

WESTERLY CREEK METROPOLITAN DISTRICT

Financial Statements

Year Ended December 31, 2019

with

Independent Auditor's Report

## C O N T E N T S

	<u>Page</u>
<u>Independent Auditor's Report</u>	I
<u>Management's Discussion and Analysis</u>	III
<u>Basic Financial Statements</u>	
Balance Sheet/Statement of Net Position - Governmental Funds	1
Statement of Revenues, Expenditures and Changes in Fund Balances/Statement of Activities - Governmental Funds	2
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - General Fund	3
Notes to Financial Statements	4



# HIRATSUKA & ASSOCIATES, L.L.P.

CERTIFIED PUBLIC ACCOUNTANTS & BUSINESS ADVISORS

## INDEPENDENT AUDITOR'S REPORT

Board of Directors  
Westerly Creek Metropolitan District  
Denver, Colorado

We have audited the accompanying financial statements of the governmental activities and each major fund of the Westerly Creek Metropolitan District (the District), Denver, Colorado, as of and for the year ended December 31, 2019, which collectively comprise the District's basic financial statements on pages 1, 2, and 3.

### **Management's Responsibility for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP); this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### **Auditor's Responsibility**

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### **Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities and each major fund of Westerly Creek Metropolitan District, Denver, Colorado, as of December 31, 2019, and the respective changes in financial position and the budgetary comparison for the General Fund for the year then ended in conformity with U.S. GAAP.

### **Other Matters**

#### *Required Supplementary Information*

U.S. GAAP requires that management's discussion and analysis on pages III – VII be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board (GASB), who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or

historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

*Hiratsuka & Associates, LLP*

June 22, 2020  
Wheat Ridge, Colorado

## MANAGEMENT'S DISCUSSION AND ANALYSIS

The discussion and analysis is designed to provide an analysis of the Westerly Creek Metropolitan District ("District") financial condition and operating results and to inform the reader of the District's financial issues and activities.

The Management's Discussion and Analysis (MD & A) should be read in conjunction with the District's financial statements.

### **Financial Highlights**

- The District is a taxing metropolitan district and as such has limited administrative activities.
- The District is required by intergovernmental agreement with the Park Creek Metropolitan District ("Park Creek") to pass all revenues received to Park Creek, where they are applied to pay operating expenditures and debt service on Park Creek obligations.
- The District does not have any net position, since all revenues are pledged to Park Creek and all expenses are funded by Park Creek.
- The revenues of the District are generated by a property tax mill levy, which for 2019 was 60.194 mills (58.388 for Park Creek General Obligation Bonds debt service and 1.806 for General Operating Expenditures). In addition, specific ownership taxes are received from vehicle registrations. Actual revenue was less than the original budgeted revenue by \$127,238 and actual expenditures were less than the original budgeted expenditures by \$127,238.

The District has no tangible capital assets.

### **Overview of the Financial Statements**

This discussion and analysis is intended to serve as an introduction to the District's basic financial statements. The District's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to financial statements.

### **Government-wide financial statements**

The government-wide financial statements are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business.

The statement of net position presents information on all of the District's assets, liabilities, deferred inflows of resources and deferred outflows of resources, with the difference between the four reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The statement of activities presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

Both of the government-wide financial statements identify functions of the District that are principally to be supported by ad valorem taxes (governmental activities).

The government-wide financial statements can be found on pages 1-2 of this report.

### **Fund financial statements**

A fund is a grouping of related accounts used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the District are governmental funds.

### **Governmental funds**

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows, outflows and balances of spendable resources. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

All of the District's activities are reported in a single governmental fund, the general fund, which focuses on how money flows in and out of that fund and the balance left at year-end available for spending in future periods.

The District adopts an annual appropriated budget for its general fund. A budgetary comparison statement has been provided for this fund in the basic financial statements to demonstrate compliance with this budget.

The basic governmental fund financial statements can be found on pages 1-3 of this report.

### **Notes to financial statements**

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to financial statements can be found on pages 4-10 of this report.

### **Government-wide Financial Analysis**

The assets of the District are classified as current assets. Receivables are current assets. These assets are available to provide resources for the near-term operations of the District. The primary current asset of the District is property taxes receivable.

