

BERKLEY SHORES METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
Tel: 303-987-0835 • 800-741-3254
Fax: 303-987-2032

NOTICE OF SPECIAL MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Paul Malone	President	2025/May 2025
Pedram Davoudpour		2025/May 2025
Victoria Almagno	Assistant Secretary	2027/May 2027
Daniel Cohen		2025/May 2027
Vacant		2025/May 2025

DATE: December 21, 2023 (Thursday)

TIME: 10:00 A.M.

LOCATION: Zoom Meeting

<https://us02web.zoom.us/j/86267550643?pwd=V3RnRGRtWkRyUjZZc1VMWTJFZjFHdz09>

Telephone Number: (719) 359-4580

Meeting ID: 862 6755 0643

Passcode: 987572

I. PUBLIC COMMENT (Comments are limited to three (3) minutes per speaker)

A. _____

II. ADMINISTRATIVE MATTERS

A. Present Disclosures of Potential Conflicts of Interest and confirm quorum.

B. Approve Agenda, confirm location of the meeting and posting of meeting notices.

C. Consider approval of Minutes from November 6, 2023 Regular Meeting.

D. Consider Appointment of Officers:

President _____

Treasurer _____

Secretary _____

Asst. Secretary _____

Asst. Secretary _____

Asst. Secretary _____

III. FINANCIAL MATTERS

- A. Review and ratify approval of the payment of claims as follows (enclosures):

Fund	Period Ending Nov. 30, 2023
General	\$ 11,682.13
Debt	\$ 4,000.00
Capital	\$ 3,121.02
Total	\$ 18,803.15

-
- B. Public Hearing on Proposed 2024 Budget

- i. Public Comment Period

-
- ii. Consider Approval of Resolution 2023-12-01 Approving Proposed 2024 Budget, Certification of Mill Levy, and Appropriate Sums of Money (enclosures – preliminary AV, draft 2024 Budget, and Resolution).
-

IV. LEGAL MATTERS

- A. _____

V. COVENANT ENFORCEMENT MATTERS

- A. _____

VI. CONSTRUCTION MATTERS

- A. _____

VII. OTHER MATTERS

- A. _____

- VIII. ADJOURNMENT: **THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2023.**

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE BERKLEY SHORES METROPOLITAN DISTRICT (THE “DISTRICT”) HELD NOVEMBER 6, 2023

A regular meeting of the Board of Directors of the Berkley Shores Metropolitan District (referred to hereafter as the “Board”) was convened on Monday, November 6, 2023, at 10:00 a.m., via Zoom. The meeting was open to the public.

Directors In Attendance Were:

Paul Malone, President
Michael Martines, Assistant Secretary
Victoria Almagno, Assistant Secretary

Also In Attendance Were:

Peggy Ripko and Travis Hunsaker; Special District Services, Inc. (“SDMS”)

Jennifer L. Ivey; Icenogle Seaver Pogue, P.C.

Daniel Cohen; Board Candidate

**DISCLOSURE OF
POTENTIAL
CONFLICTS OF
INTEREST**

Ms. Ripko requested that the Directors consider whether they had any additional conflicts of interest to disclose. Ms. Ripko noted for the record that there were no new disclosures made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the Board Members prior to this meeting and in accordance with the statutes. Attorney Ivey noted that disclosures of potential conflict of interest statements for each of the Directors were filed with the Secretary of State at least seventy-two hours in advance of the meeting.

**PUBLIC
COMMENTS**

There were no public comments at this time.

**ADMINISTRATIVE
MATTERS**

Agenda: The Board reviewed the distributed Agenda for the District's regular meeting.

Following discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote unanimously carried, the Agenda for the regular meeting was approved, as amended.

RECORD OF PROCEEDINGS

Approval of Meeting Location: The Board noted that notice of the time, date, and location of the meeting was duly posted.

Minutes: The Board reviewed the Minutes of the November 7, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote, unanimously carried, the Minutes of the November 7, 2022 Regular Meeting were approved, as presented.

May 2, 2023 Election: Ms. Ripko advised the Board that the May 2, 2023 election was cancelled, as allowed under Colorado law, by the Designated Election Official because there were no more candidates than positions available on the Board of Directors. It was noted that Director Victoria Almagno was deemed elected to a 4-year term ending in May, 2027.

Appointment to the Board of Directors: The Board discussed the need to fill the vacancies on the Board and deferred action on this item to the end of the meeting.

2022 Annual Report: The Board reviewed the 2022 Annual Report.

Following discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote, unanimously carried, the Board approved the 2022 Annual Report.

