

## **WOODMEN HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2 and 3**

### **Board Meetings**

**Wednesday, September 1, 2021 – 1:00 p.m.**

119 N. Wahsatch Avenue

Colorado Springs, Colorado 80903

And

*Due to the threat posed by the COVID-19 coronavirus, this meeting will also be held via video-teleconferencing and can be joined through the directions below:*

<https://global.gotomeeting.com/join/726448573>

United States: [+1 \(408\) 650-3123](tel:+14086503123)

**Access Code:** 726-448-573

Lindsay J. Case, **President** - Term to May 2023

Les Krohnfeldt, **Vice-President/Treasurer** - Term to May 2022

Randle W. Case, II, **Assistant Secretary** - Term to May 2023

James Morley, **Secretary** - Term to May 2023

Kyle Geditz, **Assistant Secretary** - Term to May 2022

### **AGENDA**

1. Call to order
2. Declaration of Quorum/ Director Qualifications/ Disclosure Matters
3. Approval of Agenda
4. Approval of the August 4, 2021 Meeting Minutes
5. District No. 1 Hearing on Inclusion Petition; Inclusion Resolution
  - a. Jet Stream Development parcel
6. Consider adoption of 2020 Amended Budget for Districts 1, 2, and 3 per audit recommendation
7. District Manager Report
  - a. Park Update and Review
  - b. Black Forest Road Construction
8. Developer Updates
9. Public Comment (for items not already on the agenda)
10. Legal Matters
  - a. Review of 2021 legislative session and impacts on Special Districts
  - b. Consider adoption of Resolution allowing meetings electronic
11. Other Business
  - a. Consider Approval of Unaudited Financial Statements and Payables - see attached
  - b. Next Regular Meeting Date – Scheduled for October 6, 2021 at 1:00 P.M.
12. Adjourn

Regular Meetings are the 1<sup>st</sup> Wednesday of each month at 1:00 p.m. as needed

## NOTICE OF SPECIAL MEETINGS

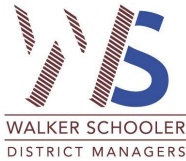
NOTICE IS HEREBY GIVEN That the Boards of Directors of **WOODMEN HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2 and 3**, City of Colorado Springs, County of El Paso, State of Colorado, will hold their regular meetings at 1:00 p.m. on Wednesday, the 1st day of September, 2021 at 119 N. Wahsatch Ave, in Colorado Springs, Colorado, and via tele/videoconference <https://global.gotomeeting.com/join/726448573> or dial [+1 \(408\) 650-3123](tel:+14086503123)  
**Access Code:** 726-448- 573 for the purpose of conducting such business as may come before the Boards including the business on the attached agenda. Regular meetings for 2021 are on the first Wednesday of every month at 119 N. Wahsatch Ave, in Colorado Springs, Colorado, in Colorado Springs, Colorado, so long as there is business to conduct. The regular meetings may be canceled. Please call (719) 447-1777 for meeting confirmation and information.

The meeting is open to the public.

BY ORDER OF THE BOARDS OF DIRECTORS:

WOODMEN HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2  
AND 3





**MINUTES OF SPECIAL MEETINGS  
OF THE BOARDS OF DIRECTORS OF THE  
WOODMEN HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2 and 3  
AUGUST 4, 2021 AT 1:00 P.M.**

Pursuant to posted notice, the joint meeting of the Boards of Directors of the Woodmen Heights Metropolitan District Nos. 1, 2 and 3 was held on Wednesday, August 4, 2021 at 1:00 p.m., at 119 Wahsatch Avenue, Colorado Springs, Colorado 80903, and via video and telephone conference.

In attendance were Directors:

Lindsay Case, President (Excused)  
Les Krohnfeldt, Vice President/Treasurer (via phone)  
Randle W. Case II, Asst. Secretary  
James Morley, Secretary (via phone)  
Kyle Geditz, Asst. Secretary (via phone)

Also in attendance were:

Kevin Walker, WSDM  
K. Sean Allen, Esq., White Bear Ankele Tanaka & Waldron (via phone)  
Braden Hammond, BiggsKofford (via phone)

Combined Meeting:

The Boards of Directors of the Districts have determined to hold a joint meeting of the Districts and to prepare joint minutes of actions taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes shall be deemed to be the action of all Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

1. Call to Order:

The meeting was called to order at 1:03 p.m. by Director Case II.

2. Declaration of Quorum/Director Qualifications/Disclosure Matters:

Director Case II indicated that a quorum of the Boards was present and stated that each Director has been qualified as an eligible elector of the Districts pursuant to Colorado law. The Directors confirmed their qualification. Mr. Allen advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Walker reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards 72 hours prior to the meeting, in accordance with Colorado law, and

those disclosures were acknowledged by the Board. Mr. Allen inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

3. Approval of the Agenda: Mr. Walker requested to discuss two items under District Manager Report, discussion on signs for a school, and discussion on the southeast corner of Marksheffel and Woodmen. The Board approved the Agenda.
4. Approval of the June 2, 2021 Board Meeting Minutes: Director Morley moved to approve the June 2, 2021 Board Meeting Minutes as presented; seconded by Director Krohnfeldt. Motion passed unanimously.
5. Acceptance of Audit of Financial Statements for 2020: Mr. Walker noted the 2020 Audit of Financial Statements have been reviewed by Mr. Allen and distributed to the Board. Director Geditz moved to accept the Audit of Financial Statements for 2020; seconded by Director Morley. Mr. Hammond noted he will file the extension for the Audit and pointed out the additional line item on the financial statements due to the bonds being defeased. He confirmed there will be no compliance issues. Motion passed unanimously. Mr. Hammond left the meeting.
6. Review and Approval of:
  - a. Amendment to the District Facilities Construction and Service Agreement: Mr. Allen explained the Amendment to the District Facilities Construction and Service Agreement and noted the old master IGA is no longer needed because it has been taken care of via the Capital Pledge Agreement between Districts 2 and 3 with the most recent bond issuance late last year. Director Geditz moved to amend the District Facilities Construction and Service Agreement; seconded by Director Krohnfeldt. Motion passed unanimously.
  - b. Termination of the District Facilities Construction and Service Agreement: Director Krohnfeldt moved to terminate the District Facilities Construction and Service Agreement; seconded by Director Geditz. Motion passed unanimously.
  - c. Approval of District Coordinating Services Agreement: Director Geditz moved to approve the District Coordinating Services Agreement; seconded by Director Krohnfeldt. Motion passed unanimously.
7. District Manager Report
  - a. Park Update and Review: Mr. Walker updated the Board on the park and presented the review of the park concept plan that was submitted to the City of Colorado Springs for approval. The District will go before the Park Board in September with final approval in October and then final design can begin.
  - b. Black Forest Road Construction: Mr. Walker reported the project has been slow to start but the District is continuing coordination and there are no recent updates.

- c. Quail Brush Creek HOA/District No. 2 Conveyance Agreement: Mr. Walker reported the District will maintain all of Quail Brush Creek. Quail Brush Creek HOA is still working through their process to hand over the property to the District.
  - d. Signs for a school: Mr. Walker reported the Grand Peak School would like to put up a 4 x 8 sign at the corner of Cowpoke and Black Forest on District property. Mr. Walker told them that they needed approval from the City first and then guidelines will need to be created. The Board discussed approving the sign with guidelines for the school but not opening it up for all commercial in the area to put up signage.
  - e. Southeast corner of Marksheffel and Woodmen Discussion: Mr. Walker discussed the 34 acres at the southeast corner of Marksheffel and Woodmen that is seeking approval from the City for an apartment complex and commercial pads. He noted standard maintenance will be done for the area including maintenance of the water quality ponds.
8. Developer Updates: Mr. Walker reported that Aspen View is moving forward with their residential developments. Director Geditz reported they are hoping to be done with the two commercial plats in Filing 2 and 3 in August at the Shiloh Mesa commercial on the northeast corner of Marksheffel and Woodmen. Director Morley reported that Sterling Ranch is doing well but they are struggling to get approvals at the County in a timely manner.
9. Public Comment: There was no public comment.
10. Other Business
- a. Review and consider:
    - i. Authorization to pay utility and stormwater fees via automatic payment with review of all invoices by the Board Treasurer: Director Morley moved to approve the authorization to pay utility and stormwater fees via automatic payment with review of all invoices by the Board Treasurer; seconded by Director Geditz. Motion passed unanimously.
    - ii. Adoption of Bill.com for payment of District ongoing expenses: After review, Director Geditz moved to approve the adoption of Bill.com for payment of District ongoing expenses; seconded by Director Morley. Motion passed unanimously.
  - b. Consider Approval of Unaudited Financial Statements and Payables: After review, Director Krohnfeldt moved to approve the unaudited financial statements and payables; seconded by Director Geditz. Motion passed unanimously.
  - c. Next Regular Meeting Date – Scheduled for September 1, 2021 at 1:00 P.M.: The Board agreed to meet on the next regular meeting date.
12. Adjournment: The Board adjourned the meeting at 1:43 p.m.

Respectfully Submitted,

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By: Kristina Kulick for the Recording Secretary



**PETITION FOR INCLUSION OF PROPERTY**

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TO: THE BOARD OF DIRECTORS OF THE  
WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 1,  
CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

Pursuant to the provisions of §§ 32-1-401, *et seq.*, C.R.S., **JET STREAM DEVELOPMENT II, LLC**, a Colorado limited liability company, (the “**Petitioner**”) hereby respectfully requests that the **WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 1** (the “**District**”), by and through its Board of Directors, include the real property described in **Exhibit A**, attached hereto and incorporated herein by this reference (the “**Property**”), into the boundaries of the District.

The Petitioner hereby represents and warrants to the District that it is the one hundred percent (100%) fee owner of the Property and that no other person, persons, entity or entities own an interest therein except as beneficial holders of encumbrances, if any. The Petitioner hereby assents to the inclusion of the Property into the boundaries of the District and to the entry of an Order by the District Court in and for El Paso County, including the Property into the boundaries of the District.

The Petitioner hereby acknowledges that, without the consent of the Board of Directors of the District, it cannot withdraw its Petition once the notice of the public hearing on the Petition has been published.

The name and address of the Petitioner is as follows:


Jet Stream Development, LLC  
16022 Fox Mesa Ct.  
Monument, CO 80132

***Remainder of page intentionally left blank. Signature page follows.***



**PETITIONER:**

JET STREAM DEVELOPMENT II, LLC, a  
Colorado limited liability company

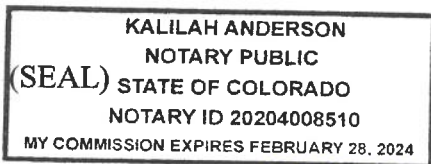
  
\_\_\_\_\_  
Printed Name: Kyle Geditz

Title: Manager

STATE OF COLORADO )  
 ) ss.  
COUNTY OF El Paso )

The above and foregoing instrument was acknowledged before me this 15 day of April, 2020, by Kyle Geditz, as manager of Jet Stream Development, LLC

WITNESS my hand and official seal.



