

**STC METROPOLITAN DISTRICT NO. 3**

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

NOTICE OF REGULAR MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expires:</u>
James A. Brzostowicz	President	2020/May 2020
<i>VACANT</i>		2022/May 2022
<i>VACANT</i>		2020/May 2020
<i>VACANT</i>		2020/May 2020
<i>VACANT</i>		2022/May 2020
Lisa A. Johnson	Secretary	

DATE: November 7, 2018  
TIME: 9:00 A.M.  
PLACE: McGeady Becher P.C.  
450 E. 17<sup>th</sup> Ave., Suite 400  
Denver, CO 80203

I. ADMINISTRATIVE MATTERS

- A. Present Disclosures of Potential Conflicts of Interest.  
\_\_\_\_\_
- B. Approve Agenda, confirm location of the meeting and posting of meeting notices.  
\_\_\_\_\_
- C. Discuss results of the May 8, 2018 Election (enclosure).  
\_\_\_\_\_
- D. Acknowledge the resignations of Director Lee Merritt effective as of June 15, 2018 and Director Bob Revis effective October 24, 2018 and consider appointment of Angie Hulsebus to the Board of Directors following publication of Notice of Vacancy on October 18, 2018 (enclosures). Administer Oath of Director.  
\_\_\_\_\_
- E. Consider appointment of Officers:  
  - President \_\_\_\_\_
  - Treasurer \_\_\_\_\_
  - Secretary \_\_\_\_\_
  - Assistant Secretary \_\_\_\_\_
  - Assistant Secretary \_\_\_\_\_

- F. Consider regular meeting dates for 2019. Review and consider approval of Resolution No. 2018-11-01; Resolution Establishing 2018 Regular Meeting Dates, Times and Location, and Designating Locations for Posting of 72 Hour and 24 Hour Notices (enclosure).
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- G. Review and approve Minutes of the November 1, 2017 special meeting (enclosure).
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## II. FINANCIAL MATTERS

- A. Ratify approval of the execution and filing of the Application for Exemption from Audit for 2017 (enclosure).
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- B. Consider appointment of District Accountant to prepare the 2018 Application for Exemption from Audit.
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- C. Ratify appointment of District Accountant to prepare the 2019 Budget.
- 

- D. Conduct public hearing to consider Amendment to 2018 Budget and (if necessary) consider adoption of Resolution to Amend the 2018 Budget and Appropriate Expenditures.
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- E. Conduct Public Hearing on the proposed 2019 Budget and consider adoption of Resolutions to Adopt the 2019 Budget and Appropriate Sums of Money and Set Mill Levies (for General Fund \_\_\_\_\_, Debt Service Fund \_\_\_\_\_ and Other Fund(s) \_\_\_\_\_ for a total mill levy of \_\_\_\_\_) (enclosures – Preliminary Assessed Valuation, Resolutions, and draft 2019 Budget).
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- F. Consider authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.
- 

- G. Consider appointment of District Accountant to prepare the 2020 Budget.
-

III. LEGAL MATTERS

- A. Discuss §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2018.
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- B. Review current District Boundary Map (enclosure).
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- C. Ratify approval of Intergovernmental Agreement Regarding Covenant Enforcement and Design Review Services between the District, STC Metropolitan District No. 1 and STC Metropolitan District No. 2 (enclosure).
- 

IV. ADJOURNMENT **THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2018.**

Informational Enclosure:

- Memo regarding rates from Special District Management Services, Inc.

**NOTICE OF CANCELLATION  
and  
CERTIFIED STATEMENT OF RESULTS**

§1-13.5-513(6), 32-1-104, 1-11-103(3) C.R.S.

**NOTICE IS HEREBY GIVEN** by the STC Metropolitan District No. 3, Boulder County, Colorado, that at the close of business on the sixty-third day before the election, there were not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates; therefore, the election to be held on May 8, 2018 is hereby canceled pursuant to section 1-13.5-513(6) C.R.S.