FINANCIAL MATTERS

Claims: The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period Ending Nov. 30, 2022	Period Ending Dec. 31, 2022	Period Ending Jan. 31, 2023	Period Ending Feb 28, 2023
General	\$ 3,687.32	\$ 13,334.95	\$ 11,927.80	\$ 14,163.83
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ 962.16	\$ 2,003.04	\$ 906.00	\$ 1,430.22
Total	\$ 4,649.48	\$ 15,337.99	\$ 12,833.80	\$ 15,594.05

Fund	Period Ending March 31, 2023	Period Ending April 30, 2023	Period Ending May 31, 2023	Period Ending Jun 30, 2023
General	\$ 11,613.45	\$ 8,257.56	\$ 7,225.59	\$ 12,136.59
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ 1,034.28	\$ 1,017.60	\$ 1,654.20	\$ 1,335.84
Total	\$ 12,647.73	\$ 9,275.16	\$ 8,879.79	\$ 13,472.43

RECORD OF PROCEEDINGS

Fund	Period Ending July 31, 2023	Period Ending Aug. 31, 2023	Period Ending Sept 30, 2023	Period Ending Oct. 31, 2023
General	\$ 7,655.39	\$ 16,433.53	\$ 15,735.14	\$ 13,040.37
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ 1,415.22	\$ 1,620.90	\$ 955.62	\$ 1,184.20
Total	\$ 9,070.61	\$ 18,054.43	\$ 16,690.76	\$ 14,224.57

Following discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote, unanimously carried, the Board ratified approval of the payment of the claims, as presented.

Unaudited Financial Statements and Schedule of Cash Position: Ms. Ripko reviewed with the Board the unaudited financial statements of the District, setting forth the cash deposits, investments, budget analysis and the schedule of cash position statement updated as of September 30, 2023.

Following review and discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote, unanimously carried, the unaudited financial statements and the schedule of cash position statement were accepted, as presented.

2022 Audit: The Board reviewed the 2022 Audit.

Following discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote, unanimously carried, the Board ratified approval of the 2022 Audit.

2023 Audit: The Board reviewed the proposal from Simmons & Wheeler, PC to perform the 2023 Audit.

Following discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote, unanimously carried, the Board approved the engagement of Simmons & Wheeler, PC to perform the 2023 Audit, for an amount not to exceed a 5% increase.

2024 Budget Hearing: Director Malone opened the public hearing to consider the Resolution to Adopt the 2024 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Adopt the 2024 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received, and the public hearing was closed.

The Board entered into discussion regarding the 2024 Budget.

RECORD OF PROCEEDINGS

Ms. Ripko reviewed with the Board the proposed 2024 budget and Ms. Ivey presented to the Board of Directors a Resolution for approval and adoption of the 2024 budget, appropriating funds therefor, and certification of a mill levy thereunder. After review and discussion, upon motion by Director Malone, second by Director Martines, and unanimous vote, the Board of Directors approved the resolution adopting the 2024 budget, appropriating the funds to the approved budget, and certifying the mill levies as provided in the budget.

2025 Budget: The Board discussed appointing the District Accountant to prepare the 2025 Budget.

Following discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote, unanimously carried, the Board approved appointing the District Accountant to prepare the 2025 Budget.

LEGAL MATTERS

Annual Resolution: Ms. Ivey presented to and reviewed with the Board a resolution, prepared annually to handle the District's ongoing operation and business. After review and discussion, upon motion by Director Malone, second by Director Martines, and unanimous vote, the Board of Directors approved the resolution including the election of the following officers to the Board of Directors and regular meeting date/location:

President/Chairman:	Paul Malone
Secretary:	Peggy Ripko
Assistant Secretary:	Victoria Almagno

June 3, 2023 and November 4, 2023, at 10:00 A.M., via video conference. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

Amendment to Operation Funding Agreement for Operations and Maintenance Expenses: The Board reviewed the Amendment to Operation Funding Agreement for Operations and Maintenance Expenses.

Following discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote, unanimously carried, the Board approved the Amendment to Operation Funding Agreement for Operations and Maintenance Expenses.

Services Agreement with Waste Management: The Board discussed the Trash Removal Services Agreement with Waste Management.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote, unanimously carried, the Board approved moving forward with the existing contract.

2023 Legislative Report: Ms. Ivey presented to and reviewed with the Board a memorandum regarding 2023 Legislation.

COVENANT ENFORCEMENT MATTERS

3470 West 62nd Place and 3520 West 62nd Place: The Board discussed the request from 3470 West 62nd Place and 3520 West 62nd Place regarding pavers.

Following discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote, unanimously carried, the Board approved the request from 3470 West 62nd Place and 3520 West 62nd Place regarding pavers.

2023 Snow Removal Services Contract: The Board reviewed a Snow Removal Services Contract with Environmental Designs Inc. for 2023.

Following discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote, unanimously carried, the Board ratified approval of the Snow Removal Services Contract with Environmental Designs Inc. for 2023.

2023 Landscape Maintenance Agreement: The Board reviewed a Landscape Maintenance Agreement with Environmental Designs Inc. for 2023.

Following discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote, unanimously carried, the Board ratified approval of the Landscape Maintenance Agreement with Environmental Designs Inc. for 2023.

Landscape Enhancement Contract: The Board reviewed a Landscape Enhancement Contract with Environmental Designs Inc. for tree wrap services.

Following discussion, upon motion duly made by Director Malone, seconded by Director Martines and, upon vote, unanimously carried, the Board ratified approval of the Landscape Enhancement Contract with Environmental Designs Inc. for tree wrap services.

Dog Urine Killing Grass: The Board discussed dog urine killing grass and possible ways to address.

Resolution Adopting Amended Rules and Regulations: The Board reviewed a Resolution Adopting Amended Rules and Regulations.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Martines, seconded by Director Malone and, upon vote, unanimously carried, the Board approved the Resolution Adopting Amended Rules and Regulations.