  
\_\_\_\_\_  
Notary Public

My commission expires: 2/28/24

*Signature Page to Petition for Inclusion of Real Property  
Woodmen Heights Metro District 1*

**EXHIBIT A  
(The Property)**

**Tract A, Shiloh Mesa Commercial Filing No. 1 located in the Southwest Quarter of Section 4, Township 13 South, Range 65 West of the Sixth Principal Meridian, City of Colorado Springs, County of El Paso, State of Colorado as recorded at Reception Number 221714706 in the records of the Clerk and Recorder of El Paso County, Colorado.**

# El Paso County - Community: Property Search

Schedule Number: 5304309004





**WOODMEN HEIGHTS METROPOLITAN DISTRICT  
2020 AMENDED BUDGET AND 2021 BUDGET  
DISTRICT 1 - GENERAL FUND**

	2019 BUDGET	2020 ACTUAL	2020 AMENDED OCTOBER 2020	2020 AMENDED AUGUST 2021	2020 BUDGET	2021 BUDGET
<b>\$5,000/ACRE PLATTING FEE (55 Acres)</b>	84,265.00	360,600.00	360,600.00	360,600.00	275,000.00	275,000.00
<b>\$500/ACRE PLATTING FEE-PARK</b>	11,904.00	36,060.00	36,060.00	36,060.00	27,500.00	27,500.00
<b>\$1,700/ACRE CITY FEE FOR PARKS</b>	40,473.60	121,907.00	121,907.00	121,907.00	93,500.00	93,500.00
<b>\$500/ACRE CITY FEE FOR BRIDGE</b>	11,904.00	35,855.00	35,855.00	35,855.00	27,500.00	27,500.00
<b>TOTAL CREDITS GIVEN FOR TIER DEBT</b>	34,775.00					
	2019 BUDGET	2020 ACTUAL	2020 AMENDED OCTOBER 2020	2020 AMENDED AUGUST 2021	2020 BUDGET	2021 BUDGET
<b>GENERAL FUND BEGINNING BALANCE</b>	250,696.52	375,720.84	375,720.84	375,720.84	261,006.95	489,110.59
REVENUES						
PLATTING FEES	423,500.00	554,422.00	554,422.00	554,422.00	1,023,500.00	423,500.00
O&M MILL LEVY						100.00
COST RECOVERIES						
DRAINAGE CREDITS- SOLD						
INTEREST INCOME		266.80	266.80	266.80		
O&M MILL LEVY (10) - DISTRICT 2	504,547.22	-	-	-	673,881.46	
O&M MILL LEVY (10) - DISTRICT 3	25,055.31	-	-	-	35,470.80	
TRANSFER IN FROM DISTRICT 2		671,709.77	677,122.06	677,122.06	673,881.46	20,000.00
TRANSFER IN FROM DISTRICT 3		32,948.94	37,434.60	37,434.60	37,371.70	-
TOTAL REVENUES	953,102.53	1,259,347.51	1,269,245.46	1,269,245.46	2,444,105.42	443,600.00
TOTAL REVENUE & FUND BALANCE	1,203,799.05	1,635,068.35	1,644,966.30	1,644,966.30	2,705,112.37	932,710.59
EXPENDITURES						
O&M DISTRICT 2 (landscaping, utilities, snow removal )	100,000.00	262,196.27	390,000.00	390,000.00	350,000.00	-
O&M DISTRICT 2 (landscape maintenance - EAST)	160,000.00					
O&M DISTRICT 3 (landscaping, utilities, snow removal)	-					
BOARD OF DIRECTORS FEE	3,000.00	3,300.00	3,800.00	3,800.00	3,000.00	3,000.00
CAPITAL EXPENDITURES	100,000.00				700,000.00	-
DISTRICT MANAGEMENT/ACCOUNTING	108,000.00	80,000.00	120,000.00	120,000.00	120,000.00	24,000.00
OFFICE/POSTAGE	1,000.00	140.60	250.00	250.00	500.00	500.00
AUDIT	16,000.00	16,526.00	16,526.00	16,526.00	16,500.00	6,000.00
GENERAL LIABILITY INSURANCE	20,000.00	13,523.20	25,000.00	25,000.00	25,000.00	3,000.00
SDA DUES	2,000.00	3,435.44	4,000.00	4,000.00	4,000.00	1,000.00
LEGAL	60,000.00	19,900.00	30,000.00	30,000.00	60,000.00	10,000.00
ELECTIONS					10,000.00	-
STORM WATER FEES	12,000.00	5,229.30	7,000.00	7,000.00	6,000.00	-
TREASURER'S FEES	7,559.04	-	-	10,148.00	10,141.75	-
BANK SERVICE CHARGES	200.00		25.00	25.00	200.00	200.00
REPAY DEVELOPER ADVANCES/OLD VENDORS	423,500.00	553,585.70	553,585.70	553,585.70	423,500.00	302,500.00
CONTINGENCY	185,540.01				261,918.35	200,000.00
MISCELLANEOUS/ENGINEERING	5,000.00	5,669.01	5,669.01	5,669.01	5,000.00	
TOTAL EXPENDITURES	1,203,799.05	963,505.52	1,155,855.71	1,166,003.71	1,995,760.10	550,200.00
<b>ENDING FUND BALANCE</b>	<b>(0.00)</b>	<b>671,562.83</b>	<b>489,110.59</b>	<b>478,962.59</b>	<b>709,352.27</b>	<b>382,510.59</b>
3% EMERGENGY RESERVE	36,113.97	28,905.17	34,675.67	34,980.11	59,872.80	16,506.00

**WOODMEN HEIGHTS METROPOLITAN DISTRICT  
2020 AMENDED BUDGET AND 2021 BUDGET  
DISTRICT 1 - SERIES 2012A AND 2012B BONDS FUND**

	2019 BUDGET	2020 ACTUAL	2020 AMENDED OCTOBER 2020	2020 AMENDED AUGUST 2021	2020 BUDGET	2021 BUDGET
<b>REVENUE FUNDS BEGINNING BALANCE</b>	<b>5,885,393.00</b>		<b>3,145.00</b>	<b>1,861,965.23</b>	<b>1,861,965.23</b>	
REVENUES						
CENTER FOR STRATEGIC MINISTRY	-		-		-	
D2- PROPERTY TAXES	1,440,418.63	1,907,217.61	1,921,989.59	1,921,989.59	1,921,989.59	-
D2- SPECIFIC OWNERSHIP TAXES	100,829.30	137,436.04	140,000.00	140,000.00	134,539.27	-
D2- DELINQUENT TAX AND INTEREST		37.52	37.52	37.52	-	-
D2- PY TAX ABATEMENT AND INTEREST		26.69	26.69	26.69	-	-
D3- PROPERTY TAXES	71,389.50	92,613.91	106,412.40	106,412.40	106,412.40	-
D3- SPECIFIC OWNERSHIP TAXES	4,997.27	6,631.24	7,448.87	7,448.87	7,448.87	-
D3- DELINQUENT TAX AND INTEREST		38.70	38.70	38.70	-	-
D2- IMPACT FEES RESIDENTIAL (\$3,959.87/unit) 100	359,171.00	181,022.40	200,000.00	200,000.00	377,130.00	-
D2- IMPACT FEES RES MULTI (\$2,375.92/unit) 30	86,201.20	696,936.24	696,936.24	696,936.24	67,883.40	-
D3- IMPACT FEES COMMERCIAL (\$1.00/SF) 40,000	54,600.00	-	-	-	38,000.00	-
BOND REFUNDING			49,574,000.00	49,574,000.00		
INTEREST INCOME	50,000.00	5,788.53	5,788.53	5,788.53		
<b>TOTAL REVENUES</b>	<b>2,167,606.90</b>	<b>3,027,748.88</b>	<b>52,652,678.54</b>	<b>52,652,678.54</b>	<b>2,653,403.53</b>	<b>-</b>
<b>TOTAL REVENUE &amp; FUND BALANCE</b>	<b>8,052,999.90</b>	<b>3,027,748.88</b>	<b>52,655,823.54</b>	<b>54,514,643.77</b>	<b>4,515,368.76</b>	<b>-</b>
EXPENDITURES						
2012A BOND INTEREST	370,500.00	182,250.00	364,500.00	364,500.00	364,500.00	-
2012B BOND INTEREST	2,628,000.00				2,628,000.00	-
2012A BOND PRINCIPAL	100,000.00		115,000.00	115,000.00	115,000.00	-
2012B BOND PRINCIPAL						-
REPAYMENT OF DEVELOPER ADVANCES						
BANK SERVICE CHARGES/BOND FEES		6,000.00		618,219.00	6,000.00	
BOND REFUNDING			49,574,000.00	49,574,000.00		
TRANSFER TO DISTRICT 2			2,599,178.54	2,599,178.54		
CONTINGENCY	2,000.00				2,000.00	
BOND ISSUANCE COSTS				596,976.00		
TREASURERS FEES	22,677.12	29,998.93			30,426.03	
<b>TOTAL EXPENDITURES</b>	<b>3,123,177.12</b>	<b>218,248.93</b>	<b>52,652,678.54</b>	<b>53,867,873.54</b>	<b>3,145,926.03</b>	<b>-</b>
<b>TRANSFER TO SURPLUS FUND</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>ENDING FUND BALANCE</b>	<b>4,929,822.78</b>	<b>2,809,499.95</b>	<b>3,145.00</b>	<b>646,770.23</b>	<b>1,369,442.73</b>	<b>-</b>

**WOODMEN HEIGHTS METROPOLITAN DISTRICT  
2020 AMENDED BUDGET AND 2021 BUDGET  
DISTRICT 1 - SURPLUS FUND**

	2019 BUDGET	2020 ACTUAL	2020 AMENDED	2020 BUDGET	2021 BUDGET
<b>SURPLUS FUND BEGINNING BALANCE</b>	<b>50,012.28</b>	<b>50,000.00</b>	<b>50,000.00</b>	<b>50,000.00</b>	<b>-</b>
REVENUES					
INTEREST INCOME	400.00			400.00	
<b>TOTAL REVENUES</b>	<b>400.00</b>			<b>400.00</b>	
<b>TOTAL REVENUE &amp; FUND BALANCE</b>	<b>50,412.28</b>		<b>50,000.00</b>	<b>50,400.00</b>	
EXPENDITURES					
TRANSFER TO DISTRICT 2			50,000.00		
BANK SERVICE CHARGES/BOND FEES					
<b>TOTAL EXPENDITURES</b>	<b>-</b>	<b>-</b>	<b>50,000.00</b>	<b>-</b>	
TRANSFER TO REVENUE FUND	400.00			400.00	
<b>ENDING FUND BALANCE</b>	<b>50,012.28</b>	<b>-</b>	<b>-</b>	<b>50,000.00</b>	<b>-</b>