Current and noncurrent liabilities are classified based on anticipated liquidation either in the near-term or in the future. Current liabilities include accounts payable. The liquidation of current liabilities is anticipated to be either from current available resources, current assets or new resources that become available during fiscal year 2020.

Deferred outflows of resources represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The District does not have any items that qualify for reporting in this category.

Deferred inflows of resources represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The District has one type of item that qualifies for reporting in this category, deferred property taxes.

Current assets increased by \$8,581,703 mainly due to the increase in property taxes receivable.

Current liabilities decreased by \$182,728 mainly due to the payable to Park Creek.

As noted earlier, net position may serve over time as a useful indicator of the District's financial position.

The District's liabilities equaled assets at the close of the most recent fiscal year.

	December 31,	
	<u>2019</u>	<u>2018</u>
Assets:		
Current assets	\$ 41,154,438	\$ 32,572,735
Total assets	<u>41,154,438</u>	<u>32,572,735</u>
Liabilities:		
Current liabilities	181,357	364,085
Total liabilities	<u>181,357</u>	<u>364,085</u>
Deferred inflows of resources		
Deferred property taxes	40,973,081	32,208,650
Total deferred inflows of resources	<u>40,973,081</u>	<u>32,208,650</u>
Net position:		
Unrestricted net position	-	-
Total net position	<u>\$ -</u>	<u>\$ -</u>

## Review of Change in Net Position

	Year Ended December 31,	
	2019	2018
Revenues:		
General revenue:		
Property taxes - debt service	\$ 31,250,190	\$ 29,581,280
Property taxes - operations	966,501	914,885
Specific ownership taxes	2,144,474	2,017,764
Payments from Park Creek	395,091	435,366
Interest	19,175	-
Total revenue	34,775,431	32,949,295
Expenses:		
Governmental activities:		
Payments to Park Creek	34,380,341	32,507,505
Other expenses	395,090	441,790
Total expenses	34,775,431	32,949,295
Total change in net position	-	-
Net position - beginning of year	-	-
Net position - end of year	\$ -	\$ -

Total net position did not change since all revenue is transferred to Park Creek under the Intergovernmental Agreement.

### Financial Analysis of the Government's Funds

As noted earlier, the District uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

#### Governmental funds

The focus of the District's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the District's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the District's one governmental fund, the General Fund, reported an ending fund balance of \$0.

Unassigned fund balance for the District at the end of the fiscal year was \$0.

## **General Fund Budgetary Highlights**

The fund balance for the General Fund did not change since all revenue is transferred to Park Creek under the Intergovernmental Agreement. Actual revenue was less than the original budgeted revenue by \$127,238, principally due to a decrease in property taxes received. Actual expenditures were \$127,238 less than the budgeted expenditures, principally due to the transfers to Park Creek Metropolitan District being less than expected.

## **Long-Term Debt**

The District does not have any long-term debt as of December 31, 2019.

## **Next Year's Budgets and Rates**

The assessed valuation of the property in the District increased by 30% in 2019 from \$535,080,730 to \$694,922,450.

## **Requests for Information**

This financial report is designed to provide a general overview of the District's finances for all those with an interest in the District. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to:

Westerly Creek Metropolitan District  
SDC Services Corp.  
VP Finance/Treasurer's Office  
7350 E. 29<sup>th</sup> Avenue, Suite 200  
Denver, CO 80238