The following candidates are declared elected for the following terms of office:

<u>Name</u>	<u>Term</u>
Bob Revis	Second Regular Election, May 2022
Vacant	Second Regular Election, May 2022
Vacant	Next Regular Election, May 2020

/s/ Lisa A. Johnson  
(Designated Election Official)

Contact Person for the District:	Lisa A. Johnson
Telephone Number of the District:	303-987-0835
Address of the District:	141 Union Boulevard, Suite 150, Lakewood, CO 80228
District Facsimile Number:	303-987-2032
District Email:	ljohnson@sdmsi.com

**From:** Lee Merritt <[lee@blvdbuilders.com](mailto:lee@blvdbuilders.com)>

**Sent:** Friday, June 15, 2018 11:06 AM

**To:** Lisa Johnson <[ljohnson@sdmsi.com](mailto:ljohnson@sdmsi.com)>

**Subject:** RE: STC resignation

Thanks Lisa;

On that note: Effective June 15, 2018 I am tendering my resignation on the STC Metropolitan Districts 1, 2, & 3 Board of Directors.

Hopefully this will help with any potential issues filling a quorum.

If they get in a pinch and looking for someone to fill another seat, I am still happy to help out.

Thank you

## Robin Navant

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**From:** Lisa Johnson  
**Sent:** Wednesday, October 03, 2018 12:46 PM  
**To:** SDMS Office  
**Subject:** STC MD No. 2 - Director Resignation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Red Category

All – Bob Revis gave notice today at the Board meeting that he will resign from the Board effective October 24, 2018. His notice also included his resignation from Districts 1 and 3.

Please update all resources on or after that date.

Robin - No need to publish a notice of vacancy at this time. Could you add acknowledgement of his resignation to the STC MD No. 1 and 3 agendas for November?

Thanks,  
Lisa

**Lisa A. Johnson**  
**District Manager**  
Special District Management Services, Inc.  
141 Union Blvd., Ste. 150  
Lakewood, CO 80228  
303-987-0835 (o)  
303-987-2032 (f)

**RESOLUTION NO. 2018-11-01**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
STC METROPOLITAN DISTRICT NO. 3  
ESTABLISHING REGULAR MEETING DATES, TIME AND LOCATION, AND  
DESIGNATING LOCATIONS FOR POSTING OF 72-HOUR AND 24-HOUR NOTICES**

A. Pursuant to Section 32-1-903, C.R.S., special districts are required to designate a schedule for regular meetings, indicating the dates, time and location of said meetings.

B. Pursuant to Section 24-6-402(2)(c), C.R.S., special districts are required to designate annually at the board of directors of the district's first regular meeting of each calendar year, the place at which notice will be posted at least 24 hours prior to each meeting.

C. Pursuant to Section 32-1-903, C.R.S., special districts are required to post notices of regular and special meetings at three (3) public places within the district and at the office of the County Clerk and Recorder at least 72 hours prior to said meeting.

D. Pursuant to Section 32-1-903, C.R.S., all special and regular meetings of the board shall be held at locations which are within the boundaries of the district or which are within the boundaries of any county in which the district is located, in whole or in part, or in any county so long as the meeting location does not exceed twenty (20) miles from the district boundaries unless such provision is waived.

E. The provisions of Section 32-1-903, C.R.S., may be waived if: (1) the proposed change of location of a meeting of the board appears on the agenda of a regular or special meeting; and (2) a resolution is adopted by the board stating the reason for which a meeting is to be held in a location other than under Section 32-1-903(1), C.R.S., and further stating the date, time and place of such meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the STC Metropolitan District No. 3 of the County of Boulder, Colorado:

1. That the provisions of Section 32-1-903(1), C.R.S., be waived pursuant to the adoption of this Resolution.

2. That the Board of Directors (the "**District Board**") has determined that conducting regular and special meetings pursuant to Section 32-1-903(1), C.R.S., would be inconvenient and costly for the Directors and consultants of the District in that they live and/or work outside the twenty (20) mile radius requirement.

3. That regular meetings of the District Board of the STC Metropolitan District No. 3 for the year 2019 shall be held on \_\_\_\_\_, 2019 at 9:00 a.m., at the offices of McGeady Becher P.C., 450 E 17<sup>th</sup> Avenue, Suite 400, Denver, Colorado in the City and County of Denver, Colorado.

4. That special meetings of the District Board shall be held as often as the needs of the District require, upon notice to each Director.

5. That, until circumstances change and a future resolution of the District Board so designates, the location of all special and regular meetings of the District Board shall appear on the agenda(s) of said special and regular meetings.

6. That the residents and taxpaying electors of the District shall be given an opportunity to object to the meeting(s), location(s) and any such objections shall be considered by the District Board in setting future meetings.