**WOODMEN HEIGHTS METROPOLITAN DISTRICT  
2020 AMENDED BUDGET AND 2021 BUDGET  
DISTRICT 2 - GENERAL FUND**

	2019 BUDGET	2020 ACTUAL	2020 AMENDED	2020 BUDGET	2021 BUDGET
<b>GENERAL FUND BEGINNING BALANCE</b>	<b>18,787.80</b>	<b>0.00</b>	<b>0.00</b>	<b>-</b>	<b>0.00</b>
REVENUES					
D2- O&M PROPERTY TAXES	480,139.54	635,739.22	640,645.93	640,645.93	680,691.63
D2- SPECIFIC OWNERSHIP TAXES	33,609.77	45,494.42	46,000.00	44,845.22	47,648.41
D2- DELINQUENT TAX AND INTEREST		12.51	12.51		
TOTAL REVENUES	513,749.31	681,246.15	686,658.44	685,491.15	728,340.05
TOTAL REVENUE & FUND BALANCE	532,537.11	681,246.15	686,658.44	685,491.15	728,340.05
EXPENDITURES					
O&M DISTRICT 2 (landscaping, utilities, snow removal)		-			
BOARD OF DIRECTORS FEE					350,000.00
DISTRICT MANAGEMENT/ACCOUNTING					50,000.00
OFFICE/POSTAGE					100.00
AUDIT					8,500.00
GENERAL LIABILITY INSURANCE					12,000.00
SDA DUES					2,500.00
LEGAL					30,000.00
COUNTY TREASURER'S FEE	7,202.09	9,536.38	9,536.38	9,609.69	10,210.37
STORM WATER FEES					7,500.00
CONTINGENCY	1,990.00			2,000.00	
TOTAL EXPENDITURES	27,989.89	9,536.38	9,536.38	11,609.69	470,810.37
<b>TRANSFER TO DISTRICT 1 GENERAL FUND</b>	<b>504,547.22</b>	<b>671,709.77</b>	<b>677,122.06</b>	<b>673,881.46</b>	
<b>ENDING FUND BALANCE</b>	<b>(0.00)</b>	<b>(0.00)</b>	<b>0.00</b>	<b>(0.00)</b>	<b>257,529.67</b>
ASSESSED VALUATION DISTRICT 2	43,431,890	57,549,940	57,549,940	57,549,940	61,147,290
MILL LEVY	11.055	11.132	11.132	11.132	11.132

**WOODMEN HEIGHTS METROPOLITAN DISTRICT  
2020 AMENDED BUDGET AND 2021 BUDGET  
DISTRICT 2 - DEBT SERVICE FUND**

	2019 BUDGET	2020 ACTUAL	2020 AMENDED OCTOBER 2020	2020 BUDGET	2021 BUDGET
<b>DEBT SERVICE BEGINNING BALANCE</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0.00</b>	
REVENUES					
BOND ISSUANCE			49,574,000.00		
D2- PROPERTY TAXES	1,440,418.63	1,907,217.61	1,921,989.59	1,921,989.59	1,674,579.68
D2- SPECIFIC OWNERSHIP TAXES	100,829.30	137,436.04	140,000.00	134,539.27	117,220.58
D2- DELINQUENT TAX AND INTEREST		37.52	37.52		
D2- PY TAX ABATEMENT AND INTEREST		26.69	26.69		
D2- IMPACT FEES RESIDENTIAL (\$3,959.87/unit) 100	395,088.10	181,022.40	200,000.00	377,130.00	791,974.00
D2- IMPACT FEES RES MULTI (\$2,375.92/unit) 30	86,201.20	696,936.24	696,936.24	67,883.40	71,277.60
TOTAL REVENUES	2,022,537.24	2,922,676.50	52,532,990.04	2,501,542.26	2,655,051.86
EXPENDITURES					
2020A BOND INTEREST			72,113.00	-	72,113.00
2020A BOND PRINCIPAL					1,743,086.00
2020B - 1 BOND INTEREST					457,188.00
2020B - 1 BOND PRINCIPAL					-
2020B - 2 BOND INTEREST					-
2020B - 2 BOND PRINCIPAL					-
CO TREASURER'S FEE	21,606.28	28,609.13	28,830.41	28,829.84	25,118.70
CONTINGENCY	50.00			50.00	100.00
MISCELLANEOUS		17,750.00			
TOTAL EXPENDITURES	21,656.28	46,359.13	28,830.41	28,879.84	2,297,605.70
<b>TRANSFER TO DISTRICT 1 DEBT SERVICE FUND</b>	<b>2,000,880.96</b>	<b>2,876,317.36</b>	<b>52,504,159.63</b>	<b>2,472,662.42</b>	<b>-</b>
<b>ENDING FUND BALANCE</b>	<b>(0.00)</b>	<b>0.00</b>	<b>-</b>	<b>(0.00)</b>	<b>357,446.16</b>
ASSESSED VALUATION DISTRICT 2	43,431,890	57,549,940	57,549,940	57,549,940	61,147,290
MILL LEVY	33.165	33.397	33.397	33.397	33.397
TOTAL MILL LEVY	44.220	44.529	44.529	44.529	44.529

**WOODMEN HEIGHTS METROPOLITAN DISTRICT  
2020 AMENDED BUDGET AND 2021 BUDGET  
DISTRICT 3 - GENERAL FUND**

	2019 BUDGET	2020 ACTUAL	2020 AMENDED	2020 BUDGET	2021 AMENDED OCTOBER 2021	2021 BUDGET
<b>GENERAL FUND BEGINNING BALANCE</b>	-	(0.00)	-	0.00	-	-
REVENUES						
D3- PROPERTY TAXES (10 MILLS)	23,796.50	31,120.46	35,470.80	35,470.80	38,875.70	45,786.00
D3- SPECIFIC OWNERSHIP TAXES	1,665.76	2,278.85	2,482.96	2,482.96	2,721.30	3,205.02
D3- DELINQUENT TAX AND INTEREST		12.90	12.90			
D3- COURT ORDER JUDGEMENT TAXES (2 MILLS)						
TOTAL REVENUES	25,462.26	33,412.21	37,966.66	37,953.76	41,597.00	48,991.02
TOTAL REVENUE & FUND BALANCE	25,462.26	33,412.21	37,966.66	37,953.76	41,597.00	48,991.02
EXPENDITURES						
O&M DISTRICT 3 (landscaping, utilities, snow removal)						
BOARD OF DIRECTORS FEE					3,000.00	3,000.00
DISTRICT MANAGEMENT/ACCOUNTING					5,000.00	5,000.00
OFFICE/POSTAGE					100.00	100.00
AUDIT					-	-
GENERAL LIABILITY INSURANCE					5,000.00	5,000.00
SDA DUES					1,000.00	1,000.00
LEGAL					10,000.00	10,000.00
CO TREASURER'S FEE	356.95	463.27	532.06	532.06	583.14	686.79
CONTINGENCY	50.00		-	50.00	50.00	50.00
MISCELLANEOUS (JUDGEMENT)						
TOTAL EXPENDITURES	406.95	463.27	532.06	582.06	24,733.14	24,836.79
<b>TRANSFER TO DISTRICT 1 GENERAL FUND</b>	25,055.31	32,948.94	37,434.60	37,371.70		
<b>ENDING FUND BALANCE</b>	(0.00)	0.00	-	-	16,863.86	24,154.23
ASSESSED VALUATION DISTRICT 3	2,379,650.00	3,547,080.00	3,547,080.00	3,547,080.00	3,887,570.00	4,578,600.00
MILL LEVY	10.00	10.00	10.00	10.00	10.00	10.00

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**WOODMEN HEIGHTS METROPOLITAN DISTRICT  
2020 AMENDED BUDGET AND 2021 BUDGET  
DISTRICT 3 - DEBT SERVICE FUND**

	2019 BUDGET	2020 ACTUAL	2020 AMENDED	2020 BUDGET	2021 AMENDED OCTOBER 2021	2021 BUDGET
<b>DEBT SERVICE BEGINNING BALANCE</b>	-	-	-	-	-	-
REVENUES						
D3- PROPERTY TAXES	71,389.50	92,613.91		106,412.40	95,634.22	112,633.56
D3- SPECIFIC OWNERSHIP TAXES	4,997.27	6,631.24		7,448.87	6,694.40	7,884.35
D3- DELINQUENT TAX AND INTEREST		38.70				
D3- IMPACT FEES COMMERCIAL (\$0.95/SF)40,000SF	54,600.00	-	-	38,000.00	38,000.00	38,000.00
TOTAL REVENUES	130,986.77			151,861.27	140,328.62	158,517.91
EXPENDITURES						
CO TREASURER'S FEE	1,070.84	1,389.80		1,596.19	1,434.51	1,689.50
CONTINGENCY	50.00			50.00		
MISCELLANEOUS						
TOTAL EXPENDITURES	1,120.84	1,389.80	-	1,646.19	1,434.51	1,689.50
<b>TRANSFER TO DISTRICT 1 DEBT SERVICE FUND</b>	129,865.92			150,215.08		
<b>TRANSFER TO DISTRICT 2 DEBT SERVICE FUND</b>					138,894.10	156,828.41
<b>ENDING FUND BALANCE</b>	0.00	(1,389.80)	-	-	-	-
ASSESSED VALUATION DISTRICT 3	2,379,650.000	3,547,080.000	3,547,080.000	3,547,080.000	3,887,570.000	4,578,600.000
MILL LEVY	30.000	30.000	30.000	30.000	24.600	24.000
TOTAL MILL LEVY	40.000	40.000	40.000	40.000	34.600	36.000





**RESOLUTION 2021-09-01**

**RESOLUTION  
OF THE BOARD OF DIRECTORS OF THE  
WOODMEN HEIGHTS METROPOLITAN DISTRICTS NOS. 1, 2 & 3**

**DESIGNATING THE LOCATION OF REGULAR MEETINGS OF THE BOARD OF  
DIRECTORS**

WHEREAS, the Woodmen Heights Metropolitan District Nos. 1,2 & 3 (the “**Districts**”) is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, the Board of Directors of the Districts (“**Board**”) previously adopted Resolution No. 2020-04-01 Declaring Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings (the “**Emergency Resolution**”); and

WHEREAS, pursuant to the Emergency Resolution, any actions, including, but not limited to the adoption of the Emergency Resolution, taken at a regular or special meeting held by teleconference platform shall be ratified at the first regular or special in-person Board meeting that takes place after adoption of the Emergency Resolution; and

WHEREAS, pursuant to § 32-1-903(1), C.R.S., the Board shall meet regularly at a time and in a location to be designated by the Board; and

WHEREAS, the Colorado Legislature enacted House Bill 21-1278 amending § 32-1-903, C.R.S., to clarify what qualifies as a meeting location for purposes of special district board meetings; and

WHEREAS, pursuant to § 32-1-903(5)(a), C.R.S., “location” means the physical, telephonic, electronic, or other virtual place, or combination of such means where a meeting can be attended; and

WHEREAS, § 32-1-903(4), C.R.S., provides that the method of conducting any meeting held prior to the effective date of this section, as amended, by telephonic, electronic, or other virtual means is validated, ratified, confirmed, and may not be challenged; and

WHEREAS, the Board desires to repeal the Emergency Resolution; and

WHEREAS, the Board desires to designate the location for regular meetings of the Board.