CONSTRUCTION MATTERS

Development: The Board entered into discussion regarding the status of the development.

OTHER BUSINESS

Appointment of Directors: The Board considered the appointment of Daniel Cohen, Pedram Davoudpour and Alycia Steiner to fill the vacancies on the Board. The Board asked questions of the Board Candidates.

Director Martines tendered his resignation from the Board. Following discussion, upon motion duly made by Director Malone, seconded by Director Almagno and, upon vote, unanimously carried, Daniel Cohen, Pedram Davoudpour and Alycia Steiner were appointed to fill the vacancies on the Board.

ADJOURNMENT

Upon motion duly made by Director Malone, seconded by Director Almagno, and upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By _____
Secretary for the Meeting

**Berkley Shores Metropolitan District
November-23**

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
Altitude Community Law P.C.	2024 10.2023	10/24/2023	10/24/2023	\$ 304.50	Legal	1675
Crestview Water & Sanitation District	1510	10/26/2023	11/5/2023	\$ 1,535.22	Utilities	1762
Environmental Designs Inc.	174050	11/1/2023	12/1/2023	\$ 1,491.68	Landscape Maintenance	1725
Icenogle Seaver Pogue, P.C.	24418	9/30/2023	9/30/2023	\$ 999.00	Legal	1675
Icenogle Seaver Pogue, P.C.	24486	10/31/2023	10/31/2023	\$ 2,157.54	Legal	1675
Pet Scoop	510874	10/31/2023	11/15/2023	\$ 191.20	Property Management	1710
Special District Management Services	Oct-23	10/31/2023	10/31/2023	\$ 2,257.02	Management	3614
Special District Management Services	Oct-23	10/31/2023	10/31/2023	\$ 147.84	Miscellaneous	1685
Special District Management Services	Oct-23	10/31/2023	10/31/2023	\$ 864.00	Accounting	3612
Special District Management Services	Oct-23	10/31/2023	10/31/2023	\$ 1,350.00	Property Management	1710
Special District Management Services	Oct-23	10/31/2023	10/31/2023	\$ 576.00	Accounting	1612
Special District Management Services	Oct-23	10/31/2023	10/31/2023	\$ 1,504.68	Management	1614
UMB Bank N.A.	957457	9/12/2023	9/12/2023	\$ 4,000.00	Paying Agent/Trustee Fees	2668
Waste Management of Colorado, Inc.	8452112-2514-7	11/1/2023	11/1/2023	\$ 1,289.49	Miscellaneous	1685
Xcel Energy	847467500	10/3/2023	10/24/2023	\$ 134.98	Utilities	1762
				\$ 18,803.15		

**Berkley Shores Metropolitan District
November-23**

	<u>General</u>	<u>Debt</u>	<u>Capital</u>	<u>Totals</u>
Disbursements	\$ 11,682.13	\$ 4,000.00	\$ 3,121.02	\$ 18,803.15
Total Disbursements from Checking Acct	\$11,682.13	\$4,000.00	\$3,121.02	\$18,803.15

Ken Musso
ASSESSOR



Assessor's Office
4430 South Adams County Parkway
2nd Floor, Suite C2100
Brighton, CO 80601-8201
PHONE 720.523.6038
FAX 720.523.6037
www.adcogov.org

AUG 28 2023

August 25, 2023

BERKLEY SHORES METRO DISTRICT
SPECIAL DISTRICT MANAGEMENT SERVICES INC
141 UNION BLVD STE 150
LAKEWOOD CO 80228-1898

To Whom it May Concern:

Enclosed is the 2023 preliminary valuation. This valuation along with all other statutory requirements is on the enclosed form. A final certification of value will be sent out on or before December 10, 2023.

This value is subject to change by the County Board of Equalization, Board of Assessment Appeals and the State Board of Equalization as provided by law.

Sincerely,

A handwritten signature in black ink, appearing to be "KM" followed by a long horizontal stroke.

Ken Musso
Adams County Assessor
KM/rmb

CERTIFICATION OF VALUATION BY ADAMS COUNTY ASSESSOR

Name of Jurisdiction: **481 - BERKLEY SHORES METRO DISTRICT**

IN ADAMS COUNTY ON 8/24/2023

New Entity: No

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATIONS (5.5% LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) AND 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR 2023 IN ADAMS COUNTY, COLORADO

1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$1,669,230
2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: *	\$3,213,790
3. LESS TIF DISTRICT INCREMENT, IF ANY:	\$0
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$3,213,790
5. NEW CONSTRUCTION: **	\$525,360
6. INCREASED PRODUCTION OF PRODUCING MINES: #	\$0
7. ANNEXATIONS/INCLUSIONS:	\$0
8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: #	\$0
9. NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD ## OR LAND (29-1-301(1)(b) C.R.S.):	\$0
10. TAXES COLLECTED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1)(a) C.R.S.):	\$0.00
11. TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a) C.R.S.) and (39-10-114(1)(a)(I)(B) C.R.S.):	\$0.00

* This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec.20(8)(b), Colo.

** New construction is defined as: Taxable real property structures and the personal property connected with the structure.

Jurisdiction must submit respective certifications (Forms DLG 52 AND 52A) to the Division of Local Government in order for the values to be treated as growth in the limit calculation.

