

RESOLUTION
ADOPTING BUDGET, APPROPRIATING FUNDS AND CERTIFYING MILL LEVIES
FOR THE CALENDAR YEAR 2024

Conifer Metropolitan District, Jefferson County, Colorado (the “**District**”), held a regular meeting via teleconference on November 16, 2023 at 1:00pm.

Prior to the meeting, the Receiver was notified of the date, time, and place of the budget meeting and the purpose for which it was called, and a notice of the meeting was posted or published in accordance with § 29-1-106, C.R.S.

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NOTICE AS TO PROPOSED 2024 BUDGET

The Denver Post, LLC

PUBLISHER'S AFFIDAVIT

City and County of Denver)
State of Colorado)

The undersigned Nicole Maestas being first duly sworn under oath, states and affirms as follows:

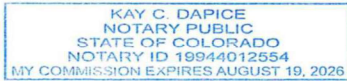
- 1. He/she is the legal Advertising Reviewer of The Denver Post, LLC, publisher of The Denver Post and Your Hub.
2. The Denver Post and Your Hub are newspapers of general circulation that have been published continuously and without interruption for at least fifty-two weeks in Denver County and meet the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in Your Hub for West Jeffco (including the counties of Jefferson, Arapahoe, Arvada, Denver, Lakewood, Gilpin, Clear Creek, and Westminster) on the following date(s):

October 12, 2023

Nicole Maestas
Signature

Subscribed and sworn to before me this 13 day of October, 2023.

Kay C. Dapice
Notary Public



(SEAL)

NOTICE OF PUBLIC HEARING ON THE PROPOSED 2024 BUDGET AND NOTICE OF PUBLIC HEARING ON THE AMENDED 2023 BUDGET

The Receiver appointed to act on behalf of the Board of Directors (the "Board") of the CONIFER METROPOLITAN DISTRICT (the "District"), will hold a public hearing at via teleconference on Thursday, November 16, 2023, at 1:00p, to consider adoption of the District's proposed 2024 budget (the "Proposed Budget"), and, if necessary, adoption of an amendment to the 2023 budget (the "Amended Budget").

The Proposed Budget and Amended Budget are available for inspection by the public at the offices of White Bear Ankele Tanaka and Waldron, 2154 E. Commons Ave., Suite 2000, Centennial, CO 80122.

BY ORDER OF THE RECEIVER ON BEHALF OF THE BOARD OF DIRECTORS: CONIFER METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado /s/ WHITE BEAR ANKELE TANAKA & WALDRON Attorneys at Law

Published in: Lakewood Your Hub
Published on: October 12, 2023

WHEREAS, on January 5, 2016, the District Court in and for Jefferson County, Colorado, entered an order for case 2015CV32176 (the “**Receiver Order**”) appointing Edward B. Cordes as the operating receiver for the District; and

WHEREAS, on August 22, 2019 the District Court in and for Jefferson County, Colorado granted the Motion for Substitution of Receiver and Custodian for the District (the “**Amended Receiver Order**”) appointing Michael L. Staheli as the Receiver (the “**Receiver**”) for the District and removing and releasing Edward B. Cordes from his duties; and

WHEREAS, pursuant to the Receiver Order and Amended Receiver Order, the Receiver is responsible for the management, operation and protection of the District and its assets during the pendency of the receivership action; and

WHEREAS, the Receiver Order grants to the Receiver, *inter alia*, the right to exercise all of the powers of the District, through or in place of its Board, to the extent necessary to manage the affairs of the receivership estate, including, but not limited to, the authority to adopt resolutions regarding the administration of the District; and

WHEREAS, the Receiver Order remains in effect as of the date hereof; and

WHEREAS, the Receiver has designated the District’s accountant to prepare and submit a proposed budget to in accordance with Colorado law; and

WHEREAS, the proposed budget has been submitted to the Receiver for review and consideration; and

WHEREAS, upon due and proper notice, provided in accordance with Colorado law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held and interested electors were given the opportunity to register their protest to the proposed budget prior to the adoption of the budget by the Receiver.