NOW, THEREFORE, the Board hereby RESOLVES as follows:

1. **Ratification of Prior Actions.** The Board hereby finds and determines that, pursuant to § 32-1-903(4), C.R.S., actions taken by the Board before July 7, 2021, are automatically validated, ratified and confirmed and cannot be challenged. All actions taken by the Board in meetings on or after July 7, 2021, and prior to the date of this resolution, are hereby ratified by the Board.

2. **Designation of Regular Meeting Location.** As of the date hereof, all regular meetings of the Board will be held at the following locations:

By telephonic, electronic, or other virtual means, and notice of all meetings of the Board shall include the method or procedure, including the conference number or link, by which members of the public can attend the meeting.

AND/OR

Physical Meeting Location: 119 North Wahsatch Rd., Colorado Springs, Colorado

3. **Notice of Meetings Location.** All notices of meetings shall designate whether such meeting will be held by electronic means, at a physical location, or both, and notices of electronic meetings shall include the method or procedure, including the conference number or link, by which members of the public can attend the meeting.

4. **Effect of Resolution.** The above location shall remain in effect until contrary action is taken by the Board, which action must comply with §32-1-903(1), C.R.S., or §§ 32-1-903(1)(a) - 32-1-903(1)(b), C.R.S.

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ADOPTED this 24<sup>th</sup> day of August, 2021.

WOODMEN ROAD METROPOLITAN DISTRICTS NOS. 1, 2, & 3

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Officer of the Districts

ATTEST:

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APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

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General Counsel to the District

*Signature Page to Resolution Designating the Location of Regular Meetings*

WILLIAM P. ANKELE, JR.  
JENNIFER GRUBER TANAKA  
CLINT C. WALDRON  
KRISTIN BOWERS TOMPKINS  
ROBERT G. ROGERS  
BLAIR M. DICKHONER  
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EVE M.G. VELASCO  
LAURA S. HEINRICH  
AUDREY G. JOHNSON  
CAREY S. SMITH V  
ERIN K. STUTZ

## MEMORANDUM

**FROM:** WHITE BEAR ANKELE TANAKA & WALDRON  
**DATE:** June 14, 2021  
**RE:** Overview of 2021 Legislation and Recent Case Law Affecting Special Districts, Municipalities, and Community Associations

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This year's Legislative Session officially wrapped up on June 8, 2021. As in past years we are providing a summary of the pertinent legislation impacting special districts, municipalities, and community associations. This year, we have also included a section on case law updates. If you would like more detailed information on any of the information contained herein, please let us know.

Those bills which have already been signed into law by the Governor are indicated below. Those bills which have not yet been signed by the Governor but which are included below have passed both chambers and will go to the Governor for his signature who has 30 days to sign the bill into law. The Governor can sign the bill (making it law); not sign the bill and allow it to become law without his approval; or veto the bill. The last day for the Governor to act on bills from the 2021 session is July 8, 2021. Any bills not signed or vetoed by that date will become law at 12:01 a.m. on July 9, 2021.

### SPECIAL DISTRICTS AND/OR MUNICIPALITIES LEGISLATION

#### **SB21-020 – Energy Equipment and Facility Property Tax Valuation (Signed by the Governor).**

This bill is to ensure that clean energy resources and energy storage systems used to store electricity are assessed for valuation for property tax purposes in a manner similar to renewable energy facility property used to generate or deliver electricity.

The law takes effect September 6, 2021, if no referendum petition against it is filed.

### **SB21-064 – Retaliation Against an Elected Official (Signed by the Governor)**

Under current law, there is a crime of retaliation against a judge if an individual makes a threat or commits an act of harassment or harm or injury as retaliation against a judge. This bill adds elected officials (which would include special district board members) and their families as persons against whom retaliation is a crime. Retaliation against an elected official is a class 1 misdemeanor unless committed by means of a credible threat, then it is a class 6 felony.

The law takes effect July 1, 2021, and applies to offenses committed on or after that date.

### **SB21-088 – Child Sexual Abuse Accountability Act**

This bill creates a cause of action for minor victims of sexual assault against the actor who committed the sexual misconduct. A cause of action may also be brought against an organization that operates or manages a youth-related activity program. An organization will be liable if the sexual misconduct took place when the minor was participating in the youth-related activity program, and the organization knew or should have known that the actor who is an employee of the organization posed a risk and the organization failed to take action to address the risk. The cause of action created applies to public employees and public entities. It further applies retroactively and is available to a victim of sexual misconduct that occurred before, on, or after January 1, 2022.

If signed, the effective date is January 1, 2022.

### **SB21-252—Community Revitalization Grant Program**

This bill establishes the community revitalization grant program to provide money awards to finance various projects across the state that are intended to create or revitalize mixed-use commercial centers to support creative projects in these commercial centers. The grant program is intended to support creative projects in these commercial centers for projects such as flexible live-work spaces for entrepreneurs, artists and people employed in creative industries; performance spaces; mixed-use retail and workforce housing partnerships; meeting spaces for community events; the renovation or refurbishment of vacant or blighted property for creative industries, economic development or historic preservation purposes; and child care centers. The Division of Creative Industries will administer the grant program in consultation with the Division of Local Government (DLG) in the Department of Local Affairs.

The bill also creates the community revitalization fund in the state treasury. On the effective date of the bill, the state treasurer is required to transfer \$65 million from the general fund to the community revitalization fund. All money transferred is to be used for either grant awards or the costs of administering the grant program.

The effective date will either be the date of the Governor’s signature or July 9, 2021.

### **SB21-262—Special District Transparency**

This bill addresses transparency for special districts by making the following amendments to various statutory provisions:

- Call for Nominations: Except for metropolitan districts organized after January 1, 2000, the bill requires local governments to provide notice of a call for nominations by publication and by one of the four (4) additional methods: mailing the notice to the address of the registered electors; including the notice as part of a newsletter, annual report, billing, or other informational mailing sent by the local government; posting on the official website of the local government; or for a local government with a population that meets a specific criteria, posting in at least three (3) public places and at the office of the county's clerk and recorder.
- In the case of any metropolitan district that was organized after January 1, 2000, the bill requires the notice of the call for nominations to be made by emailing the notice to each active registered elector of the metropolitan district as specified in the registration list provided by the county clerk and recorder as of the date that is 150 days prior to the date of the regular local government election. Where the active registered elector does not have an e-mail address on file for such purpose with the county clerk and recorder as of that date, the public notice must be made by mailing the notice, at the lowest cost option, to each address at which one or more active registered electors of the metropolitan district resides as specified in the registration list provided by the county clerk and recorder as of that date.
- In addition to the means of providing public notice of the call for nominations that is required under the bill, the bill also requires the designated election official to additionally provide public notice by any one of 4 alternate means as specified in the bill.
- Mandated Website: Requires, within 1 year of organization, a new metropolitan district to establish, maintain, and annually update an official website in a form that is readily accessible to the public that contains information including the names, terms and contact information for current directors; the current budget; the prior years' audited financial statements; the annual report; information regarding meetings; certified election results, posted no more than thirty (30) days after an election; current boundaries; and call for nominations. For any metropolitan district organized after January 1, 2000, but before January 1, 2022, the deadline to establish the website is January 1, 2023. Inactive special districts are exempt from the new requirements concerning maintenance of a district's website and a district's annual report, but shall comply with this section within ninety (90) days of the adoption of a resolution returning to active status
- Mandated Annual Report: Requires special districts to final a report by October 1 of each year containing the following information for the report year: boundary changes; intergovernmental agreements; information regarding rules and regulations; summary of litigation involving public improvements; status of construction of public improvements; the final assessed valuation as of December 31 of the reporting year; list of facilities conveyed to the County or Municipality; copy of audited financial statements; notice of uncured defaults; and information regarding any inability of the special district to pay its obligations.
- Limitation on Power of Dominant Eminent Domain: No metropolitan district may exercise its power of dominant eminent domain outside of the boundaries of the approving local

jurisdiction's boundaries without a written resolution from the jurisdiction where the property is located.

- Property Disclosure: Owners selling newly constructed residences within a metropolitan district must, concurrently with or prior to the execution of a contract, provide a written disclosure to the potential purchaser relating to information on the metropolitan district, including the service plan and associated mill levies authorized by the plan as well as the estimated future property taxes.

The law takes effect September 6, 2021, if no referendum petition against it is filed.

### **SB21-281—State Severance Tax Trust Fund Allocation**

This bill requires metropolitan districts created after July 1, 2021, to annually pay the state an amount equal to the total of all severance tax ad valorem credits claimed for property taxes that are imposed by the metropolitan district. The bill further requires the office of state planning and budgeting and the departments of revenue, natural resources, education, and local affairs to review the state severance tax and to establish a stakeholder group to assist in preparation of recommendations for any changes to the severance tax. **SB21-293—Property Tax Classification and Assessment Rates**

This bill concerns property taxation and establishes subclasses of residential and nonresidential property.

Section 1 of the bill repeals a moratorium on changing a ratio for valuation for assessment (assessment rate), which is the percentage applied to a property's actual value to determine the taxable amount upon which a mill levy is imposed.

Section 2 of the bill addresses agricultural property, lodging property, and renewable energy production property. The bill creates new subclasses of nonresidential property for these categories. The assessment rate for agricultural property and renewable energy production property is temporarily reduced from 29% to 26.4% for the next two (2) property tax years. As to lodging property, the law provides that if Initiative 27, the initiated measure to reduce the assessment rate for nonresidential property is approved by voters, then it would only apply to lodging property.

Section 3 of the bill classifies multi-family residential real property as a new subclass of residential real property. Again, it would restructure the law such that if Initiative 27, the initiated measure to reduce the residential assessment rate is approved by voters, then it would only apply to multi-family real property. If the initiative initiated measure fails or is not on the ballot, then, under Section 4, the assessment rate for multi-family residential real property is temporarily reduced from 7.15% to 6.8% for the next two (2) property tax years.

The assessment rate for all residential real property other than multi-family residential real property is temporarily reduced from 7.15% to 6.95% for the next two (2) property tax years.

Sections 5 through 8 expand the property tax deferral program to allow any person to defer the payment of the portion of real property taxes that exceed the tax-growth cap, which is an amount



equal to the average of the person's real property taxes paid for the preceding two (2) property tax years for the same homestead, increased by 4.6%. The minimum amount a taxpayer may defer at one time under this authorization is \$100, and the total taxes that a taxpayer may defer is \$10,000. The taxpayer is treated like a person called into military service for purposes of the equity the person must have in the homestead to qualify for deferral and surviving-spouse eligibility.