## WESTERLY CREEK METROPOLITAN DISTRICT

### BALANCE SHEET/STATEMENT OF NET POSITION - GOVERNMENTAL FUNDS December 31, 2019

	<u>General</u>	<u>Total</u>	<u>Adjustments</u>	<u>Statement of Net Position</u>
<b>ASSETS</b>				
Receivable - County Treasurer	\$ 181,357	\$ 181,357	\$ -	\$ 181,357
Property taxes receivable	40,973,081	40,973,081	-	40,973,081
Prepaid expenses	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Assets	<u>41,154,438</u>	<u>41,154,438</u>	<u>-</u>	<u>41,154,438</u>
Total Assets	<u>\$ 41,154,438</u>	<u>\$ 41,154,438</u>		
<b>LIABILITIES</b>				
Accounts payable	\$ 5,962	\$ 5,962	-	5,962
Property taxes payable	-	-	-	-
Payable to Park Creek	<u>175,395</u>	<u>175,395</u>	<u>-</u>	<u>175,395</u>
Total Liabilities	<u>181,357</u>	<u>181,357</u>	<u>-</u>	<u>181,357</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>				
Deferred property taxes	<u>40,973,081</u>	<u>40,973,081</u>	<u>-</u>	<u>40,973,081</u>
Total Deferred Inflows of Resources	<u>40,973,081</u>	<u>40,973,081</u>	<u>-</u>	<u>40,973,081</u>
<b>FUND BALANCES/NET POSITION</b>				
Fund Balances:				
Unassigned	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Fund Balances	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Liabilities, Deferred Inflows of Resources and Fund Balances	<u>\$ 41,154,438</u>	<u>\$ 41,154,438</u>		
Net Position:				
Unrestricted			<u>-</u>	<u>-</u>
Total Net Position			<u>\$ -</u>	<u>\$ -</u>

The notes to the financial statements are an integral part of these statements.

## WESTERLY CREEK METROPOLITAN DISTRICT

### STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES/STATEMENT OF ACTIVITIES - GOVERNMENTAL FUNDS

For the Year Ended December 31, 2019

	<u>General</u>	<u>Total</u>	<u>Adjustments</u>	<u>Statement of Activities</u>
<b>EXPENDITURES</b>				
Staff services	\$ 24,168	\$ 24,168	\$ -	\$ 24,168
Office services	2,529	2,529	-	2,529
Office rent	2,174	2,174	-	2,174
Legal	25,207	25,207	-	25,207
Rent storage	1,560	1,560	-	1,560
Dues	609	609	-	609
Training and education	291	291	-	291
Treasurer's fees	323,797	323,797	-	323,797
Accounting & audit	7,369	7,369	-	7,369
Insurance	4,386	4,386	-	4,386
Monitoring fee	3,000	3,000	-	3,000
Transfer to Park Creek Metropolitan District	3,111,550	3,111,550	-	3,111,550
Transfer to Park Creek Metropolitan District	<u>31,268,791</u>	<u>31,268,791</u>	<u>-</u>	<u>31,268,791</u>
Total Expenditures	<u>34,775,431</u>	<u>34,775,431</u>	<u>-</u>	<u>34,775,431</u>
<b>GENERAL REVENUES</b>				
Property taxes - Debt Service	31,250,190	31,250,190	-	31,250,190
Property taxes - Operations & Maintenance	966,501	966,501	-	966,501
Specific ownership taxes	2,144,474	2,144,474	-	2,144,474
Interest income	19,175	19,175	-	19,175
Transfer from Park Creek Metropolitan District	<u>395,091</u>	<u>395,091</u>	<u>-</u>	<u>395,091</u>
Total General Revenues	<u>34,775,431</u>	<u>34,775,431</u>	<u>-</u>	<u>34,775,431</u>
<b>NET CHANGES IN FUND BALANCES</b>	-	-	-	
<b>CHANGE IN NET POSITION</b>			-	-
<b>FUND BALANCES/NET POSITION:</b>				
BEGINNING OF YEAR	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
END OF YEAR	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

The notes to the financial statements are an integral part of these statements.

