate box	YES	NO
12-1	If you plan to submit this form electronically, have you read the new Electronic Signature Policy?	☐	☐

Office of the State Auditor — Local Government Division - Exemption Form Electronic Signatures Policy and Procedure

Policy - Requirements

The Office of the State Auditor Local Government Audit Division may accept an electronic submission of an application for exemption from audit that includes governing board signatures obtained through a program such as Docusign or Echosign. Required elements and safeguards are as follows:

• The preparer of the application is responsible for obtaining board signatures that comply with the requirement in Section 29-1-604 (3), C.R.S., that states the application shall be personally reviewed, approved, and signed by a majority of the members of the governing body.
• The application must be accompanied by the signature history document created by the electronic signature software. The signature history document must show when the document was created and when the document was emailed to the various parties, and include the dates the individual board members signed the document. The signature history must also show the individuals' email addresses and IP address.
• Office of the State Auditor staff will not coordinate obtaining signatures.

The application for exemption from audit form created by our office includes a section for governing body approval. Local governing boards note their approval and submit the application through one of the following three methods:
1) Submit the application in hard copy via the US Mail including original signatures.
2) Submit the application electronically via email and either,
a. Include a copy of an adopted resolution that documents formal approval by the Board, **or**
b. Include electronic signatures obtained through a software program such as Docusign or Echosign in accordance with the requirements noted above.

	Print the names of ALL members of current governing body below.	A MAJORITY of the members of the governing body must complete and sign in the column below.
Board Member 1	Print Board Member's Name Steven Klecka	I Steven Klecka, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed________________________________ Date:____________________ My term Expires: 2025
Board Member 2	Print Board Member's Name Janet Roberts	I Janet Roberts, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Janet L Roberts Signed________________________________ Date:____________________ My term Expires: 2027
Board Member 3	Print Board Member's Name Mary Dilka	I Mary Dilka, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed Mary Dilka________________ Date:____________________ My term Expires: 2027
Board Member 4	Print Board Member's Name	I _____________________________, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed________________________________ Date:____________________ My term Expires:_____________________
Board Member 5	Print Board Member's Name	I _____________________________, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed________________________________ Date:____________________ My term Expires:_____________________
Board Member 6	Print Board Member's Name	I _____________________________, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed________________________________ Date:____________________ My term Expires:_____________________
Board Member 7	Print Board Member's Name	I _____________________________, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed________________________________ Date:____________________ My term Expires:_____________________

RESOLUTION APPROVING THE EXEMPTION FROM AUDIT
FOR FISCAL YEAR 2022 FOR THE
ROBERTS 81 BUSINESS IMPROVEMENT DISTRICT

(revenues or expenditures did not exceed $100,000)
(Pursuant to Section 29-1-604, C.R.S.)

WHEREAS, the Board of Directors of the Roberts 81 Business Improvement District (the "District") wishes to claim exemption from the audit requirements of Section 29-1-603, C.R.S.; and

WHEREAS, Section 29-1-604, C.R.S., states that any local government where neither revenues nor expenditures exceed seven hundred and fifty thousand dollars may, with the approval of the State Auditor, be exempt from the provisions of Section 29-1-603, C.R.S.; and

WHEREAS, neither revenues nor expenditures for the District exceeded $100,000 for fiscal year 2021; and

WHEREAS, an application for exemption from audit for the District has been prepared by a person skilled in governmental accounting; and

WHEREAS, said application for exemption from audit has been completed in accordance with regulations issued by the State Auditor.

NOW THEREFORE, be it resolved by the Board of Directors of the Roberts 81 Business Improvement District that the application for exemption from audit for the District for the fiscal year ended December 31, 2022, has been personally reviewed and is hereby approved by a majority of the Board of Directors of the District; that those members of the Board have signified their approval by signing below; and that this resolution shall be attached to, and shall become a part of the application for exemption from audit of the District for fiscal year ended December 31, 2022.

ADOPTED this 22nd day of November, 2023.