Under Section 9, the governor's office, in consultation with the treasurer, is required to commission a study on the property tax deferral program and make recommendations for possible changes to the general assembly by January 1, 2022. Section 10 requires assessors to include information about the assessment rates that apply to the various classes of property, which is prepared by the property tax administrator, along with the notices of valuation that are sent in 2022. Sections 11 through 13 make conforming amendments related to the new classifications or assessment rates.

The proposed bill addresses the potential effects of Initiative 27 (discussed below). If Initiative 27 is approved, then pursuant to this bill, it would only lower the property tax rate for lodging and multi-family buildings, instead of lowering taxes for all residential properties.

#### **HB21-1025 – Nonsubstantive Emails and Open Meetings Law (Signed by the Governor)**

This bill clarifies that e-mail communication between elected officials (such as e-mails between board members of a special district) that do not relate to the merits of pending legislation or other public business is not a meeting for open meeting law purposes. Likewise, e-mails regarding scheduling and availability, and e-mails from an elected official forwarding information, responding to an inquiry from someone who is not a member of the public body (i.e., not a member of the board of directors), or posing a question for later discussion, are not meetings relative to the open meetings law. The bill defines the term "merits or substance" to mean any discussion, debate, or exchange of ideas, either generally or specifically, related to the essence of any public policy proposition, specific proposal, or any other matter being considered by the governing entity.

The law takes effect September 6, 2021, if no referendum petition against it is filed. The law applies to all electronic mail communication sent on or after the effective date.

#### **HB21-1051 – Public Information Applicants for Public Employment (Signed by the Governor)**

A state or local public body searching for a chief executive officer must name one or more candidates as finalists, and must make the list of such finalists public at least fourteen days prior to making an offer of employment. The application materials of any employment candidate (not just those applying for an executive position) who is not a finalist are not open to inspection under CORA. The bill repeals a provision requiring that, if three (3) or fewer candidates for an executive position meet the minimum requirements for the position, all of those candidates must be treated as finalists and their application materials are public records. The bill requires the disclosure of demographic data concerning the race and gender of a candidate who was interviewed but not named as a finalist for a chief executive officer position, if that information was legally requested and voluntarily provided.

The law takes effect September 6, 2021, if no referendum petition against it is filed.

This law was in response to the holding in *Prairie Mountain Publishing Co. LLP d/b/a Daily Camera v. Regents of the University of Colorado*, a case published on March 4, 2021, discussed in the Case Law Updates section below.

### **HB21-1061 – Residential Land Property Tax Classification (Signed by the Governor).**

This bill modifies the definition of “residential land” for purposes of tax classification as the same relates to contiguous parcels of land under common ownership. As modified, a parcel of land will be deemed to be residential land if (1) it has the identical owner as a contiguous parcel of land and (2) has an improvement thereon that is essential to the use of a residential improvement located on the contiguous parcel.

The law takes effect September 6, 2021, if no referendum petition against it is filed.

### **HB21-1110 – Colorado Laws for Person with Disabilities**

This bill provides that public entities, which are defined to include special districts, cannot exclude or deny benefits to persons with a disability in relation to services, programs, or activities of the public entity. Specifically, the bill requires websites of public entities to comply with accessibility guidelines established by the office of information technology for individuals with disabilities. The accessibility standards will use the most recent web content accessibility guidelines promulgated and published by the world wide web consortium web accessibility initiative or the international accessibility guidelines working group. The bill directs each public entity, on or before July 1, 2022, to submit its written accessibility plan to the office of information technology. Any public entity that is not in full compliance by July 1, 2024, is in violation of the state's laws concerning discrimination against individuals with a disability.

The effective date will either be the date of the Governor’s signature or July 9, 2021.

### **HB21-1168 – Historically Underutilized Businesses Local Government Procurement (Signed by the Governor).**

This bill requires the Department of Local Affairs to establish a pilot program to help local governments identify perceptual and substantial barriers to entry for historically underutilized businesses in local government procurement no later than August 13, 2021. The bill defines a historically underutilized business as a business that is at least 51% owned and controlled, in both the management and day-to-day business decisions, by one or more individuals who are: members of a racial or ethnic minority group; non-Hispanic Caucasian women; persons with physical or mental disabilities; members of the lesbian, gay, bisexual, and transgender community; or Veterans. The Department of Local Affairs must include the summarized data from the pilot project with its committee of reference as a hearing held pursuant to the State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act.

The effective date of the law is June 7, 2021.

### **HB21-1267—County Authority to Delegate Mill Levy Certification (Signed by the Governor)**

This bill requires the board of county commissioners (“BOCC”) or other taxing authority to hold a formal hearing before the county assessor to certify levies against taxable property. The bill gives the BOCC the option to authorize the levies by written approval rather than by formal hearing and to delegate the certification process to staff or other authorized parties.

The law takes effect September 6, 2021, if no referendum petition against it is filed.

### **HB21-1278—Special District Meeting Requirements**

This bill clarifies what qualifies as a meeting and a location for purposes of the special district board meetings. The bill also prohibits a challenge to special district board meetings which were held virtually before the effective date of the bill.

The bill provides that meetings may be held electronically by teleconferencing platform or other means and applies retroactively thus validating and ratifying virtual meetings conducted during the course of the pandemic.

The effective date will either be the date of the Governor’s signature or July 9, 2021.

## **COMMUNITY ASSOCIATIONS LEGISLATION**

### **SB21-002 – Extending Limitations on Debt Collection Actions (Signed by the Governor)**

Last year, the legislature passed a bill that placed limitations on the ability of creditors to take “extraordinary collection actions” (i.e., actions or proceedings in the nature of an attachment, garnishment, levy or execution) against debtors.

This law extended those limitations through June 1, 2021.

### **HB21-1229 – Home Owners’ Associations Governance Funding Record Keeping**

This bill increases requirements for disclosure and transparency for homeowner associations. Among other things, this bill would require an HOA to maintain and keep available to unit owners, as part of its official records:

- A list of the HOA's current fees chargeable upon sale of a home in the community; and
- Other information currently required to be disclosed annually under existing law, including financial statements, reserve fund balances, insurance policies, and meeting minutes.

If access to the association records described above are not provided within 30 calendar days after a request was submitted by certified mail, the HOA is liable for a penalty of \$50 per day for not providing them.

The bill also addresses the requirement that HOAs allow installation of renewable energy generation devices (e.g., solar panels) subject to reasonable aesthetic guidelines by adding language that requires approval or denial of a completed application within 60 days and requiring

approval if imposition of the aesthetic guidelines would result in more than a 10% reduction in efficiency or a 10% increase in price.

The bill specifically includes non-vegetative turf grass (also known as artificial turf) among the types of drought-tolerant landscaping materials that the HOA may regulate but not prohibit in the backyard area of a unit.

If signed, the law will take effect September 6, 2021, provided no referendum petition against it is filed.

### **HB21-1310—Homeowners’ Association Regulation of Flags and Signs**

This bill is intended to simplify the regulations and statutory criteria regarding the display of flags and political signs. The bill would require an HOA to permit the display of any noncommercial flag or sign at any time, subject only to reasonable, content-neutral limitations such as the number, size, or placement of the flags or signs.

If signed, the law will take effect September 6, 2021, provided no referendum petition against it is filed.

## **ELECTIONS LEGISLATION**

### **SB21-160 – Modification to Local Government Election Code (Signed by the Governor).**

This bill clarifies and cleans up several provisions in the current statutes related to special district elections, including:

- Specifying all instances in which a county assessor provides the list of property owners for an election
- Clarifying that, when computing time for any designated period of dates for a local government election, the first day of the period is excluded and the last day is included
- Specifying that a candidate’s self-nomination form must include the county where the special district is located
- Clarifying that the candidate’s and witness’ addresses and phone numbers and the candidate’s e-mail address on the self-nomination form need not be printed by the candidate and the witness
- Clarifying that ballots may be automatically sent to eligible electors who are qualified under purchase and sale contracts
- Setting forth a process for establishing director districts, which allows for members of a special district’s board of directors to be elected from each director district at large or by the electors within each director district.

The law takes effect September 6, 2021, if no referendum petition against it is filed.

### **SB21-188: Ballot Access for Voters with Disabilities (Signed by the Governor)**

This bill allows a voter with a disability using an electronic voting device to either print a ballot or return the ballot by electronic transmission if printing the ballot is not feasible. Regardless of the method of return, the bill specifies that to be valid, a ballot must include a signed affidavit or a copy of an acceptable form of identification and must be received by the election official in the applicable jurisdiction before the close of polls on the day of the election. The bill also requires the secretary of state to establish an electronic transmission system through which a voter with a disability may request and return a ballot.

The law takes effect September 6, 2021, if no referendum petition against it is filed.

### **HB21-1011 – Multilingual Ballot Access for Voters**

The bill requires the Secretary of State to establish a multilingual ballot hotline to provide access to translators or interpreters. Additionally, the Clerk and Recorder of a county must create a minority language sample ballot and provide in-person minority language ballots in minority languages spoken in the county meeting certain criteria.

The effective date will either be the date of the Governor's signature or July 9, 2021.

### **HB21-1071 – Ranked Choice Voting in Nonpartisan Elections**

This bill allows a municipality to refer a municipal election using instant runoff voting (ranked choice voting) to be conducted as a coordinated election. The bill also addresses requirements that must be met for voting systems relative to the same.

If signed, the law would take effect July 1, 2022.

## **COVID-19 RELATED LEGISLATION**

### **SB21-288—American Rescue Plan Act (Signed by the Governor)**

The American Rescue Plan Act is federal legislation which includes \$360 billion in aid for states, territories, tribes, counties, and cities, all of which will have the authority to transfer relief funding to special districts. Funds can be used to, among other things, provide government services affected by a revenue reduction during the pandemic and to make necessary investments in water and sewer infrastructure.

### **SB21-291—Economic Recovery and Relief Cash Fund**

This bill concerns the transfer of forty (40) million dollars to the Colorado economic development fund for the purpose of providing grants to businesses and for investing in economic development opportunities in response to the negative economic impacts of the COVID-19 pandemic.

The bill creates the economic recovery and relief cash fund (fund) which consists of money deposited in the fund from the "American Rescue Plan Act of 2021" cash fund. The bill allows the general assembly to appropriate or transfer money for specified uses. Of the \$40 million transferred

to the Colorado economic development fund, \$10 million will be used to incentivize small businesses to locate in rural Colorado as well as for the location neutral employment incentive program which provides cash incentives for remote employees hired by small businesses in designated rural areas of the state. The remaining appropriated money must be used to provide grants to small businesses or to undertake any other economic development activity in response to the negative economic impacts of the COVID-19 pandemic.

This act takes effect only if Senate Bill 21-288 becomes law, and, in which case, this act takes effect either 18 upon the effective date of this act or one day after the passage of Senate Bill 21-288, whichever is later.

### **HB21-1191 – Prohibit Discrimination COVID-19 Vaccine Status**

This bill prohibits employers from taking adverse action against an employee or applicant for employment based on the person's COVID-19 immunization status. The bill also provides that the COVID-19 vaccine is not mandatory, and that government agencies and private businesses cannot discriminate against clients, patrons, or customers based on their COVID-19 vaccination status.