NOW, THEREFORE, BE IT RESOLVED BY THE RECEIVER AS FOLLOWS:

Section 1. Adoption of Budget. The budget attached hereto and incorporated herein is approved and adopted as the budget of the District for fiscal year 2024. In the event of recertification of values by the County Assessor’s Office after the date of adoption hereof, staff is hereby directed to modify and/or adjust the budget and certification to reflect the recertification without the need for additional Receiver authorization. Any such modification to the budget or certification as contemplated by this Section 1 shall be deemed ratified by the Receiver.

Section 2. Levy for General Operating Expenses. For the purpose of meeting all general operating expenses of the District during the 2024 budget year, there is hereby levied a tax of 00.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 3. Levy for Debt Service Obligations. For the purposes of meeting all debt service obligations of the District during the 2024 budget year, there is hereby levied a tax of 50.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 4. Levy for Contractual Obligation Expenses. For the purposes of meeting all contractual obligations of the District during the 2024 budget year, there is hereby levied a tax of 00.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 5. Levy for Capital Project Expenses. For the purposes of meeting all capital project obligations of the District during the 2024 budget year, there is hereby levied a tax of 00.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 6. Mill Levy Adjustment. When developing the attached budget, consideration was given to any changes in the method of calculating assessed valuation, including any changes to the assessment ratios, or any constitutionally mandated tax credit, cut or abatement, as authorized in the District's service plan. The Receiver hereby determines in good faith (such determination to be binding and final), that to the extent possible, the adjustments to the mill levies made to account for changes in Colorado law described in the prior sentence, and the actual tax revenues generated by the mill levies, are neither diminished nor enhanced as a result of those changes.

Section 7. Certification to County Commissioners. The Receiver directs its legal counsel, manager, accountant or other designee to certify to the Board of County Commissioners of Jefferson County, Colorado the mill levies for the District as set forth herein. Such certification shall be in compliance with the requirements of Colorado law.

Section 8. Appropriations. The amounts set forth as expenditures in the budget attached hereto are hereby appropriated.

Section 9. Filing of Budget and Budget Message. The Receiver hereby directs its legal counsel, manager or other designee to file a certified copy of the adopted budget resolution, the budget and budget message with the Division of Local Government by January 30 of the ensuing year.

Section 10. Budget Certification. The budget shall be certified by a member of the District, or a person appointed by the District, and made a part of the public records of the District.

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ADOPTED NOVEMBER 16, 2023.

DISTRICT:

CONIFER METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

By: 
Receiver

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law


General Counsel to the District

STATE OF COLORADO
COUNTY OF JEFFERSON
CONIFER METROPOLITAN DISTRICT

I hereby certify that the foregoing resolution constitutes a true and correct copy of the record of proceedings of the District adopted by the Receiver at a District meeting held at via teleconference on Thursday, November 16, 2023, as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 16th day of November, 2023.


Signature

EXHIBIT A
BUDGET DOCUMENT
BUDGET MESSAGE

Conifer Metropolitan District
5299 DTC Blvd., Suite 600
Greenwood Village, CO 80111
(303) 721-8755 • Fax (303) 721-7769

**CONIFER METROPOLITAN DISTRICT
BUDGET MESSAGE
2024 BUDGET
January 5, 2024**

SUMMARY OF SIGNIFICANT ASSUMPTIONS

The adopted Budget of the Conifer Metropolitan District (“District”) for the year ending December 31, 2024, has been prepared using modified accrual method of accounting.

History & Services Provided

The District was formed in 2004 and began activities in 2005. The District activities in 2005 and 2006 were comprised primarily of infrastructure construction in the Conifer Town Center retail center. Beginning in late 2006 the District began operations of a Water and Wastewater Enterprise Fund. Following the completion of infrastructure, the District’s sole activity has been the provision of potable water to customers located within the District’s boundaries and the operation of a wastewater treatment plant for the properties located within the District and those properties that are a member of the Conifer Sanitation Association (“CSA”), located to the southeast of the District.