Jurisdiction must apply (Forms DLG 52B) to the Division of Local Government before the value can be treated as growth in the limit calculation.

USE FOR 'TABOR' LOCAL GROWTH CALCULATIONS ONLY

IN ACCORDANCE WITH THE PROVISION OF ARTICLE X, SECTION 20, COLO CONST, AND 39-5-121(2)(b), C.R.S. THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2023 IN ADAMS COUNTY, COLORADO ON AUGUST 25, 2023

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: @	\$46,767,196
ADDITIONS TO TAXABLE REAL PROPERTY:	
2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: !	\$7,766,054
3. ANNEXATIONS/INCLUSIONS:	\$0
4. INCREASED MINING PRODUCTION: %	\$0
5. PREVIOUSLY EXEMPT PROPERTY:	\$0
6. OIL OR GAS PRODUCTION FROM A NEW WELL:	\$0
7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT:	\$0

(If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.)

DELETIONS FROM TAXABLE REAL PROPERTY:

8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	\$0
9. DISCONNECTIONS/EXCLUSION:	\$0
10. PREVIOUSLY TAXABLE PROPERTY:	\$0

@ This includes the actual value of all taxable real property plus the actual value of religious, private schools, and charitable real property.

! Construction is defined as newly constructed taxable real property structures.

% Includes production from new mines and increases in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS : 1. TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY:----->	\$0
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NOTE: All levies must be Certified to the Board of County Commissioners NO LATER THAN DECEMBER 15, 2023

IN ACCORDANCE WITH 39-5-128(1.5) C.R.S. THE ASSESSOR PROVIDES: HB21-1312 ASSESSED VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): **	
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** The tax revenue lost due to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119 f(3). C.R.S.

BERKLEY SHORES METROPOLITAN DISTRICT
Assessed Value, Property Tax and Mill Levy Information

	2022 Actual	2023 Adopted Budget	2024 Preliminary Budget
Assessed Valuation	\$ 591,440	\$ 1,669,230	\$ 3,213,790
Mill Levy			
General Fund	25.000	25.000	50.000
Debt Service Fund	35.000	36.007	37.351
Refunds and Abatements	0.230	-	-
Total Mill Levy	<u>60.230</u>	<u>61.007</u>	<u>87.351</u>
Property Taxes			
General Fund	\$ 14,786	\$ 41,731	\$ 160,690
Debt Service Fund	20,700	60,104	120,038
Refunds and Abatements	136	-	-
Actual/Budgeted Property Taxes	<u>\$ 35,622</u>	<u>\$ 101,835</u>	<u>\$ 280,728</u>

BERKLEY SHORES METROPOLITAN DISTRICT

GENERAL FUND

2024 Preliminary Budget

with 2022 Actual, 2023 Adopted Budget and 2023 Estimated

	2022 Actual	01/23-06/23 YTD Actual	2023 Adopted Budget	2023 Estimated	2024 Preliminary Budget
BEGINNING FUND BALANCE	\$ 1	\$ 1,368	\$ 17,219	\$ 1,368	\$ (598)
REVENUE					
Property Tax Revenue	14,843	23,180	41,731	41,731	160,690
Specific Ownership Taxes	1,004	1,012	2,504	2,504	9,641
Developer Advance	93,676	66,523	78,000	90,000	-
Miscellaneous income	125	200	-	500	200
Total Revenue	109,648	90,915	122,235	134,735	170,531
Total Funds Available	109,649	92,284	139,454	136,103	169,934
EXPENDITURES					
Accounting	13,232	2,027	8,000	8,000	8,480
Audit	6,500	-	7,300	7,300	7,300
Insurance/SDA Dues	4,297	4,059	4,500	4,059	4,700
Legal	17,037	15,373	12,000	18,000	15,000
Election	891	1,216	1,000	1,216	-
Management	13,841	1,381	8,000	8,000	8,480
Miscellaneous	11,568	8,344	2,000	9,000	5,000
Treasurer's Fees	-	45	626	626	2,410
Property Management	13,050	7,056	12,000	12,000	12,000
Landscape Maintenance	-	4,475	20,000	20,000	20,000
Landscape Improvements	927	-	-	-	-
Irrigation Repair	-	-	2,000	2,000	2,000
Snow Removal	13,333	10,038	13,000	15,000	15,000
Detention Pond Maintenance	-	-	5,000	5,000	5,000
Repairs & Maintenance	-	-	4,000	4,000	4,000
Fence Repairs	-	-	2,500	2,500	5,000
Utilities	13,603	3,848	15,000	10,000	1,000
Contingency	-	-	10,000	10,000	10,000
Total Expenditures	108,280	57,863	126,926	136,701	125,370
Transfers and Other Sources (Uses)					
Emergency Reserve	-	-	(3,667)	(3,667)	(5,116)
Transfer to Capital Projects	-	-	-	-	(39,000)
Total Expenditures Requiring Appropriation	108,280	57,863	130,593	136,701	169,486
ENDING FUND BALANCE	\$ 1,368	\$ 34,421	\$ 8,861	\$ (598)	\$ 448