The effective date will either be the date of the Governor's signature or July 9, 2021.

## **OTHER LEGISLATION**

### **SB21-054 – Transfers for Wildfire Mitigation and Response (Signed by the Governor)**

This bill requires the State Treasurer to transfer certain amounts from the general fund to various cash funds to be used toward wildfire mitigation and response purposes.

The effective date is March 21, 2021.

### **SB21-113 – Firefighting Aircraft Wildfire Management and Response (Signed by the Governor)**

This bill directs the State Treasurer to transfer funds to the Colorado firefighting air corps fund to the purchase and leasing of certain helicopters for wildfire mitigation purposes.

The effective date is March 21, 2021.

### **SB21-190—Protect Personal Data Privacy**

This bill creates personal data privacy rights and applies to legal entities that conduct business or produce products or services that are intentionally targeted to Colorado residents and that either: control or process personal data of more than 100,000 consumers per year; or derive revenue from the sale of personal data. It does not apply to personal data governed by certain state and federal laws, activities or employment records. The bill gives consumers the right to opt out of the processing of their personal data; access, correct, or delete the data; or obtain a portable copy of

the data. The provisions of the bill may only be enforced by the attorney general or district attorneys.

If signed, the law would take effect July 1, 2023.

### **HB21-1008 – Forest Health Project Financing (Signed by the Governor)**

This bill authorizes special districts, as well as other governmental entities, to participate in and finance forest health projects. It also allows legal governmental entities to create a separate legal entity via contract (special improvement district) to provide forest health projects, and to levy special assessments to provide such forest health project services.

The effective date is May 20, 2021.

### **HB21-1050 – Workers’ Compensation**

This bill amends the Workers’ Compensation Act of Colorado by making changes that affect the timely payment of benefits, guardian ad litem and conservator services, benefit offsets related to the receipt of federal disability or retirement benefits, the reduction of benefits based on apportionment, the selection of independent medical examiners, limits on temporary disability and permanent partial disability payments, the withdrawal of admissions of liability, mileage expense reimbursement, the authority of prehearing administrative law judges, the reopening of permanent total disability awards, and petitions for review and appeals of orders.

If signed, the law will take effect September 6, 2021, provided no referendum petition against it is filed.

### **HB21-1108 – Gender Identity Expression Anti-Discrimination (Signed by the Governor)**

This bill amends the definition of “sexual orientation” and adds definitions of the terms “gender expression” and “gender identity” to statutes prohibiting discrimination against members of a protected class, including statutes related to housing practices and places of public accommodation.

The law takes effect September 6, 2021, if no referendum petition against it is filed.

### **HB21-1117 – Local Government Authority Promote Affordable Housing Units (Signed by the Governor)**

This bill clarifies that cities and counties have the ability, as part of the authority to plan and regulate the use of land, to regulate development and redevelopment to promote the construction of new affordable housing units. The bill also states that it should not be construed to authorize a local government to adopt or enforce any ordinance or regulation that would have the effect of controlling rent on any existing private residential housing unit in violation of the existing statutory prohibition on rent control.

If signed, the law will take effect September 6, 2021, provided no referendum petition against it is filed.

**HB21-1224—Modification to Statutes Governing Foreclosure of Real Property (Signed by the Governor)**

This bill requires that any overbid (i.e., excess amount above the value of the lien on the property) be paid to the person liable under the related evidence of debt constituting a mortgage loan or deed of trust.

The effective date is May 28, 2021.

**HB21-1312—Insurance Premium Property Sales Severance Tax**

This bill makes changes to several state and local government taxes. It would narrow the scope of the home office insurance premium tax rate reduction such that a company would have to have at least 2.5% of its total domestic workforce in the state in order for the company to be deemed to maintain a home office or regional home office. The bill would also narrow the tax exemption for annuities considerations to those that are purchased in connection with a qualified retirement plan, a Roth 401(k), or an individual retirement account. For the purpose of auditing a company's tax statement, the bill would authorize the commissioner of insurance to appoint an independent examiner to conduct an examination on behalf of the commissioner.

As to property tax, the bill would require the actual value of real property to reflect the value of the fee simple estate. And as to personal property, the actual value of personal property would be determined based on the property's value in use, which will be defined by the property tax administrator. For the next property tax cycle, the bill increases the exemption from property tax for business personal property from \$7,900 to \$50,000.

The bill would also codify the Department of Revenue's treatment of digital goods to mean "any item of tangible personal property that is delivered or stored by digital means, including but not limited to video, music, or electronic books." The bill further specifies that the state sales tax applies to amounts charged for mainframe computer access, photocopying, and packing and crating.

The bill eliminates the vendor fee (i.e., the compensation for the retailer's expenses incurred in collecting and remitting a sales tax) for any filing period that the retailer's total taxable sales were greater than \$1 million. In regard to the severance taxes on oil and gas, the bill limits the netback deductions to direct costs actually paid by the taxpayer.

Finally, on coal production, the bill would phase out the quarterly exemptions and tax credits.

If signed, the law will take effect July 1, 2021, except that section 11 will take effect on January 1, 2022.

**HB21-HJR1002 – Water Projects Eligibility Lists (Signed by the Governor)**

This resolution relates to the Drinking Water Revolving Fund (which provides financial assistance for certain drinking water supply projects) and the Water Pollution Control Revolving Fund (which provides financial assistance for certain water pollution control projects). Proposed projects must



be included on the applicable list in order to obtain funding. This resolution sets out proposed modifications and additions to the projects on each list.

The effective date is March 21, 2021.

### **PROPOSED BALLOT INITIATIVE**

#### **Initiative 2021-2022 #27-- Unofficially captioned "Property Tax Assessment Rate Reduction and Voter-Approved Revenue Change"**

The text of Proposed Ballot Initiative 27 would reduce the residential property tax assessment rate from 7.15% to 6.5% and the non-residential property tax assessment rate from 29% to 26.4% with authorization to retain and spend 25 million per year for five (5) years credited to homestead exemptions.

### **CASE LAW UPDATES**

#### **Prairie Mountain Publishing Co. LLP, d/b/a Daily Camera v. Regents of the University of Colorado**

This case involved a Colorado Open Records Act (CORA) request made by Prairie Mountain Publishing Company, LLP, d/b/s Daily Camera (the “Daily Camera”) to the University of Colorado (CU). CU was in the process of searching for and selecting someone to fill the position of CU’s president. CU received over one hundred applications for the position, and thereafter narrowed the potential candidates and conducted interviews. After the final round of interviews, which included six final candidates, CU publicly announced that there was only one finalist, who then went through a public vetting process and was ultimately appointed to the position by the CU Board of Regents.

CORA requires the disclosure of the “finalists” for executive positions of a state agency, institution or political subdivision or agency thereof, which finalists are a member of the final group of applicants or candidates made public pursuant to 24-6-204(3.5).

The Court held that a finalist is who the appointing entity says is the finalist, unless you have three or fewer applicants, then all.

HB21-1051 – Public Information Applicants for Public Employment addressed the issues analyzed in the *Prairie* case and revised the relevant statutory provisions so that under the new law a state or local public body searching for a chief executive officer must name one or more candidates as finalists, and must make the list of such finalists public at least fourteen days prior to making an offer of employment. Moreover, the law now provides that if three (3) or fewer candidates for an executive position meet the minimum requirements for the position, all of those candidates must be treated as finalists and their application materials are public records.



**Woodmen Heights Metropolitan District #1**  
**Balance Sheet**  
As of August 30, 2021

	<b>Aug 30, 21</b>
<b>ASSETS</b>	
<b>Current Assets</b>	
Checking/Savings	
WF 2012 Sub Surplus #6803	0.86
1110 · WHMD Wells Fargo Checking	925,456.82
<b>Total Checking/Savings</b>	<b>925,457.68</b>
Accounts Receivable	
1210 · Accounts Receivable	65,569.15
<b>Total Accounts Receivable</b>	<b>65,569.15</b>
<b>Total Current Assets</b>	<b>991,026.83</b>
<b>Fixed Assets</b>	
1300 · Construction in Progress	
1343 · Vollmer Drainage	853,000.00
1301 · 51-1 Engineering	1,233,786.17
1302 · 51-2 Engineering	545,898.77
1303 · 51-3 Misc-Road/Drainage	885,359.65
1303.1 · 51-3.1 Misc-Water/Sewer	462,358.74
1304 · 51-4 Management-Road/Drainage	356,630.00
1306.1 · 51-6-2 NEW Pond 2	369.87
1312 · 51-12 Grading	333,128.22
1316.1 · 51-16 24" Water Main-Cedarwood	-13,224.84
1323 · 51-23 Blk Forest Impvmts/Utity	167,162.00
1324 · 51-24 Cowpoke Imp/San Sew/Utity	-3,942.72
1326 · 51-26 24" Water Main-Marksheff	75,000.19
1327 · 51-27 Black Forest Improvements	13,833.81
1329 · 51-29 Black Forest Park	428,566.77
1330 · 51-30 Vollmer Improvements	15,084.54
1331 · 51-31 Sorpresa	2,016,701.42
1332 · 51-32 Forest Meadows Ave	2,257,467.00
1333 · 51-33 Marksheffel Road	2,499.79
1334 · 51-34 Storm Sewer Facilities WH	671,973.39
1336 · 51-36 Wetland Mit-Ph 1	291,526.23
1337 · 51-37 Landscape/Fence/Park 5.6	1,386,773.17
1340 · 51-40 Landscape/Fence/StreetW	910,647.47
1341 · 51-41 Landscape/Pocket Parks	165,522.00
1342 · 51-42 Bridge Fees	233,268.55
1300 · Construction in Progress - Other	1,843,803.49
<b>Total 1300 · Construction in Progress</b>	<b>15,133,193.68</b>
1540 · Accumulated Depreciation	-5,550,739.00
<b>Total Fixed Assets</b>	<b>9,582,454.68</b>
<b>TOTAL ASSETS</b>	<b>10,573,481.51</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	
2010 · Accounts Payable	5,002.00
<b>Total Accounts Payable</b>	<b>5,002.00</b>
Other Current Liabilities	
2030 · Interest Payable	264,105.00
<b>Total Other Current Liabilities</b>	<b>264,105.00</b>
<b>Total Current Liabilities</b>	<b>269,107.00</b>
<b>Total Liabilities</b>	<b>269,107.00</b>
<b>Equity</b>	
3000 · Opening Balance Equity	1,001,995.57
3910 · Retained Earnings	9,360,584.67
Net Income	-58,205.73
<b>Total Equity</b>	<b>10,304,374.51</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>10,573,481.51</b>