7. Notice of Meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted within the boundaries of the District at least 24 hours prior to each meeting at the following location:

- (a) On the fence in the northwest corner of the 5' x 5' District parcel (said parcel located 81 feet north of the fence corner)

8. Notices of regular and special meetings required to be posted at three (3) public places within the District and at the office of the County Clerk and Recorder at least 72 hours prior to said meeting shall be made pursuant to Section 32-1-903, C.R.S., at the following locations:

- (a) Three locations on the fence in the northwest corner of the 5' x 5' District parcel (said parcel located 81 feet north of the fence corner)

9. James A. Brzostowicz or his designee, is hereby appointed to post the above-referenced notices.

RESOLUTION APPROVED AND ADOPTED on November 7, 2018.

**STC METROPOLITAN DISTRICT NO. 3**

By: \_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary



**STC Metropolitan District No. 1**  
**Proposed Budget**  
**General Fund**  
**For the Year Ended December 31, 2019**

	Actual <u>2017</u>	Adopted Budget <u>2018</u>	Actual <u>6/30/2018</u>	Estimate <u>2018</u>	Proposed Budget <u>2019</u>
Beginning balance	\$ 884	\$ (43)	\$ (43)	\$ (43)	\$ -
<b>Revenues:</b>					
Property taxes	(1,091)	502	24	502	645
SURA Property Tax Increment	7,988	25,689	1,209	21,471	36,408
Specific ownership taxes	489	895	42	1,758	2,964
Reimbursement from SURA	-	-	-	-	-
Miscellaneous Income	-	-	-	-	-
<b>Total Revenue</b>	<u>7,386</u>	<u>27,086</u>	<u>1,275</u>	<u>23,731</u>	<u>40,017</u>
<b>Total Funds Available</b>	<u>8,270</u>	<u>27,043</u>	<u>1,232</u>	<u>23,688</u>	<u>40,017</u>
<b>Expenditures:</b>					
Miscellaneous	179	-	120	180	-
Treasurer's Fees	-	444	-	8	10
<b>Total expenditures</b>	<u>179</u>	<u>444</u>	<u>120</u>	<u>188</u>	<u>10</u>
<b>Transfers and Reserves</b>					
Transfer to STCMD No. 2	8,134	26,629	1,155	23,500	40,007
Emergency Reserve	-	13	-	-	-
<b>Total Transfers and Reserves</b>	<u>8,134</u>	<u>26,642</u>	<u>1,155</u>	<u>23,500</u>	<u>40,007</u>
Ending balance	<u>\$ (43)</u>	<u>\$ (43)</u>	<u>\$ (43)</u>	<u>\$ -</u>	<u>\$ -</u>
Assessed Valuation		<u>\$ 45,437</u>			<u>\$ 58,303</u>
Mill Levy		<u>11.056</u>			<u>11.056</u>

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE STC METROPOLITAN DISTRICT NO. 3 HELD NOVEMBER 1, 2017

A Special Meeting of the Board of Directors (referred to hereafter as the "Board") of the STC Metropolitan District No. 3 (referred to hereafter as the "District") was convened on Wednesday, the 1<sup>st</sup> day of November, 2017, at 1:00 P.M., at the offices of McGeady Becher P.C.; 450 E. 17<sup>th</sup> Ave., Suite 400, Denver, Colorado. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

James A. Brzostowicz  
Lee Merritt

#### Also In Attendance Were:

Lisa A. Johnson; Special District Management Services, Inc.

Megan Becher, Esq.; McGeady Becher P.C.

Mark Chambers; Simmons & Wheeler, P.C.

Bob Revis; Board Candidate

Sonia Chin and Jessica Sergi; RC Superior (via speakerphone)

#### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board noted it was in receipt of disclosures of potential conflicts of interest statements for each of the Directors and that the statements had been filed with the Secretary of State at least seventy-two hours in advance of the meeting. Ms. Johnson requested that the Directors review the Agenda for the meeting and advise the Board to disclose any new conflicts of interest which had not been previously disclosed. No further disclosures were made by Directors present at the meeting.

#### ADMINISTRATIVE MATTERS

Agenda: Ms. Johnson distributed for the Board's review and approval a proposed Agenda for the District's Special Meeting.