BERKLEY SHORES METROPOLITAN DISTRICT

**DEBT SERVICE FUND
2024 Preliminary Budget
with 2022 Actual, 2023 Adopted Budget and 2023 Estimated**

	2022 Actual	01/23-06/23 YTD Actual	2023 Adopted Budget	2023 Estimated	2024 Preliminary Budget
BEGINNING FUND BALANCE	\$ 407,370	\$ 309,919	\$ 293,871	\$ 309,919	\$ 247,041
REVENUE					
Property Tax Revenue	20,780	33,386	60,104	60,104	120,038
Specific Ownership Tax	1,405	1,458	3,606	3,606	7,202
Interest Income	6,021	7,629	2,000	11,443	8,000
Total Revenue	28,206	42,472	65,710	75,153	135,240
Total Funds Available	435,576	352,392	359,581	385,072	382,281
EXPENDITURES					
Bond Interest	121,380	60,690	121,380	121,380	121,380
Paying Agent/Trustee Fees	4,276	379	5,500	5,500	5,500
Miscellaneous	-	-	250	250	250
Treasurer's Fees	-	65	902	902	1,801
Contingency	-	-	10,000	10,000	10,000
Total Expenditures	125,656	61,134	138,032	138,032	138,931
Total Expenditures Requiring Appropriation	125,656	61,134	138,032	138,032	138,931
ENDING FUND BALANCE	\$ 309,919	\$ 291,257	\$ 221,550	\$ 247,041	\$ 243,350

BERKLEY SHORES METROPOLITAN DISTRICT

CAPITAL PROJECTS FUND

2024 Preliminary Budget

with 2022 Actual, 2023 Adopted Budget and 2023 Estimated

	2022 Actual	01/23-06/23 YTD Actual	2023 Adopted Budget	2023 Estimated	2024 Preliminary Budget
BEGINNING FUND BALANCE	\$ (1)	\$ -	\$ -	\$ -	\$ -
REVENUE					
Developer Advance	-	8,045	37,400	38,000	-
Total Revenue	-	8,045	37,400	38,000	-
Total Funds Available	(1)	8,045	37,400	38,000	-
EXPENDITURES					
Accounting	(1)	4,151	13,000	12,000	13,000
Legal	-	-	12,000	12,000	12,000
Management	(0)	3,227	8,600	8,600	8,600
Engineering	-	-	5,400	5,400	5,400
Total Expenditures	(1)	7,378	39,000	38,000	39,000
Transfers and Other Sources (Uses)					
Transfer from General Fund	-	-	-	-	39,000
Total Expenditures Requiring Appropriation	(1)	7,378	39,000	38,000	39,000
ENDING FUND BALANCE	\$ -	\$ 667	\$ (1,600)	\$ -	\$ -

STATE OF COLORADO
COUNTY OF ADAMS
BERKLEY SHORES METROPOLITAN DISTRICT
2024 BUDGET RESOLUTION

The Board of Directors of the Berkley Shores Metropolitan District, Adams County, Colorado held a special meeting on Thursday, December 21, 2023, at the hour of 10:00 A.M., via video conference at <https://us02web.zoom.us/j/86267550643?pwd=V3RnRGRtWkRyUIZZc1VMWTJFZjFHdz09> and via telephone conference at Dial In: 1-719-359-4580, Meeting ID: 862 6755 0643, Passcode: 987572.

The following members of the Board of Directors were present:

President:
Treasurer:
Secretary:
Assistant Secretary:
Assistant Secretary:

Also present were:

Ms. Ripko reported that proper notice was made to allow the Board of Directors of the Berkley Shores Metropolitan District to conduct a public hearing on the 2024 budget and, prior to the meeting, each of the directors had been notified of the date, time and place of this meeting and the purpose for which it was called. It was further reported that this meeting is a special meeting of the Board of Directors of the District and that a notice of special meeting was posted on a public website of the District, <https://berkleysthoresmd.colorado.gov>, no less than twenty-four hours prior to the holding of the meeting, and to the best of her knowledge, remains posted to the date of this meeting.

Thereupon, Director _____ introduced and moved the adoption of the following Resolution:

RESOLUTION

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET, APPROPRIATING SUMS OF MONEY TO EACH FUND IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN AND LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2024 TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE BERKLEY SHORES METROPOLITAN DISTRICT, ADAMS COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2024 AND ENDING ON THE LAST DAY OF DECEMBER 2024.

WHEREAS, the Board of Directors (the “Board”) of the Berkley Shores Metropolitan District (the “District”) has authorized its treasurer and accountant to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed budget was submitted to the Board for its review and consideration on or before October 15, 2023; and

WHEREAS, the proposed budget is more than fifty thousand dollars (\$50,000.00), due and proper notice was published on Thursday, December 14, 2023, in the *Northglenn-Thornton Sentinel*, indicating (i) the date and time of the hearing at which the adoption of the proposed budget will be considered; (ii) that the proposed budget is available for inspection by the public at a designated place; (iii) that any interested elector of the District may file any objections to the proposed budget at any time prior to the final adoption of the budget by the District; and (iv) if applicable, the amount of the District’s increased property tax revenues resulting from a request to the Division of Local Government pursuant to Section 29-1-302(1), C.R.S.; and an original publisher’s Affidavit of Publication is attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the proposed budget was open for inspection by the public at the designated place; and