**Woodmen Heights Metropolitan District #1**  
**Profit & Loss Budget vs. Actual**  
January 1 through August 30, 2021

	TOTAL				
	Aug 1 - 30, 21	Jan 1 - Aug 30, 21	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
<b>Fees</b>					
Platting Fees	0.00	0.00	423,500.00	-423,500.00	0.0%
Facility Fees	0.00	0.00	0.00	0.00	0.0%
<b>Total Fees</b>	<u>0.00</u>	<u>0.00</u>	<u>423,500.00</u>	<u>-423,500.00</u>	<u>0.0%</u>
<b>Total Income</b>	<u>0.00</u>	<u>0.00</u>	<u>423,500.00</u>	<u>-423,500.00</u>	<u>0.0%</u>
<b>Gross Profit</b>	0.00	0.00	423,500.00	-423,500.00	0.0%
<b>Expense</b>					
<b>6615 · Property Taxes</b>					
District 2	0.00	0.00	0.00	0.00	0.0%
<b>Total 6615 · Property Taxes</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.0%</u>
Copies & Postage	0.00	-255.16	0.00	-255.16	100.0%
<b>Fees Due</b>					
Storm Water	0.00	0.00	0.00	0.00	0.0%
BOD	500.00	1,900.00	0.00	1,900.00	100.0%
<b>Total Fees Due</b>	<u>500.00</u>	<u>1,900.00</u>	<u>0.00</u>	<u>1,900.00</u>	<u>100.0%</u>
Treasurer's Collection Fee	0.00	0.00	0.00	0.00	0.0%
<b>6060 · Bank Service Charges</b>	0.00	4,000.00	200.00	3,800.00	2,000.0%
<b>6075 · Bond Expense</b>					
Cost of Issuance 2020	0.00	45,000.00	0.00	45,000.00	100.0%
<b>Total 6075 · Bond Expense</b>	<u>0.00</u>	<u>45,000.00</u>	<u>0.00</u>	<u>45,000.00</u>	<u>100.0%</u>
6155 · Directors Fees	0.00	0.00	3,000.00	-3,000.00	0.0%
6160 · Dues and Subscriptions	0.00	899.65	1,000.00	-100.35	89.97%
6180 · Insurance	0.00	-1.00	3,000.00	-3,001.00	-0.03%
<b>6200 · Interest Expense</b>					
6079 · Developer Advances	0.00	0.00	302,500.00	-302,500.00	0.0%
<b>Total 6200 · Interest Expense</b>	<u>0.00</u>	<u>0.00</u>	<u>302,500.00</u>	<u>-302,500.00</u>	<u>0.0%</u>
6240 · Miscellaneous	0.00	99.69	0.00	99.69	100.0%
<b>6570 · Professional Fees</b>					
District Management	0.00	7,600.00	24,000.00	-16,400.00	31.67%
Landscaping Maintenance					
6571 · Accounting	0.00	0.00	6,000.00	-6,000.00	0.0%
6572 · Legal Fees	0.00	-1,198.83	10,000.00	-11,198.83	-11.99%
<b>Total 6570 · Professional Fees</b>	<u>0.00</u>	<u>6,401.17</u>	<u>40,000.00</u>	<u>-33,598.83</u>	<u>16.0%</u>
6610 · Postage and Delivery	0.00	0.00	500.00	-500.00	0.0%
6612 · RE Property Taxes	-11.57	313.13	0.00	313.13	100.0%
<b>Total Expense</b>	<u>488.43</u>	<u>58,357.48</u>	<u>350,200.00</u>	<u>-291,842.52</u>	<u>16.66%</u>
<b>Net Ordinary Income</b>	<u>-488.43</u>	<u>-58,357.48</u>	<u>73,300.00</u>	<u>-131,657.48</u>	<u>-79.62%</u>
<b>Other Income/Expense</b>					
<b>Other Income</b>					
<b>7010 · Interest Income</b>					
O&M	0.00	133.75	0.00	133.75	100.0%
7010 · Interest Income - Other	0.00	18.00	0.00	18.00	100.0%
<b>Total 7010 · Interest Income</b>	<u>0.00</u>	<u>151.75</u>	<u>0.00</u>	<u>151.75</u>	<u>100.0%</u>
<b>Total Other Income</b>	<u>0.00</u>	<u>151.75</u>	<u>0.00</u>	<u>151.75</u>	<u>100.0%</u>
<b>Other Expense</b>					
8020 · Contingency	0.00	0.00	200,000.00	-200,000.00	0.0%
<b>Total Other Expense</b>	<u>0.00</u>	<u>0.00</u>	<u>200,000.00</u>	<u>-200,000.00</u>	<u>0.0%</u>
<b>Net Other Income</b>	<u>0.00</u>	<u>151.75</u>	<u>-200,000.00</u>	<u>200,151.75</u>	<u>-0.08%</u>
<b>Net Income</b>	<u><u>-488.43</u></u>	<u><u>-58,205.73</u></u>	<u><u>-126,700.00</u></u>	<u><u>68,494.27</u></u>	<u><u>45.94%</u></u>

## Woodmen Heights Metropolitan District #2

## Balance Sheet

08/30/21

As of August 30, 2021

Accrual Basis

	<u>Aug 30, 21</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
ECB - Operating	940,253.66
UMB 2020 Series 154396.1 Escrow	40,272,837.45
1112 · BBVA Reserve 9998	1,130,955.56
1111 · BBVA Loan 7685	1,137,353.34
UMB 2020B-1 Bond 394.1	23,202.93
UMB 2020B-1 Reserve 394.2	731,041.20
WF 2012 Sub Bond #6804	976,774.97
WF 2012 Bond #6800	291,829.49
WF 2012 Surplus #6801	50,000.00
<b>Total Checking/Savings</b>	<u>45,554,248.60</u>
<b>Accounts Receivable</b>	
1210 · Accounts Receivable	147,632.10
1230 · Property Taxes Receivable WH2	26,446.63
<b>Total Accounts Receivable</b>	<u>174,078.73</u>
<b>Other Current Assets</b>	
1390 · Undeposited Funds	339.42
<b>Total Other Current Assets</b>	<u>339.42</u>
<b>Total Current Assets</b>	<u>45,728,666.75</u>
<b>TOTAL ASSETS</b>	<b><u>45,728,666.75</u></b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
2612 · Series 2012 A Bonds - Current	95,000.00
2022 · Deferred Property Tax Rev WH2	26,446.63
<b>Total Other Current Liabilities</b>	<u>121,446.63</u>
<b>Total Current Liabilities</b>	121,446.63
<b>Long Term Liabilities</b>	
2650 · Series 2020A Loan	34,435,000.00
2640 · Series 2020B-2 Bond	6,714,000.00
2630 · Series 2020B-1 Bond	7,310,000.00
3609 · Series 2012B Bonds Accr	11,992,320.53
2620 · Series 2012 B Bonds Prin	19,841,680.00
2610 · Series 2012 A Bonds	5,865,000.00
2530 · RS Holding Company A1	245,388.84
2550 · KF 103-CV, LLC	172,853.43
2552 · ESI-Developer Advances	128,267.35
2590 · Advance from Morley Companies	983,602.04
<b>Total Long Term Liabilities</b>	<u>87,688,112.19</u>
<b>Total Liabilities</b>	87,809,558.82
<b>Equity</b>	
3910 · Retained Earnings	-44,368,815.64
Net Income	2,287,923.57
<b>Total Equity</b>	<u>-42,080,892.07</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>45,728,666.75</u></b>

## Woodmen Heights Metropolitan District #2

### Profit & Loss Budget vs. Actual

January 1 through August 30, 2021

	TOTAL				
	Aug 1 - 30, 21	Jan 1 - Aug 30, 21	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
<b>4100 · Recovery Refund</b>	9,000.77	9,000.77	0.00	9,000.77	100.0%
<b>Insurance Claim Reimbursement</b>	0.00	480.00	0.00	480.00	100.0%
<b>Due From District 3</b>	0.00	59,073.93	0.00	59,073.93	100.0%
<b>Fees</b>					
<b>Platting Fees</b>	25,217.50	194,357.90	791,974.00	-597,616.10	24.54%
<b>Facility Fees</b>	95,620.16	710,508.08	71,277.60	639,230.48	996.82%
<b>Taxes</b>					
<b>District 2</b>					
<b>Current Year - Debt</b>	9,932.15	1,673,468.27	1,674,579.68	-1,111.41	99.93%
<b>Spec Own Tax - Debt</b>	16,138.68	113,581.00	117,220.58	-3,639.58	96.9%
<b>Current Year - O&amp;M</b>	4,037.31	680,247.35	680,691.63	-444.28	99.94%
<b>Spec Own Tax - O&amp;M</b>	6,560.20	46,169.49	47,648.41	-1,478.92	96.9%
<b>Delinquent Int</b>	337.26	670.99	0.00	670.99	100.0%
<b>Total District 2</b>	<u>37,005.60</u>	<u>2,514,137.10</u>	<u>2,520,140.30</u>	<u>-6,003.20</u>	<u>99.76%</u>
<b>Total Taxes</b>	<u>37,005.60</u>	<u>2,514,137.10</u>	<u>2,520,140.30</u>	<u>-6,003.20</u>	<u>99.76%</u>
<b>Total Fees</b>	157,843.26	3,419,003.08	3,383,391.90	35,611.18	101.05%
<b>Reimbursements</b>	0.00	-762.58	0.00	-762.58	100.0%
<b>Total Income</b>	<u>166,844.03</u>	<u>3,486,795.20</u>	<u>3,383,391.90</u>	<u>103,403.30</u>	<u>103.06%</u>
	166,844.03	3,486,795.20	3,383,391.90	103,403.30	103.06%
<b>Expense</b>					
<b>Copies &amp; Postage</b>	0.00	30.00	0.00	30.00	100.0%
<b>Fees Due</b>					
<b>Storm Water</b>	0.00	3,573.84	7,500.00	-3,926.16	47.65%
<b>Permits</b>	0.00	2,000.00	0.00	2,000.00	100.0%
<b>Total Fees Due</b>	0.00	5,573.84	7,500.00	-1,926.16	74.32%
<b>Treasurer Collection Fee Debt</b>	152.39	25,077.42	25,118.70	-41.28	99.84%
<b>Treasurer Collection Fee O&amp;M</b>	62.21	10,238.41	10,210.37	28.04	100.28%
<b>6060 · Bank Service Charges</b>	0.00	1.25	0.00	1.25	100.0%
<b>6075 · Bond Expense</b>					
<b>Debt Service</b>	0.00	0.00	1,743,086.00	-1,743,086.00	0.0%
<b>Debt Service Interest</b>	0.00	690,220.88	529,301.00	160,919.88	130.4%
<b>Total 6075 · Bond Expense</b>	0.00	690,220.88	2,272,387.00	-1,582,166.12	30.37%
<b>6160 · Dues and Subscriptions</b>	0.00	240.32	2,500.00	-2,259.68	9.61%
<b>6180 · Insurance</b>	0.00	0.00	12,000.00	-12,000.00	0.0%
<b>6200 · Interest Expense</b>	0.00	178,800.00	0.00	178,800.00	100.0%
<b>6570 · Professional Fees</b>					
<b>District Management</b>	0.00	60,800.00	50,000.00	10,800.00	121.6%
<b>Engineering</b>	0.00	8,905.00	0.00	8,905.00	100.0%
<b>Landscaping Maintenance</b>					
<b>Landscape Maintenance Other</b>	700.00	107,891.32	350,000.00	-242,108.68	30.83%
<b>Trails at Forest Meadows</b>	6,875.55	22,717.86	0.00	22,717.86	100.0%
<b>Shiloh Mesa</b>	1,996.54	12,589.47	0.00	12,589.47	100.0%