ROBERTS 81 BUSINESS IMPROVEMENT DISTRICT

By: ______________________
President

ATTEST:

Janet L. Roberts

____
Secretary

Board Member Name	Term Expires	Signature
STEVEN KLECKA	2025	
JANET ROBERTS	2027	Janet L. Roberts
MARY DILKA	2027	Mary Dilka

citrix | RightSignature

SIGNATURE CERTIFICATE

REFERENCE NUMBER
C2D7251A-FABA-42AF-95F5-FEF3ED6619CB

TRANSACTION DETAILS

Reference Number
C2D7251A-FABA-42AF-95F5-FEF3ED6619CB

Transaction Type
Signature Request

Sent At
11/22/2023 10:52 EST

Executed At
11/22/2023 12:05 EST

Identity Method
email

Distribution Method
email

Signed Checksum
d7879e06a63a41f8f8d2099ae1cfb9dc02963ab7b75d0d76029a7a2d0c189a18

Signer Sequencing
Disabled

Document Passcode
Disabled

DOCUMENT DETAILS

Document Name
R81BID - 2022 Audit Exemption - Signatures Needed

Filename
R81BID_-_2022_Audit_Exemption_-_Short_Form_8370113_1_.pdf

Pages
10 pages

Content Type
application/pdf

File Size
185 KB

Original Checksum
e0b4bf187f62f5fd8a584a041c00f0c93bf5eb8cc9a62421c707e351265da278

SIGNERS

SIGNER	E-SIGNATURE	EVENTS
Name Janet Roberts **Email** jlrwiggins@wigginstel.com **Components** 3	**Status** signed **Multi-factor Digital Fingerprint Checksum** 8124d5931a35b02b64a17c629afdacd07cb648ac45fc80ad5f991e0c9a61d320 **IP Address** 174.34.231.30 **Device** Chrome via Windows **Drawn Signature** **Signature Reference ID** CE41E2B8 **Signature Biometric Count** 9	**Viewed At** 11/22/2023 12:04 EST **Identity Authenticated At** 11/22/2023 12:05 EST **Signed At** 11/22/2023 12:05 EST
Name Mary Dilka **Email** mdilka@wigginstel.com **Components** 2	**Status** signed **Multi-factor Digital Fingerprint Checksum** 67e3f90c0b2d20d06ea366f5f1ed7a5ce418210c1bdbaa59dd9e9a24733d78c0 **IP Address** 192.174.24.124 **Device** Mobile Safari via iOS **Drawn Signature** **Signature Reference ID** 069D2719 **Signature Biometric Count** 9	**Viewed At** 11/22/2023 11:17 EST **Identity Authenticated At** 11/22/2023 11:18 EST **Signed At** 11/22/2023 11:18 EST

SIGNER	E-SIGNATURE	EVENTS
Name Steve Klecka **Email** steve.klecka@gmail.com **Components** 3	**Status** signed **Multi-factor Digital Fingerprint Checksum** 96c0b5b0c02ef39dac628a611714feb957465ebf13ca7779217ee6261123972f **IP Address** 137.83.96.43 **Device** Mobile Safari via iOS **Drawn Signature**  **Signature Reference ID** 04AD1D95 **Signature Biometric Count** 3	**Viewed At** 11/22/2023 11:11 EST **Identity Authenticated At** 11/22/2023 11:12 EST **Signed At** 11/22/2023 11:12 EST
Name Katie Stahl **Email** kstahl@spencerfane.com **Components** 1	**Status** signed **Multi-factor Digital Fingerprint Checksum** 50ffb51e0a91c67895138ef2fdc4b81c8706a8421efba6e77cfa015c256655dd **IP Address** 98.245.195.180 **Device** Chrome via Windows **Drawn Signature**  **Signature Reference ID** 55A58E90 **Signature Biometric Count** 3	**Viewed At** 11/22/2023 10:52 EST **Identity Authenticated At** 11/22/2023 10:53 EST **Signed At** 11/22/2023 10:53 EST

AUDITS

TIMESTAMP	AUDIT
11/22/2023 10:52 EST	Katie Stahl (kstahl@spencerfane.com) created document 'R81BID_-_2022_Audit_Exemption_-_Short_Form_8370113_1_.pdf' on Chrome via Windows from 98.245.195.180.
11/22/2023 10:52 EST	Katie Stahl (kstahl@spencerfane.com) was emailed a link to sign.
11/22/2023 10:52 EST	Janet Roberts (jlrwiggins@wigginstel.com) was emailed a link to sign.
11/22/2023 10:52 EST	Mary Dilka (mdilka@wigginstel.com) was emailed a link to sign.
11/22/2023 10:52 EST	Steve Klecka (steve.klecka@gmail.com) was emailed a link to sign.
11/22/2023 10:52 EST	Katie Stahl (kstahl@spencerfane.com) viewed the document on Chrome via Windows from 98.245.195.180.
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