WHEREAS, a public hearing was held on Thursday, December 21, 2023 and interested electors were given the opportunity to file or register any objections to said proposed budget and any such objections were considered by the Board; and

WHEREAS, the budget being adopted by the Board has been prepared based on the best information available to the Board regarding the effects of Section 29-1-301, C.R.S., and Article X, Section 20 of the Colorado Constitution; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law; and

WHEREAS, pursuant to Section 29-1-113(1), C.R.S., the Board shall cause a certified copy of the budget, including the budget message and any resolutions adopting the budget, appropriating moneys and fixing the rate of any mill levy, to be filed with the Division of Local Government within thirty (30) days following the beginning of the fiscal year of the budget adopted; and

WHEREAS, pursuant to Section 32-1-1201, C.R.S., the Board shall determine in each year the amount of money necessary to be raised by taxation, taking into consideration those items required by law, and shall certify the rate so fixed to the board of county commissioners of each county within the District or having a portion of its territory within the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BERKLEY SHORES METROPOLITAN DISTRICT, ADAMS COUNTY, COLORADO:

Section 1. Summary of 2024 Revenues and 2024 Expenditures. That the estimated revenues and expenditures for each fund for fiscal year 2024, as more specifically set forth in the budget attached hereto as Exhibit B and incorporated herein by this reference, are accepted and approved.

Section 2. Adoption of Budget. That the budget as submitted, and if amended, then as amended, and attached hereto as Exhibit B and is approved and adopted as the budget of the District for fiscal year 2024. In the event the final assessed valuation provided by the Adams County Assessor's Office differs from the assessed valuation used in the proposed budget, the District's accountant is hereby directed to modify and/or adjust the budget and mill levy certification as needed to reflect the final assessed valuation without the need for additional Board authorization.

Section 3. Appropriations. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached, are hereby appropriated from the revenue of each fund, to each fund, for the purposes stated and no other.

Section 4. Budget Certification. That the budget shall be certified by _____, Secretary of the District, and made a part of the public records of the District and a certified copy of the approved and adopted budget shall be filed with the Division of Local Government.

Section 5. 2024 Levy of General Property Taxes. That the attached budget indicates that the amount of money from general property taxes necessary to balance the budget for the General Fund for operating expenses is \$160,690 and that the 2023 valuation for assessment, as certified by the Adams County Assessor, is \$3,213,790. That for the purposes of meeting all general operating expenses 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 for the year 2024.

Section 6. 2024 Levy of Debt Retirement Expenses. That the attached budget indicates that the amount of money from general property taxes necessary to balance the budget

for the Debt Service Fund for debt retirement expense is \$120,038 and that the 2023 valuation for assessment, as certified by the Adams County Assessor, is \$3,213,790. That for the purposes of meeting all debt retirement expenses of the District during the 2024 budget year, there is hereby levied a tax of 37.351 mills upon each dollar of the total valuation of assessment of all taxable property within the District for the year 2024.

Section 7. 2024 Mill Levy Adjustment. The Board may adjust the mill levy, as specifically set forth in the District's Service Plan (the "Adjusted Mill Levy"). The Board hereby determines in good faith to establish the Adjusted Mill Levy as set forth in the mill levy certification attached hereto as Exhibit C pursuant to the authority granted by its Service Plan to ensure that the District's revenues shall be neither diminished nor enhanced as a result of the changes effecting the mill levy. Subject to adjustment and finalization by the District's accountant in accordance with Sections 2 hereof, the Board further authorizes that the Adjusted Mill Levy be reflected in the District's Certification of Tax Levies to be submitted to the Board of County Commissioners of Adams County on or before December 15, 2023, for collection in 2024.

Section 8. Certification to County Commissioners. That the Board Secretary and/or District's accountant are hereby authorized and directed to immediately certify to the Board of County Commissioners of Adams County, the mill levy for the District hereinabove determined and set. That said certification shall be in substantially the following form attached hereto as Exhibit C and incorporated herein by this reference.

[The remainder of this page is intentionally left blank.]

The foregoing Resolution was seconded by Director _____.

RESOLUTION APPROVED AND ADOPTED THIS 21ST DAY OF DECEMBER 2023.

BERKLEY SHORES METROPOLITAN DISTRICT

By: _____
Its: Paul Malone
President

ATTEST:

By: _____
Its: Secretary

STATE OF COLORADO
COUNTY OF ADAMS
BERKLEY SHORES METROPOLITAN DISTRICT

I, _____, hereby certify that I am a director and the duly elected and qualified Secretary of the Berkley Shores Metropolitan District, and that the foregoing constitutes a true and correct copy of the record of proceedings of the Board of Directors of the District, adopted at a special meeting of the Board of Directors of the Berkley Shores Metropolitan District held on December 21, 2023, via video conference at <https://us02web.zoom.us/j/86267550643?pwd=V3RnRGRtWkRyUjZzc1VMWtJFZjFHdz09> and via telephone conference at Dial In: 1-719-359-4580, Meeting ID: 862 6755 0643, Passcode: 987572, as recorded in the official record of the proceedings of the District, insofar as said proceedings relate to the budget hearing for fiscal year 2024; that said proceedings were duly had and taken; that the meeting was duly held; and that the persons were present at the meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the District this 21st day of December 2023.