## RECORD OF PROCEEDINGS

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Following discussion, upon motion duly made by Director Merritt, seconded by Director Brzostowicz and, upon vote, unanimously carried, the Agenda was approved.

**Confirm Location of Meeting, Posting of Meeting Notices and Quorum:** Ms. Johnson confirmed the presence of a quorum. The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting.

Following discussion, and upon motion duly made by Director Merritt, seconded by Director Brzostowicz and, upon vote, unanimously carried, the Board determined that because there was not a suitable or convenient location within its boundaries or within 20 miles of its boundaries to conduct this meeting, the meeting would be conducted at the above-stated location. The Board further noted that the notice of the time, date and location was duly posted and that no objections to the location or any requests that the meeting place be changed were received from taxpaying electors within its boundaries.

**Acknowledge Resignation of Director Miles Freyer:** The Board acknowledged the resignation of Director Miles Freyer effective August 18, 2017.

**Consideration of Board Appointment After Publication of Notice of Vacancy:** It was noted that pursuant to Section 32-1-808(2)(a)(I), C.R.S., publication of a Notice of Vacancy on the Board was made on September 12, 2017, in the Boulder Daily Camera. No Letters of Interest from qualified eligible electors were received within ten (10) days of the date of such publication.

As such, following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Merritt to nominate Bob Revis to fill the vacant Board term and, upon vote, unanimously carried, the Board appointed Bob Revis to fill a vacancy. The Oath of Office was administered.

**Appointment of Officers:** Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Merritt and, upon vote, unanimously carried, the following slate of officers was appointed:

President	James A. Brzostowicz
Treasurer	Lee Merritt
Secretary	Lisa Johnson
Assistant Secretary	Bob Revis

## RECORD OF PROCEEDINGS

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**Resolution Establishing Regular Meeting Dates, Times and Location, and Designating Locations for Posting of 72 Hour and 24 Hour Notices:** The Board discussed Resolution No. 2017-11-01; Establishing Regular Meeting Dates, Times and Location, and Designating Locations for Posting of 72 Hour and 24 Hour Notices.

Ms. Johnson reviewed the business to be conducted in 2018 to meet the statutory compliance requirements. The Board, determined to meet on November 7, 2018, at 9:00 a.m. at the offices of McGeady Becher P.C., 450 E 17<sup>th</sup> Avenue, Suite 400, Denver, Colorado.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Merritt and, upon vote, unanimously carried, the Board adopted Resolution No. 2017-11-01; Resolution Establishing 2017 Regular Meeting Dates, Times and Location, and Designating Locations for Posting of 72 Hour and 24-Hour Notices. A copy of the resolution is attached hereto and incorporated herein.

**Minutes:** The Board reviewed the Minutes of the January 4, 2017 special meeting.

Following discussion, upon motion duly made by Director Merritt seconded by Director Brzostowicz and, upon vote, unanimously carried, the Board approved the minutes of the January 4, 2017 special meeting.

**Eligible Government Entity Agreement:** The Board discussed the Eligible Government Entity Agreement between the District, STC Metropolitan District No. 1, STC Metropolitan District No. 2 and the Statewide Internet Portal Authority for website hosting services.

Following discussion, upon motion duly made by Director Brzostowicz seconded by Director Merritt and, upon vote, unanimously carried, the Board approved the Eligible Government Entity Agreement between the District, STC Metropolitan District No. 1, STC Metropolitan District No. 2 and the Statewide Internet Portal Authority for website hosting services.

### **FINANCIAL MATTERS**

**2016 Application for Exemption from Audit:** Ms. Johnson presented the 2016 Application for Exemption from Audit to the Board.

Following review and discussion, upon motion duly made by Director Brzostowicz, seconded by Director Merritt and, upon vote, unanimously carried, the Board ratified the execution and filing of the Application for Exemption from Audit for 2016.

## RECORD OF PROCEEDINGS

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**2017 Application for Exemption from Audit:** The Board discussed the requirements for an audit.

Following discussion, upon motion duly made by Director Merritt, seconded by Director Brzostowicz and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare the Application for Exemption from Audit for 2017.

**Preparation of 2017 Budget:** The Board discussed the preparation of the 2018 Budget.

Following discussion, upon motion duly made by Director Merritt, seconded by Director Brzostowicz and, upon vote, unanimously carried, the Board ratified the appointment of the District Accountant to prepare the 2018 Budget.