**Woodmen Heights Metropolitan District #2**  
**Profit & Loss Budget vs. Actual**  
January 1 through August 30, 2021

TOTAL

	<u>Aug 1 - 30, 21</u>	<u>Jan 1 - Aug 30, 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Quail Brush Creek	0.00	9,850.82	0.00	9,850.82	100.0%
Forest Meadows	4,928.55	15,942.66	0.00	15,942.66	100.0%
KF-103	9,975.12	25,078.95	0.00	25,078.95	100.0%
FMCG - Water	0.00	0.00	0.00	0.00	0.0%
Landscaping Maintenance - Other	0.00	1,505.75	0.00	1,505.75	100.0%
<b>Total Landscaping Maintenance</b>	<b>24,475.76</b>	<b>195,576.83</b>	<b>350,000.00</b>	<b>-154,423.17</b>	<b>55.88%</b>
Planning	0.00	6,345.00	0.00	6,345.00	100.0%
6571 · Accounting	0.00	17,150.00	0.00	17,150.00	100.0%
6572 · Audit	0.00	0.00	8,500.00	-8,500.00	0.0%
6573 · Legal Fees	0.00	23,689.37	30,000.00	-6,310.63	78.97%
<b>Total 6570 · Professional Fees</b>	<b>24,475.76</b>	<b>312,466.20</b>	<b>438,500.00</b>	<b>-126,033.80</b>	<b>71.26%</b>
6610 · Postage and Delivery	0.00	15.00	100.00	-85.00	15.0%
6670 · Repairs	0.00	862.18	0.00	862.18	100.0%
<b>Total Expense</b>	<b>24,690.36</b>	<b>1,223,525.50</b>	<b>2,768,316.07</b>	<b>-1,544,790.57</b>	<b>44.2%</b>
<b>Net Ordinary Income</b>	<b>142,153.67</b>	<b>2,263,269.70</b>	<b>615,075.83</b>	<b>1,648,193.87</b>	<b>367.97%</b>
<b>Other Income/Expense</b>					
<b>Other Income</b>					
7010 · Interest Income	0.00	24,653.87	0.00	24,653.87	100.0%
<b>Total Other Income</b>	<b>0.00</b>	<b>24,653.87</b>	<b>0.00</b>	<b>24,653.87</b>	<b>100.0%</b>
<b>Net Other Income</b>	<b>0.00</b>	<b>24,653.87</b>	<b>0.00</b>	<b>24,653.87</b>	<b>100.0%</b>
<b>Net Income</b>	<b>142,153.67</b>	<b>2,287,923.57</b>	<b>615,075.83</b>	<b>1,672,847.74</b>	<b>371.97%</b>

## Woodmen Heights Metropolitan District #3

## Balance Sheet

As of August 30, 2021

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	<u>Aug 30, 21</u>
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
ECB - Operating	19,836.67
Total Checking/Savings	19,836.67
Accounts Receivable	
1235 · Property Taxes Receivable WH3	4,333.50
Total Accounts Receivable	4,333.50
Total Current Assets	24,170.17
<b>TOTAL ASSETS</b>	<b><u>24,170.17</u></b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Other Current Liabilities	
2025 · Deferred Property Tax Rev WH3	4,333.50
Total Other Current Liabilities	4,333.50
Total Current Liabilities	4,333.50
Total Liabilities	4,333.50
Equity	
Net Income	19,836.67
Total Equity	19,836.67
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>24,170.17</u></b>



## Woodmen Heights Metropolitan District #3

### Profit & Loss Budget vs. Actual

January 1 through August 30, 2021

	TOTAL				
	Aug 1 - 30, 21	Jan 1 - Aug 30, 21	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
<b>Fees</b>					
Impact Fees	0.00	0.00	38,000.00	-38,000.00	0.0%
<b>Taxes</b>					
Tax Abatement	-3,384.02	-46,876.28	0.00	-46,876.28	100.0%
Statutory Int Abatement	-169.19	-1,964.76	0.00	-1,964.76	100.0%
Delinquent Int	0.00	105.46	0.00	105.46	100.0%
Current Year - O&M	0.00	37,623.58	38,875.70	-1,252.12	96.78%
Spec Own Tax - O&M	370.75	2,609.27	2,721.60	-112.33	95.87%
Current Year - Debt	0.00	92,552.81	95,634.22	-3,081.41	96.78%
Spec Own Tax - Debt	912.03	6,418.71	6,694.40	-275.69	95.88%
<b>Total Taxes</b>	<u>-2,270.43</u>	<u>90,468.79</u>	<u>144,409.34</u>	<u>-53,940.55</u>	<u>62.65%</u>
<b>Total Fees</b>	<u>-2,270.43</u>	<u>90,468.79</u>	<u>182,409.34</u>	<u>-91,940.55</u>	<u>49.6%</u>
<b>Total Income</b>	<u>-2,270.43</u>	<u>90,468.79</u>	<u>182,409.34</u>	<u>-91,940.55</u>	<u>49.6%</u>
<b>Gross Profit</b>	<u>-2,270.43</u>	<u>90,468.79</u>	<u>182,409.34</u>	<u>-91,940.55</u>	<u>49.6%</u>
<b>Expense</b>					
<b>Fees Due</b>					
BOD	<u>0.00</u>	<u>0.00</u>	<u>3,000.00</u>	<u>-3,000.00</u>	<u>0.0%</u>
<b>Total Fees Due</b>	<u>0.00</u>	<u>0.00</u>	<u>3,000.00</u>	<u>-3,000.00</u>	<u>0.0%</u>
Treasurer's Collection Fee	0.00	1,954.21	2,017.65	-63.44	96.86%
6100 · Contingency	0.00	0.00	50.00	-50.00	0.0%
6105 · Copies & Postage	0.00	0.00	100.00	-100.00	0.0%
6160 · Dues and Subscriptions	0.00	226.10	1,000.00	-773.90	22.61%
6162 · Due to District 2	0.00	59,073.93	0.00	59,073.93	100.0%
6180 · Insurance	0.00	0.00	5,000.00	-5,000.00	0.0%
6570 · Professional Fees					
District Management	0.00	7,600.00	5,000.00	2,600.00	152.0%
6572 · Legal Fees	0.00	1,777.88	10,000.00	-8,222.12	17.78%
<b>Total 6570 · Professional Fees</b>	<u>0.00</u>	<u>9,377.88</u>	<u>15,000.00</u>	<u>-5,622.12</u>	<u>62.52%</u>
<b>Total Expense</b>	<u>0.00</u>	<u>70,632.12</u>	<u>26,167.65</u>	<u>44,464.47</u>	<u>269.92%</u>
<b>Net Ordinary Income</b>	<u>-2,270.43</u>	<u>19,836.67</u>	<u>156,241.69</u>	<u>-136,405.02</u>	<u>12.7%</u>
<b>Net Income</b>	<u><u>-2,270.43</u></u>	<u><u>19,836.67</u></u>	<u><u>156,241.69</u></u>	<u><u>-136,405.02</u></u>	<u><u>12.7%</u></u>

# Woodmen Heights Metropolitan District #1

## GENERAL FUND ACCOUNT

8/16/2021

<b>Company</b>	<b>Invoice</b>	<b>Date</b>	<b>Amount</b>	<b>Comments</b>
Lindsay Case	LC080421	8/4/2021	\$ 100.00	
Randle Case	RC080421	8/4/2021	\$ 100.00	
Les Kronfeldt	LK080421	8/4/2021	\$ 100.00	
James Morley	JM080421	8/4/2021	\$ 100.00	
Kyle Geditz	KG080421	8/4/2021	\$ 100.00	
Walker Schooler District Managers	6855	7/31/2021	\$ 1,120.00	
White Bear Ankele Tanka Waldron	17026	7/31/2021	\$ 218.94	

Woodmen Heights Metropolitan District, Director

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**\$ 1,838.94**

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**Woodmen Heights Metropolitan District #2  
GENERAL FUND ACCOUNT**

8/16/2021

<b>Company</b>	<b>Invoice</b>	<b>Date</b>	<b>Amount</b>	<b>Comments</b>
BiggsKofford	71221	1/16/2185	\$ 17,150.00	
Colorado Springs Utilities	CSUVarious.8/21	8/4/2021	\$ 23,775.76	
City of Colorado Springs	CCSVarious.8/21	7/31/2021	\$ 417.64	
Walker Schooler District Managers	6856	7/31/2021	\$ 8,960.00	
Weisburg Landscape Maintenance	42665	7/15/2021	\$ 110.00	
Weisburg Landscape Maintenance	42795	7/27/2021	\$ 5,500.00	
Weisburg Landscape Maintenance	42811	7/27/2021	\$ 143.75	
Weisburg Landscape Maintenance	42869	7/29/2021	\$ 217.25	
Weisburg Landscape Maintenance	42863	7/29/2021	\$ 302.50	
Weisburg Landscape Maintenance	42842	7/31/2021	\$ 310.00	
Weisburg Landscape Maintenance	42706	7/31/2021	\$ 8,745.00	
Weisburg Landscape Maintenance	42707	7/31/2021	\$ 1,600.00	
Weisburg Landscape Maintenance	42918	8/9/2021	\$ 187.50	
Weisburg Landscape Maintenance	42938	8/9/2021	\$ 65.00	
Weisburg Landscape Maintenance	42949	8/9/2021	\$ 447.50	
White Bear Ankele Tanka Waldron	17026	7/31/2021	\$ 3,637.04	
			\$ -	
<b>TOTAL</b>			<b>\$ 71,568.94</b>	

**BOND FUND ACCOUNT**

<b>Company</b>	<b>Date</b>	<b>Amount</b>	<b>Comments</b>
El Paso County Taxes: DISTRICT 2	July	\$ 25,918.44	
El Paso County Taxes: DISTRICT 3	July	\$ 912.03	
<b>TOTAL</b>		<b>\$ 26,830.47</b>	

Woodmen Heights Metropolitan Director  
Woodmen Heights Metropolitan District, Director

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\$ **98,399.41**

**Woodmen Heights Metropolitan District #3**  
**GENERAL FUND ACCOUNT**

8/16/2021

<b>Company</b>	<b>Invoice</b>	<b>Date</b>	<b>Amount</b>	<b>Comments</b>
Walker Schooler District Managers	6857	7/31/2021	\$ 1,120.00	
White Bear Ankele Tanka Waldron	17026	7/31/2021	\$ 205.58	
<b>TOTAL</b>			<b>\$ 1,325.58</b>	

Woodmen Heights Metropolitan District, Director

\$ 1,325.58