In late 2015, the owner of the District’s Series 2005 and Series 2006 General Obligation Bonds (Limited Tax Convertible to Unlimited Tax) (“Bonds”) issued by the District filed a complaint against the District in Jefferson County District Court (Case No. 2015CV32176) related to default of debt covenants and moved to have a receiver appointed to take over the administration of the District in place of the developer-controlled Board of Directors. On January 5, 2016, the Court appointed Edward B. Cordes as Receiver. Due to health reasons, Cordes was replaced by Michael L. Staheli on August 22, 2019. A copy of the order that appointed the Receiver is available to the District’s customers upon request.

Under the direction of the Receiver, the District is currently being managed by staff members of Cordes & Company, Inc. All correspondence related to the district beginning on February 1, 2024 should be directed to the following address: Conifer Metropolitan District c/o Cordes & Company, 7979 E. Tufts Avenue, Suite 820, Denver, CO 80237. Alternatively, feel free to contact Mike Staheli of Cordes & Company for additional information at (303) 796-1130 or at mstaheli@cordesco.com.

The Receiver will continue to operate the water and sewage treatment facilities of the District provided sufficient funds are available. The Receiver has continued to employ the following historic consultants and contractors to maintain continuity of water and wastewater services to the District’s customers:

Consultant	Description of Services
AquaWorks DBO	Systems engineering, water quality and discharge compliance advisory
Jehn Water Consultants	Water rights compliance, well monitoring and state reporting
Colorado Water Systems	Day to day operation and maintenance of water and wastewater systems
M & M Consultants, LLC	Certified Operator of wastewater collection, treatment and disposal systems and potable water systems
Haynie & Company	Auditor for 2022 Financial Statements

Budgeted 2024 Revenue Sources

General Fund: Sources of revenues for the General Fund come from two primary sources – the consent of the Bondholder to use its restricted funds and funds transferred from the Enterprise Fund. In addition, the General Fund also collects the uniform sales tax proceeds on all retail sales within District boundaries, approved by vote in November 2018. Such funds used for, or held in reserve for, transportation related expenses.

Debt Service Fund: Revenues for this fund are derived from real property and ownership taxes and earnings on invested funds. The taxable value of real property in the District in 2023 (received in 2024) has been set at \$6,521,319 by the Jefferson County Assessor’s Office.

Water and Wastewater Fund: Sources of revenue for 2024 will be charges for water and wastewater treatment services and administrative fees. Service fee revenue estimates are based on an assumption that customers within the District require 3.7 million gallons of water and wastewater and that the extraterritorial customer Conifer Sanitation Association (CSA) sends the District 2.5 million gallons of wastewater for treatment. 2024 service fees are being increased three percent (3.0%) over 2023 rate levels. In 2024, the District will continue to collect capital reserve fees from customers for water and wastewater treatment facilities and systems.

Project Fund: none

Budgeted 2024 Expenditures

General Fund: Expenditures in the General Fund consist of \$155,000 of administrative expenses of the District, including the Receiver's management fees, CMD's legal counsel and the annual auditing expenses. In addition, we anticipate incurring approximately \$35,000 in transportation related expenses, such as maintenance of improvements contained within the public and private road rights of way. The remainder of the estimated funds collected from the sales tax levy are held in reserve for future transportation related expenses.

Debt Service Fund: Debt service fund expenditures are comprised of fees and expenses of the Bond indenture trustee, debt service payments and transfers of funds to the District's General Fund with the consent of the Bonds owner. By agreement, the use of all Debt Service Funds is restricted for the payment of District Bond obligations. Nevertheless, in 2023, the owner of the bonds consented for the Receiver's use of a budgeted \$75,000 of such funds for the purposes of funding fees and expenses of the Receiver, legal expenses and emergency repairs to the District's systems. The consents were evidenced by executed Consent and Waiver of Owner with Respect to the Conifer Metropolitan District Series 2005 Bonds and Series 2006 Bonds forms. The 2024 budget reflects the consent of the bond owner to the use of \$78,000 for the same purposes in 2024.