**2017 Budget Amendment Hearing:** The President opened the public hearing to consider the Resolution to Amend the 2017 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2017 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. There were no comments from the public in attendance and the public hearing was closed.

Following review and discussion, it was determined that a 2017 Budget Amendment was not needed.

**2018 Budget:** The Board opened the public hearing to consider the proposed 2018 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2018 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.

Mr. Chambers reviewed the estimated 2017 expenditures and the proposed 2018 expenditures.

## RECORD OF PROCEEDINGS

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Following discussion, the Board considered the adoption of Resolution No. 2017-11-02; Resolution to Adopt the 2018 Budget and Appropriate Sums of Money, and Resolution No. 2017-11-03; Resolution to Set Mill Levies, for the General Fund at 10.000 mills and the Debt Service Fund at 20.000 mills, for a total mill levy of 30.000 mills. Upon motion duly made by Director Brzostowicz, seconded by Director Merritt and, upon vote, unanimously carried, the Resolutions were adopted, as discussed, subject to final assessed valuation and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of the final Certification of Assessed Valuation from the County on or before December 10, 2017. Ms. Johnson was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Boulder County and the Division of Local Government, not later than December 15, 2017. Ms. Johnson was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2018. Copies of the adopted Resolutions are attached to these minutes and incorporated herein by this reference.

**DLG-70 Mill Levy Certification Form:** The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Following discussion, upon motion duly made by Director Merritt seconded by Director Brzostowicz and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

**Preparation of 2019 Budget:** The Board discussed the preparation of the 2019 Budget.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Merritt and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2019 Budget.

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### **LEGAL MATTERS**

**Inclusion Policy:** Attorney Becher reviewed with the Board Resolution No. 2017-01-01; Resolution Establishing a Policy Regarding Inclusion of Property into the Boundaries of the District.

Following review, upon motion duly made by Director Brzostowicz, seconded by Director Merritt and, upon vote, unanimously carried, the Board ratified adoption of Resolution No. 2017-01-01; Resolution Establishing a Policy Regarding Inclusion of Property into the Boundaries of the District

## RECORD OF PROCEEDINGS

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**Election Resolution:** The Board discussed Resolution No. 2017-11-04; Resolution Calling a Regular Election for Directors on May 8, 2018, appointing the Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Merritt and, upon vote, unanimously carried, the Board adopted Resolution No. 2017-11-04; Resolution Calling a Regular Election for Directors on May 8, 2018, appointing the Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

**Resolution Regarding the Imposition of District Fees:** Attorney Becher presented the Board with Resolution No. 2017-11-05; Resolution Regarding the Imposition of District Fees.

Following discussion, upon motion duly made by Director Merritt, seconded by Director Brzostowicz and, upon vote, unanimously carried, the Board adopted Resolution No. 2017-11-05; Resolution Regarding the Imposition of District Fees, subject to approval by the Town of Superior.

**32-1-809, C.R.S. reporting requirements, mode of eligible elector notification:** Ms. Johnson discussed with the Board the reporting requirements and mode of eligible elector notification.

Following discussion, the Board authorized staff to post the statutory transparency notice on the SDA Website.

\_\_\_\_\_

### **OTHER MATTERS**

There were no other matters for discussion at this time.

\_\_\_\_\_

### **ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made, seconded and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By \_\_\_\_\_  
Secretary for the Meeting

## RECORD OF PROCEEDINGS

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THESE MINUTES ARE APPROVED AS THE OFFICIAL NOVEMBER 1, 2017  
MINUTES OF THE STC METROPOLITAN DISTRICT NO. 3 BY THE BOARD  
OF DIRECTORS SIGNING BELOW:

\_\_\_\_\_  
James A. Brzostowicz

\_\_\_\_\_  
Lee Merritt

\_\_\_\_\_  
Bob Revis



RESOLUTION NO. 2017-11-01

RESOLUTION OF THE BOARD OF DIRECTORS OF  
STC METROPOLITAN DISTRICT NO. 3  
ESTABLISHING REGULAR MEETING DATES, TIME AND LOCATION, AND  
DESIGNATING LOCATIONS FOR POSTING OF 72-HOUR AND 24-HOUR NOTICES

A. Pursuant to Section 32-1-903, C.R.S., special districts are required to designate a schedule for regular meetings, indicating the dates, time and location of said meetings.