## WESTERLY CREEK METROPOLITAN DISTRICT

### STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND

For the Year Ended December 31, 2019

	Original & Final <u>Budget</u>	<u>Actual</u>	Variance Favorable <u>(Unfavorable)</u>
<b>REVENUES</b>			
Property taxes - Debt Service	\$ 31,242,294	\$ 31,250,190	\$ 7,896
Property taxes - Operations & Maintenance	966,356	966,501	145
Specific ownership taxes	2,254,606	2,144,474	(110,132)
Interest income	-	19,175	19,175
Transfer from Park Creek Metropolitan District	<u>439,413</u>	<u>395,091</u>	<u>(44,322)</u>
Total Revenues	<u>34,902,669</u>	<u>34,775,431</u>	<u>(127,238)</u>
<b>EXPENDITURES</b>			
Staff services	26,840	24,168	(2,672)
Office services	2,692	2,529	(163)
Office rent	2,016	2,174	158
Legal	45,000	25,207	(19,793)
Rent storage	1,800	1,560	(240)
Dues	1,000	609	(391)
Training and education	3,500	291	(3,209)
Financial advisor	8,000	-	(8,000)
Miscellaneous	5,000	-	(5,000)
Contingency	5,000	-	(5,000)
Treasurer's fees	323,565	323,797	232
Accounting & audit	11,000	7,369	(3,631)
Insurance	4,000	4,386	386
Monitoring fee	-	3,000	3,000
Transfer to Park Creek Metropolitan District	3,220,962	3,111,550	(109,412)
Transfer to Park Creek Metropolitan District	<u>31,242,294</u>	<u>31,268,791</u>	<u>26,497</u>
Total Expenditures	<u>34,902,669</u>	<u>34,775,431</u>	<u>(127,238)</u>
<b>NET CHANGE IN FUND BALANCE</b>	-	-	-
<b>FUND BALANCE:</b>			
BEGINNING OF YEAR	<u>-</u>	<u>-</u>	<u>-</u>
END OF YEAR	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

The notes to the financial statements are an integral part of these statements.

# WESTERLY CREEK METROPOLITAN DISTRICT

## Notes to Financial Statements December 31, 2019

### Note 1: Summary of Significant Accounting Policies

The accounting policies of the Westerly Creek Metropolitan District (“District”), located in City and County of Denver, Colorado, conform to the accounting principles generally accepted in the United States of America (“GAAP”) as applicable to governmental units. The Governmental Accounting Standards Board (“GASB”) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The following is a summary of the more significant policies consistently applied in the preparation of financial statements.

#### Definition of Reporting Entity

The District was organized on July 13, 2000, as a quasi-municipal organization established under the State of Colorado Special District Act. The District cooperates with Park Creek Metropolitan District (“Park Creek”) to provide the financing, construction and maintenance of the infrastructure facilities located within the District. The District is the taxing district and Park Creek is the financing, construction and operating district. The District and Park Creek were organized for the completion of infrastructure at the former Stapleton International Airport. The District's primary revenues are property taxes. The District is governed by an elected Board of Directors.

As required by GAAP, these financial statements present the activities of the District, which is legally separate and financially independent of other state and local governments. The District follows the GASB pronouncements which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB sets forth the financial accountability of a governmental organization’s elected governing body as the basic criterion for including a possible component governmental organization in a primary government’s legal entity. Financial accountability includes, but is not limited to, appointment of a voting majority of the organization’s governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens and fiscal dependency. The pronouncements also require including a possible component unit if it would be misleading to exclude it.

The District is not financially accountable for any other organization. The District has no component units as defined by the GASB.

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

#### Basis of Presentation

The accompanying financial statements are presented per GASB Statement No. 34 - Special Purpose Governments.

# WESTERLY CREEK METROPOLITAN DISTRICT

## Notes to Financial Statements December 31, 2019

The government-wide financial statements (i.e. the governmental funds balance sheet/statement of net position and the governmental funds statement of revenues, expenditures, and changes in fund balances/statement of activities) report information on all of the governmental activities of the District. The statement of net position reports all financial and capital resources of the District. The difference between the (a) assets and deferred outflows of resources and the (b) liabilities and deferred inflows of resources of the District is reported as net position. The statement of activities demonstrates the degree to which expenditures/expenses of the governmental funds are supported by general revenues. For the most part, the effect of interfund activity has been removed from these statements.

The statement of activities demonstrates the degree to which the direct and indirect expenses of a given function or segment are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

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

### Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. Property taxes are recognized as revenues in the year for which they are collected.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the District considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. The material sources of revenue subject to accrual are property taxes and interest. Expenditures, other than interest on long-term obligations, are recorded when the liability is incurred, or the long-term obligation is paid.

The District reports the following major governmental funds:

General Fund - The General Fund is the general operating fund of the District. It is used to account for all financial resources not accounted for and reported in another fund.