_____, Secretary

[SEAL]

EXHIBIT A

Affidavit
Notice as to Proposed 2024 Budget

Public Notice

NOTICE AS TO PROPOSED 2024 BUDGET AND HEARING BERKLEY SHORES METROPOLITAN DISTRICT

NOTICE IS HEREBY GIVEN that a proposed budget has been submitted to the **BERKLEY SHORES METROPOLITAN DISTRICT** for the ensuing year of 2024. A copy of such proposed budget has been filed in the office of Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado, where same is open for public inspection. Such proposed budget will be considered at a hearing at the special meeting of the Berkley Shores Metropolitan District to be held **at 10:00 A.M., on Thursday, December 21, 2023**. The meeting will be held via video conference at <https://us02web.zoom.us/j/86267550643?pwd=V3RnRGRtWkRyUIZZc1VMWTJFZjFHdz09> and via telephone conference at Dial-In: 1-719-359-4580, Meeting ID: 862 6755 0643, Passcode: 987572. Any interested elector within the Berkley Shores Metropolitan District may inspect the proposed budget and file or register any objections at any time prior to the final adoption of the 2024 budget.

BY ORDER OF THE BOARD OF DIRECTORS:
BERKLEY SHORES METROPOLITAN
DISTRICT

By: /s/ ICENOGLE | SEAVER | POGUE
A Professional Corporation

Legal Notice No. NTS3217

First Publication: December 14, 2023

Last Publication: December 14, 2023

Publisher: Northglenn-Thornton Sentinel

**NOTICE AS TO PROPOSED 2024 BUDGET AND HEARING
BERKLEY SHORES METROPOLITAN DISTRICT**

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BY ORDER OF THE BOARD OF DIRECTORS:
BERKLEY SHORES METROPOLITAN DISTRICT

By: /s/ ICENOGLE | SEAVER | POGUE
A Professional Corporation

Publish In: *Northglenn-Thornton Sentinel*
Publish On: Thursday, December 14, 2023

EXHIBIT B

Budget Document
Budget Message

BERKLEY SHORES METROPOLITAN DISTRICT
Assessed Value, Property Tax and Mill Levy Information

	2022 Actual	2023 Adopted Budget	2024 Preliminary Budget
Assessed Valuation	\$ 591,440	\$ 1,669,230	\$ 3,213,790
Mill Levy			
General Fund	25.000	25.000	50.000
Debt Service Fund	35.000	36.007	37.351
Refunds and Abatements	0.230	-	-
Total Mill Levy	<u>60.230</u>	<u>61.007</u>	<u>87.351</u>
Property Taxes			
General Fund	\$ 14,786	\$ 41,731	\$ 160,690
Debt Service Fund	20,700	60,104	120,038
Refunds and Abatements	136	-	-
Actual/Budgeted Property Taxes	<u>\$ 35,622</u>	<u>\$ 101,835</u>	<u>\$ 280,728</u>

BERKLEY SHORES METROPOLITAN DISTRICT

GENERAL FUND

2024 Preliminary Budget

with 2022 Actual, 2023 Adopted Budget and 2023 Estimated

	2022 Actual	01/23-06/23 YTD Actual	2023 Adopted Budget	2023 Estimated	2024 Preliminary Budget
BEGINNING FUND BALANCE	\$ 1	\$ 1,368	\$ 17,219	\$ 1,368	\$ (598)
REVENUE					
Property Tax Revenue	14,843	23,180	41,731	41,731	160,690
Specific Ownership Taxes	1,004	1,012	2,504	2,504	9,641
Developer Advance	93,676	66,523	78,000	90,000	-
Miscellaneous income	125	200	-	500	200
Total Revenue	109,648	90,915	122,235	134,735	170,531
Total Funds Available	109,649	92,284	139,454	136,103	169,934
EXPENDITURES					
Accounting	13,232	2,027	8,000	8,000	8,480
Audit	6,500	-	7,300	7,300	7,300
Insurance/SDA Dues	4,297	4,059	4,500	4,059	4,700
Legal	17,037	15,373	12,000	18,000	15,000
Election	891	1,216	1,000	1,216	-
Management	13,841	1,381	8,000	8,000	8,480
Miscellaneous	11,568	8,344	2,000	9,000	5,000
Treasurer's Fees	-	45	626	626	2,410
Property Management	13,050	7,056	12,000	12,000	12,000
Landscape Maintenance	-	4,475	20,000	20,000	20,000
Landscape Improvements	927	-	-	-	-
Irrigation Repair	-	-	2,000	2,000	2,000
Snow Removal	13,333	10,038	13,000	15,000	15,000
Detention Pond Maintenance	-	-	5,000	5,000	5,000
Repairs & Maintenance	-	-	4,000	4,000	4,000
Fence Repairs	-	-	2,500	2,500	5,000
Utilities	13,603	3,848	15,000	10,000	1,000
Contingency	-	-	10,000	10,000	10,000
Total Expenditures	108,280	57,863	126,926	136,701	125,370
Transfers and Other Sources (Uses)					
Emergency Reserve	-	-	(3,667)	(3,667)	(5,116)
Transfer to Capital Projects	-	-	-	-	(39,000)
Total Expenditures Requiring Appropriation	108,280	57,863	130,593	136,701	169,486
ENDING FUND BALANCE	\$ 1,368	\$ 34,421	\$ 8,861	\$ (598)	\$ 448