Water and Wastewater Fund: The budgeted expenditures are those required to operate the water and wastewater facility. Operation and maintenance of the treatment plants will be provided by independent contractors M&M Consults LLC and Colorado Water Systems. In addition to general operating expenses of the water and wastewater treatment facilities, the District incurred \$41,373 in capital expenditures in 2023 for replacement of water and wastewater components. The District has a schedule of anticipated capital expenditures of \$100,000 in 2024, assembled by the District Manager, the District operators and AquaWorks DBO.

Project Fund: none

Conifer Metropolitan District
Adopted Budget Statements
Final 2023 Budget & 2024 Budget
General Fund

	Actual 2022	Adopted Budget 2023	Final YE 2023	Variance	2024 Budget
Revenue and Other Financing Sources					
Sales Tax Revenue	\$ 132,601	\$ 110,000	\$ 146,428	\$ 36,428	\$ 150,000
Reimbursement Revenue				-	
Transfer from Debt Fund	72,000	75,000	75,000	-	78,000
Transfer from Project Fund	-			-	
Transfer from Enterprise Fund	41,000	45,000	18,000	(27,000)	42,000
Total	245,601	230,000	239,428	9,428	270,000
Expenditures					
Legal fees	36,633	27,000	19,999	(7,001)	30,000
Accounting & Audit Fees	7,400	9,000	8,200	(800)	10,000
Consulting fees				-	
Mgmt Fees (incl Receiver)	71,779	82,000	62,823	(19,177)	78,000
Bank fees and miscellaneous	12	-	3	3	-
Admin supplies/dues & subscriptions	622	2,000	823	(1,177)	2,000
Insurance				-	
Debt Service				-	
Interest				-	
Transportation Expenses	11,858	25,000	35,606	10,606	35,000
Transportation Reserve	120,743	85,000	110,821	25,821	115,000
Miscellaneous			900	900	
Total	249,047	230,000	239,176	9,176	270,000
Revenue Over (Under) Expenses	(3,446)	-	252	252	-
Fund Balances Beginning of Year	237,691	302,003	302,003		
Fund Balances End of Year	302,003	302,003	302,255		

Conifer Metropolitan District
Adopted Budget Statements
Final 2023 Budget & 2024 Budget
Debt Service Fund

	Actual 2021	Adopted Budget 2023	Final YE 2023	Variance	2024 Budget
Unit Statistics					
Est. Assessed Valuation	6,538,779	6,227,893			6,521,319
Millevy		50			50
Revenue					
Real property taxes	\$ 326,776	\$ 299,506	\$ 299,131	(375)	\$ 326,000
Real property taxes Interest				-	
Specific owners taxes	25,662	14,000	21,435	7,435	21,000
Interest earned	3,044	-	0	0	
Capitalized interest				-	
Transfer from Project Fund		-		-	
Total	355,482	313,506	320,567	7,061	347,000
Expenditures					
Investment and trustee fees	3,650	3,500	3,650	150	3,750
Bond principal				-	
Bond interest	440,000	229,000	229,000	-	260,000
Bond discount				-	
Bond issuance costs				-	
Supplemental interest				-	
Treasurer's fees	4,947	5,000	4,487	(513)	4,600
Transfer to General Fund	75,912	75,000	75,000	-	78,000
Transfer to Enterprise Fund	-			-	
Other		1,000		(1,000)	650
Total	524,509	313,500	312,137	(1,363)	347,000
Revenue Over (Under) Expenditures					
	(169,028)	6	8,430	8,424	-
Fund Balances Beginning of Year					
	672,459	503,431	503,431		
Fund Balances End of Year					
	503,431	503,436	511,860		

Conifer Metropolitan District
Adopted Budget Statements
Final 2023 Budget & 2024 Budget
Enterprise Fund - Water and Wastewater