## WESTERLY CREEK METROPOLITAN DISTRICT

### Notes to Financial Statements December 31, 2019

#### Budgetary Accounting

In accordance with the Local Government Budget Law of Colorado, the District's Board of Directors holds public hearings in the fall of each year to approve the budget and appropriate the funds for the ensuing year. The District's Board of Directors can modify the budget by line item within the total appropriation without notification. The total appropriation can only be modified upon completion of notification and publication requirements. The budget includes each fund on its basis of accounting unless otherwise indicated. The appropriation is at the total fund expenditures level and lapses at year end.

#### Assets, Liabilities and Net Position

##### Fair Value of Financial Instruments

The District's financial instruments include accounts receivable and accounts payable. The District estimates that the fair value of all financial instruments at December 31, 2019, does not differ materially from the aggregate carrying values of its financial instruments recorded in the accompanying balance sheet. The carrying amount of these financial instruments approximates fair value because of the short maturity of these instruments.

##### Estimates

The preparation of these financial statements in conformity with GAAP requires the District management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

##### Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The District does not have items that qualify for reporting in this category.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The District has only one item that qualifies for reporting in this category. Deferred property taxes are deferred and recognized as an inflow of resources in the period that the amounts become available.

## WESTERLY CREEK METROPOLITAN DISTRICT

### Notes to Financial Statements December 31, 2019

#### Property Taxes

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April 30 or if in equal installments, at the taxpayers' election, in February and June. Delinquent taxpayers are notified in July or August and the sales of the resultant tax liens on delinquent properties are generally held in November or December.

The City and County of Denver bills and collects the property taxes and remits collections on a monthly basis to the District and the Denver Urban Renewal Authority ("DURA"). DURA remits the District's share of incremental property tax revenues to the District. In addition, Adams County also collects property taxes and remits collections on a monthly basis to the District.

Property taxes, net of estimated uncollectible taxes, are recorded initially as deferred inflows in the year they are levied and measurable since they are not normally available nor are they budgeted as a resource until the subsequent year. The deferred property taxes are recorded as revenue in the subsequent year when they are available or collected.

#### Fund Balance

Fund balance of governmental funds is reported in various categories based on the nature of any limitations requiring the use of resources for specific purposes. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications make the nature and extent of the constraints placed on a government's fund balance more transparent:

#### Nonspendable Fund Balance

Nonspendable fund balance includes amounts that cannot be spent because they are either not spendable in form (such as inventory or prepaids) or are legally or contractually required to be maintained intact.

#### Restricted Fund Balance

The restricted fund balance includes amounts restricted for a specific purpose by external parties such as grantors, bondholders, constitutional provisions or enabling legislation.

#### Committed Fund Balance

The portion of fund balance that can only be used for specific purposes pursuant to constraints imposed by a formal action of the District's highest level of decision-making authority, the Board of Directors. The constraint may be removed or changed only through formal action of the Board of Directors.

# WESTERLY CREEK METROPOLITAN DISTRICT

## Notes to Financial Statements December 31, 2019

### Assigned Fund Balance

Assigned fund balance includes amounts the District intends to use for a specific purpose. Intent can be expressed by the District's Board of Directors or by an official or body to which the Board of Directors delegates the authority.

### Unassigned Fund Balance

Unassigned fund balance includes amounts that are available for any purpose. Positive amounts are reported only in the General Fund, all other funds can report negative amounts.

For the classification of Governmental Fund balances, the District considers an expenditure to be made from the most restrictive first when more than one classification is available.

### Net Position

Net Position represents the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources. The District may report three categories of net position, as follows:

Net investment in capital assets – consists of net capital assets, reduced by outstanding balances of any related debt obligations and deferred inflows of resources attributable to the acquisition, construction, or improvement of those assets and increased by balances of deferred outflows or resources related to those assets.

Restricted net position – net position is considered restricted if their use is constrained to a particular purpose. Restrictions are imposed by external organizations such as federal or state laws. Restricted net position is reduced by liabilities and deferred inflows of resources related to the restricted assets.

Unrestricted net position – consists of all other net position that does not meet the definition of the above two components and is available for general use by the District.

When an expense is incurred for purposes for which both restricted and unrestricted net position are available, the District will use the most restrictive net position first.