B. Pursuant to Section 24-6-402(2)(c), C.R.S., special districts are required to designate annually at the board of directors of the district's first regular meeting of each calendar year, the place at which notice will be posted at least 24 hours prior to each meeting.

C. Pursuant to Section 32-1-903, C.R.S., special districts are required to post notices of regular and special meetings at three (3) public places within the district and at the office of the County Clerk and Recorder at least 72 hours prior to said meeting.

D. Pursuant to Section 32-1-903, C.R.S., all special and regular meetings of the board shall be held at locations which are within the boundaries of the district or which are within the boundaries of any county in which the district is located, in whole or in part, or in any county so long as the meeting location does not exceed twenty (20) miles from the district boundaries unless such provision is waived.

E. The provisions of Section 32-1-903, C.R.S., may be waived if: (1) the proposed change of location of a meeting of the board appears on the agenda of a regular or special meeting; and (2) a resolution is adopted by the board stating the reason for which a meeting is to be held in a location other than under Section 32-1-903(1), C.R.S., and further stating the date, time and place of such meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the STC Metropolitan District No. 3 of the County of Boulder, Colorado:

1. That the provisions of Section 32-1-903(1), C.R.S., be waived pursuant to the adoption of this Resolution.

2. That the Board of Directors (the "**District Board**") has determined that conducting regular and special meetings pursuant to Section 32-1-903(1), C.R.S., would be inconvenient and costly for the Directors and consultants of the District in that they live and/or work outside the twenty (20) mile radius requirement.

3. That regular meetings of the District Board of the STC Metropolitan District No. 3 for the year 2018 shall be held on November 7, 2018 at 9:00 a.m., at the offices of McGeady Becher P.C., 450 E 17<sup>th</sup> Avenue, Suite 400, Denver, Colorado in the City and County of Denver, Colorado.

4. That special meetings of the District Board shall be held as often as the needs of the District require, upon notice to each Director.

5. That, until circumstances change and a future resolution of the District Board so designates, the location of all special and regular meetings of the District Board shall appear on the agenda(s) of said special and regular meetings.

6. That the residents and taxpaying electors of the District shall be given an opportunity to object to the meeting(s), location(s) and any such objections shall be considered by the District Board in setting future meetings.

7. Notice of Meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted within the boundaries of the District at least 24 hours prior to each meeting at the following location:

- (a) On the fence in the northwest corner of the 5' x 5' District parcel (said parcel located 81 feet north of the fence corner)

8. Notices of regular and special meetings required to be posted at three (3) public places within the District and at the office of the County Clerk and Recorder at least 72 hours prior to said meeting shall be made pursuant to Section 32-1-903, C.R.S., at the following locations:

- (a) Three locations on the fence in the northwest corner of the 5' x 5' District parcel (said parcel located 81 feet north of the fence corner)

9. James A. Brzostowicz or Lee Merritt, or his/her designee, is hereby appointed to post the above-referenced notices.


RESOLUTION APPROVED AND ADOPTED on November 1, 2017.

**STC METROPOLITAN DISTRICT NO. 3**

By: \_\_\_\_\_

President

Attest:

  
\_\_\_\_\_  
Secretary

RESOLUTION NO. 2017 - 11 - 02  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE STC METROPOLITAN DISTRICT NO. 3  
TO ADOPT THE 2018 BUDGET AND APPROPRIATE SUMS OF MONEY

WHEREAS, the Board of Directors of the STC Metropolitan District No. 3 ("District") has appointed the District Accountant to prepare and submit a proposed 2018 budget to the Board at the proper time; and

WHEREAS, the District Accountant has submitted a proposed budget to this Board on or before October 15, 2017, for its consideration; and

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 1, 2017, and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution ("TABOR") and other laws or obligations which are applicable to or binding upon the District; 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.