BERKLEY SHORES METROPOLITAN DISTRICT

**DEBT SERVICE FUND
2024 Preliminary Budget
with 2022 Actual, 2023 Adopted Budget and 2023 Estimated**

	2022 Actual	01/23-06/23 YTD Actual	2023 Adopted Budget	2023 Estimated	2024 Preliminary Budget
BEGINNING FUND BALANCE	\$ 407,370	\$ 309,919	\$ 293,871	\$ 309,919	\$ 247,041
REVENUE					
Property Tax Revenue	20,780	33,386	60,104	60,104	120,038
Specific Ownership Tax	1,405	1,458	3,606	3,606	7,202
Interest Income	6,021	7,629	2,000	11,443	8,000
Total Revenue	28,206	42,472	65,710	75,153	135,240
Total Funds Available	435,576	352,392	359,581	385,072	382,281
EXPENDITURES					
Bond Interest	121,380	60,690	121,380	121,380	121,380
Paying Agent/Trustee Fees	4,276	379	5,500	5,500	5,500
Miscellaneous	-	-	250	250	250
Treasurer's Fees	-	65	902	902	1,801
Contingency	-	-	10,000	10,000	10,000
Total Expenditures	125,656	61,134	138,032	138,032	138,931
Total Expenditures Requiring Appropriation	125,656	61,134	138,032	138,032	138,931
ENDING FUND BALANCE	\$ 309,919	\$ 291,257	\$ 221,550	\$ 247,041	\$ 243,350

BERKLEY SHORES METROPOLITAN DISTRICT

CAPITAL PROJECTS FUND

2024 Preliminary Budget

with 2022 Actual, 2023 Adopted Budget and 2023 Estimated

	2022 Actual	01/23-06/23 YTD Actual	2023 Adopted Budget	2023 Estimated	2024 Preliminary Budget
BEGINNING FUND BALANCE	\$ (1)	\$ -	\$ -	\$ -	\$ -
REVENUE					
Developer Advance	-	8,045	37,400	38,000	-
Total Revenue	-	8,045	37,400	38,000	-
Total Funds Available	(1)	8,045	37,400	38,000	-
EXPENDITURES					
Accounting	(1)	4,151	13,000	12,000	13,000
Legal	-	-	12,000	12,000	12,000
Management	(0)	3,227	8,600	8,600	8,600
Engineering	-	-	5,400	5,400	5,400
Total Expenditures	(1)	7,378	39,000	38,000	39,000
Transfers and Other Sources (Uses)					
Transfer from General Fund	-	-	-	-	39,000
Total Expenditures Requiring Appropriation	(1)	7,378	39,000	38,000	39,000
ENDING FUND BALANCE	\$ -	\$ 667	\$ (1,600)	\$ -	\$ -

EXHIBIT C

Certification of Tax Levy

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners¹ of _____, Colorado.

On behalf of the _____,
(taxing entity)^A

the _____,
(governing body)^B

of the _____,
(local government)^C

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ _____ assessed valuation of: _____
(GROSS^D assessed valuation, Line 2 of the Certification of Valuation Form DLG 57^E)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area^F the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ _____
(NET^G assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)
USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10

Submitted: _____ for budget/fiscal year _____.
(no later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)	LEVY²	REVENUE²
1. General Operating Expenses ^H	_____ mills	\$ _____
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction ^I	< _____ > mills	\$ < _____ >
SUBTOTAL FOR GENERAL OPERATING:	<input type="text"/> mills	\$ <input type="text"/>
3. General Obligation Bonds and Interest ^J	_____ mills	\$ _____
4. Contractual Obligations ^K	_____ mills	\$ _____
5. Capital Expenditures ^L	_____ mills	\$ _____
6. Refunds/Abatements ^M	_____ mills	\$ _____
7. Other ^N (specify): _____	_____ mills	\$ _____
	_____ mills	\$ _____
TOTAL: [Sum of General Operating Subtotal and Lines 3 to 7]	<input type="text"/> mills	\$ <input type="text"/>

Contact person: _____ Daytime phone: () _____
(print)

Signed: _____ Title: _____

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.

¹ If the *taxing entity's* boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.

² Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's **FINAL** certification of valuation).

CERTIFICATION OF TAX LEVIES, continued

THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.). Taxing entities that are

Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:

BONDS^J:

- 1. Purpose of Issue: _____
Series: _____
Date of Issue: _____
Coupon Rate: _____
Maturity Date: _____
Levy: _____
Revenue: _____

- 2. Purpose of Issue: _____
Series: _____
Date of Issue: _____
Coupon Rate: _____
Maturity Date: _____
Levy: _____
Revenue: _____

CONTRACTS^K:

- 3. Purpose of Contract: _____
Title: _____
Date: _____
Principal Amount: _____
Maturity Date: _____
Levy: _____
Revenue: _____

- 4. Purpose of Contract: _____
Title: _____
Date: _____
Principal Amount: _____
Maturity Date: _____
Levy: _____
Revenue: _____

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Berkley Shores Metropolitan District of Adams County, Colorado on this 21st day of December 2023.

S E A L

_____, Secretary