### Note 2: Intergovernmental Agreement

The District and Park Creek entered into an Intergovernmental Financing and Construction Agreement ("IGA") dated April 30, 2001. Per the IGA, Park Creek will finance the construction costs for the In-Tract and Trunk Infrastructure in accordance with the Service Plan and will be responsible for the completion of the Infrastructure. The District agreed to certify a mill levy on all taxable property with the District of 48.5 mills (as adjusted) to repay all obligations and construction costs and 1.5 mills (as adjusted) to fund administrative and operating expenses of the District and Park Creek.

WESTERLY CREEK METROPOLITAN DISTRICT

Notes to Financial Statements  
December 31, 2019

The District is prohibited from retaining, appropriating, expending, pledging or encumbering any pledged or operating revenues that are received by the District for any purpose and all such revenues shall be immediately transferred and paid to Park Creek or the Trustee.

The District therefore maintains no bank accounts and all revenues flow directly to Park Creek. Park Creek pays all operating expenses of behalf of the District.

Note 3: Operating Lease

SDC Services Corporation (“SDC Services”) and FC 29th Avenue Town Center Rental, LLC are parties to an Office Lease Agreement pursuant to which SDC Services leases Suite 200 of the building commonly known as East 29th Avenue Town Center located at 7350 E. 29th Avenue, Denver, CO 80238. On March 1, 2014, the District entered into a Sublease and Services Agreement with SDC Services. Pursuant to the Sublease and Services Agreement, SDC Services Corporation provides office space, non-exclusive use of the Conference Room and Board Room for business meetings, and staff services to include management, accounting, and administrative support to the District. The current Sublease and Services Agreement is for a term from March 1, 2014 until February 28, 2020. For the year ended December 31, 2019, total lease expense amounted to \$2,174. Future lease payments are as follows:

<u>Year Ending</u> <u>December 31,</u>	<u>Lease</u> <u>Payments</u>
2020	389
	<u>\$ 389</u>

Note 4: Related Party

All five members of the Board of Directors are residents and homeowners within the District. One member of the Board of Directors is associated with Stapleton Development Corporation, a Colorado non-profit entity. Management believes that all potential conflicts, if any, have been disclosed to the Board of Directors and filed with the Colorado Secretary of State prior to each meeting of the Board of Directors.

SDC Services is a not-for-profit organization that offers management and office services to other not-for-profit entities related to the development of the former Stapleton International Airport. All required accounting and management services for the District are provided by SDC Services. For the year ending December 31, 2019, the District paid SDC Services \$28,871 for these services and at December 31, 2019, there were no payables related to these services.

## WESTERLY CREEK METROPOLITAN DISTRICT

### Notes to Financial Statements December 31, 2019

#### Note 5: Tax, Spending and Debt Limitations

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

Spending and revenue limits are determined based on the prior year’s Fiscal Year Spending adjusted for allowable increases based upon inflation and local growth. Fiscal Year Spending is generally defined as expenditures plus reserve increases with certain exceptions. Revenue in excess of the Fiscal Year Spending limit must be refunded unless the voters approve retention of such revenue.

TABOR requires local governments to establish Emergency Reserves. These reserves must be at least 3% of Fiscal Year Spending (excluding bonded debt service). Local governments are not allowed to use the emergency reserves to compensate for economic conditions, revenue shortfalls, or salary or benefit increases.

The District’s management believes it is in compliance with the provisions of TABOR. However, TABOR is complex and subject to interpretation. Many of the provisions, including the interpretation of how to calculate Fiscal Year Spending limits will require judicial interpretation.

#### Note 6: Risk Management

Except as provided in the Colorado Governmental Immunity Act, 24-10-101, et seq., CRS, the District may be exposed to various risks of loss related to torts, theft of, damage to, or destruction of assets; errors or omissions; injuries to agents; and natural disasters. The District has elected to participate in the Colorado Special Districts Property and Liability Pool (“Pool”) which is an organization created by intergovernmental agreement to provide common liability and casualty insurance coverage to its members at a cost that is considered economically appropriate. Settled claims have not exceeded this commercial coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for auto, public officials’ liability, and property and general liability coverage. In the event aggregated losses incurred by the Pool exceed its amounts recoverable from reinsurance contracts and its accumulated reserves, the District may be called upon to make additional contributions to the Pool on the basis proportionate to other members. Any excess funds which the Pool determines are not needed for purposes of the Pool may be returned to the members pursuant to a distribution formula.