	Actual 2022	Adopted Budget 2023	Final YE 2023	Variance	2024 Budget
Unit Statistics					
W&S Gal Metered (1,000 gallons)	2,510	3,100	3,746	646	3,700
CSA Sewer Treated (1,000 gallons)	2,114	2,500	2,510	10	2,500
Avg Fees/Gal Metered - Water	\$ 15.22	\$ 16.74			\$ 17.24
Avg Fees/Gal Metered - Sewer	45.64	50.20			\$ 51.71
Avg Water Service Charge	3.84	4.00			\$ 4.12
Avg Sewer Service Charge	3.84	4.00			\$ 4.12
Avg WW Capital Res Assessment	9.47	10.42			\$ 10.73
Avg WW Capital Res Assessment (in-District)	2.06	2.50			\$ 2.58
Avg Water Capital Res Assessment	7.51	8.26			\$ 8.51
Revenue					
Water Usage Charge	\$ 48,053	\$ 51,900	\$ 61,161	\$ 9,261	\$ 64,000
Wastewater Usage Charge	255,565	281,100	328,418	47,318	\$ 321,000
Admin Fee - In-District Customers	49,409	50,500	59,913	9,413	61,000
Admin Fee - Out-of-District Customers	9,380	9,700	11,633	1,933	12,000
Pro rata ELC Monitoring	9,243	9,000	8,532	(468)	9,500
Reserve Replacement Fees				-	
Waste Water Capital Reserve Fees	53,025	58,400	68,167	9,767	\$ 67,000
In District Waste Water Capital Reserve Fee	6,504	7,800	9,072	1,272	\$ 10,000
Water Capital Reserve Fee	23,709	25,600	30,179	4,579	\$ 31,000
Reimburseable Expenses	3,538	5,000	1,440	(3,560)	5,000
Transfer from Debt Service Fund	-			-	
Chg / Fees - Finance	624	-	718	718	
Misc. Income	139	1,000	-	(1,000)	1,000
Total Revenues	459,190	500,000	579,234	79,234	581,500
Operations & Repairs/Maint					
Water/well monitoring	21,655	24,500	22,530	(1,970)	26,000
Maintenance & repairs				-	
Legal fees - Water Rights / Augmentation	7,522	10,000	10,271	271	10,000
Insurance	32,465	31,900	39,927	8,027	42,000
Supplies	3,513	4,100	6,488	2,388	8,000
Chemical fees	12,680	16,700	23,843	7,143	25,000
Service Operations	75,311	82,200	109,103	26,903	115,000
Maintenance and repair parts	33,935	25,000	28,369	3,369	30,000
Supplies -Bulk Water				-	
Sludge Haul	38,903	40,000	48,602	8,602	50,000
Trash Services	893	1,200	999	(201)	1,500
Snow Removal	-	3,500	-	(3,500)	-
Lab test	11,240	12,000	12,304	304	12,000
Consulting Services	16,134	15,000	19,438	4,438	20,000
Admin supplies				-	
Water Right Expense	2,473	5,000	2,364	(2,636)	4,000
Utilities	59,750	70,000	63,533	(6,467)	70,000
Phones	2,874	3,000	2,297	(703)	3,600
Fees/Permits	1,443	4,000	1,443	(2,557)	4,000

**Conifer Metropolitan District
 Adopted Budget Statements
 Final 2023 Budget & 2024 Budget
 Enterprise Fund - Water and Wastewater**

	Actual 2022	Adopted Budget 2023	Final YE 2023	Variance	2024 Budget
Reimbursed Expenses	2,688	5,000	555	(4,445)	5,000
Transfer to General Fund	41,000	45,000	18,000	(27,000)	42,000
Miscellaneous / Bad Debts	-	10,000	-	(10,000)	5,000
Subtotal Operating Expenses	364,479	408,100	410,064	1,964	473,100
Capital Improvements					
Water Capital Expense	34,842	50,000	-	(50,000)	50,000
Water Cap Imp Exp Res Acct	(11,133)	(24,400)	30,179	54,579	(19,000)
WW Capital Expense (General)	76,779	35,000	41,373	6,373	50,000
WW Capital Reserve (General)	(23,754)	23,400	26,795	3,395	17,000
WW Capital Expense (In-District)	5,338	5,000	-	(5,000)	-
WW Capital Reserve (In-District)	1,166	2,800	9,072	6,272	10,000
Subtotal Capital Improvements	83,238	91,800	107,418	15,618	108,000
Total Operating & Capital Expenses	447,717	499,900	517,483	17,583	581,100
Excessive (Deficient) Funds	11,473	100	61,751	61,651	400