WHEREAS, the Board of Directors of the District has made provisions therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and

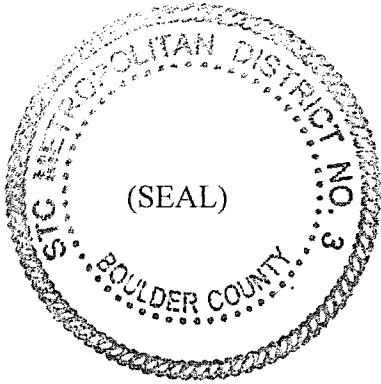
WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, as more fully set forth in the budget, including any interfund transfers listed therein, so as not to impair the operations of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the STC Metropolitan District No. 3:

1. That the budget as submitted, amended, and summarized by fund, hereby is approved and adopted as the budget of the STC Metropolitan District No. 3 for the 2018 fiscal year.
2. That the budget, as hereby approved and adopted, shall be certified by the Secretary of the District to all appropriate agencies and is made a part of the public records of the District.

3. That the sums set forth as the total expenditures of each fund in the budget attached hereto as **EXHIBIT A** and incorporated herein by reference are hereby appropriated from the revenues of each fund, within each fund, for the purposes stated.

ADOPTED this 1<sup>st</sup> day of November, 2017.



  
Secretary

EXHIBIT A  
(Budget)

**STC METROPOLITAN DISTRICT NO. 3**  
**2018**  
**BUDGET MESSAGE**

Attached please find a copy of the adopted 2018 budget for the STC Metropolitan District No. 3.

The STC Metropolitan District No. 3 has adopted two separate funds, a General Fund to provide for transfers to STC Metropolitan District No. 2 for general operating and maintenance expenditures; and a Debt Service Fund to provide for transfers to STC Metropolitan District No. 2 for payments on the outstanding general obligation bonds.

The District's accountants have utilized the modified accrual basis of accounting and the budget has been adopted after proper postings, publications and public hearing.

The primary sources of revenue for the District in 2018 will be property taxes and SURA property tax increments. The District intends to impose a 30.000 mill levy on the property within the District in 2018, of which 10.000 mills will be dedicated to the General Fund and the balance of 20.000 mills will be allocated to the Debt Service Fund.

**STC Metropolitan District No. 3**  
**Adopted Budget**  
**General Fund**  
**For the Year Ended December 31, 2018**


	Actual <u>2016</u>	Adopted Budget <u>2017</u>	Actual <u>6/30/2017</u>	Estimate <u>2017</u>	Adopted Budget <u>2018</u>
Beginning balance	\$ 60	\$ -	\$ -	\$ -	\$ -
Revenues:					
Property taxes	-	-	-	-	5
SURA Property Tax Increment	-	-	-	-	5,138
Specific ownership taxes	-	-	-	-	-
Reimbursement from SURA	-	-	-	-	-
Miscellaneous Income	<u>70</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Revenue	<u>70</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>5,143</u>
Total Funds Available	<u>130</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>5,143</u>
Expenditures:					
Miscellaneous	10	-	-	-	-
Payroll tax expense	-	-	-	-	-
Treasurer's Fees	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>87</u>
Total expenditures	<u>10</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>87</u>
Transfers and Reserves					
Transfer to STCMD No. 2	120	-	-	-	5,053
Emergency Reserve	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>3</u>
Total Transfers and Reserves	<u>120</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>5,056</u>
Ending balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Assessed Valuation		<u>\$ 2</u>			<u>\$ 532</u>
Mill Levy		<u>-</u>			<u>10.000</u>

**STC Metropolitan District No. 3**  
**Adopted Budget**  
**Debt Service Fund**  
**For the Year Ended December 31, 2018**

	Actual <u>2016</u>	Adopted Budget <u>2017</u>	Actual <u>6/30/2017</u>	Estimate <u>2017</u>	Adopted Budget <u>2018</u>
Beginning balance	\$ -	\$ -	\$ -	\$ -	\$ -
Revenues:					
Property taxes	-	-	-	-	11
SURA Property Tax Increment	-	-	-	-	10,276
Specific Ownership Taxes	-	-	-	-	1
Reimbursement from SURA	-	-	-	-	-
Interest income	-	-	-	-	-
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Revenue	-	-	-	-	10,288
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Funds Available	-	-	-	-	10,288
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Expenditures:					
Treasurer's Fees	-	-	-	-	176
Paying agent fees	-	-	-	-	-
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total expenditures	-	-	-	-	176
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Transfers and Reserves					
Transfer to STCMD No. 2	-	-	-	-	10,107
Emergency Reserve	-	-	-	-	5
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Transfers and Reserves	-	-	-	-	10,112
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Ending balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Assessed Valuation		<u>\$ 2</u>			<u>\$ 532</u>
Mill Levy		<u>-</u>			<u>20.000</u>
Total Mill Levy		<u>-</u>			<u>30.000</u>



I, Lisa A. Johnson, hereby certify that I am the duly appointed Secretary of the STC Metropolitan District No. 3, and that the foregoing is a true and correct copy of the budget for the budget year 2018, duly adopted at a meeting of the Board of Directors of the STC Metropolitan District No. 3 held on November 1, 2017.

By:   
Secretary

RESOLUTION NO. 2017 - 11 - 03  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE STC METROPOLITAN DISTRICT NO. 3  
TO SET MILL LEVIES

WHEREAS, the Board of Directors of the STC Metropolitan District No. 3 ("District") has adopted the 2018 annual budget in accordance with the Local Government Budget Law on November 1, 2017; and

WHEREAS, the adopted budget is attached to the Resolution of the Board of Directors to Adopt the 2018 Budget and Appropriate Sums of Money, and such budget is incorporated herein by this reference; and

WHEREAS, the amount of money necessary to balance the budget for general fund expenses from property tax revenue is identified in the budget; and

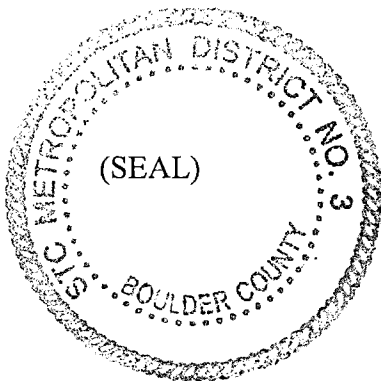
WHEREAS, the amount of money necessary to balance the budget for debt service fund expenses from property tax revenue is identified in the budget; and

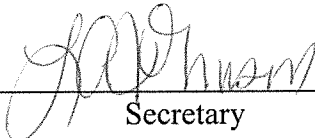
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of STC Metropolitan District No. 3:

1. That for the purposes of meeting all general fund expenses of the District during the 2018 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

2. That the District Accountant of the District is hereby authorized and directed to immediately certify to the County Commissioners of Boulder County, Colorado, the mill levies for the District as set forth in the District's Certification of Tax Levies (attached hereto as **EXHIBIT A** and incorporated herein by reference), recalculated as needed upon receipt of the final certification of valuation from the County Assessor in order to comply with any applicable revenue and other budgetary limits.

ADOPTED this 1<sup>st</sup> day of November, 2017.



  
\_\_\_\_\_  
Secretary

**EXHIBIT A**  
(Certification of Tax Levies)

**CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments**

TO: County Commissioners<sup>1</sup> of Boulder County, Colorado.

On behalf of the STC Metropolitan District No. 3,  
(taxing entity)<sup>A</sup>

the Board of Directors,  
(governing body)<sup>B</sup>

of the STC Metropolitan District No. 3,  
(local government)<sup>C</sup>

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ 219,269 assessed valuation of: (GROSS<sup>D</sup> assessed valuation, Line 2 of the Certification of Valuation Form DLG 57<sup>E</sup>)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area<sup>F</sup> 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: \$ 532 (NET<sup>G</sup> 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 2018.  
(not later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)	LEVY <sup>2</sup>	REVENUE <sup>2</sup>
1. General Operating Expenses <sup>H</sup>	10.000 mills	\$ 5
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction <sup>I</sup>	< > mills	\$ < >
<b>SUBTOTAL FOR GENERAL OPERATING:</b>	<b>10.000</b> mills	<b>\$ 5</b>
3. General Obligation Bonds and Interest <sup>J</sup>	mills	\$
4. Contractual Obligations <sup>K</sup>	20.000 mills	\$ 11
5. Capital Expenditures <sup>L</sup>	mills	\$
6. Refunds/Abatements <sup>M</sup>	mills	\$
7. Other <sup>N</sup> (specify): _____	mills	\$
_____	mills	\$
<b>TOTAL:</b> [ Sum of General Operating Subtotal and Lines 3 to 7 ]	<b>30.000</b> mills	<b>\$ 16</b>

Contact person: (print) Mark S Chambers Daytime phone: (303) 689-0833  
Signed: [Signature] Title: District Accountant

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) 866-2156.

<sup>1</sup> 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.  
<sup>2</sup> 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<sup>J</sup>:**

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<sup>K</sup>:**

3. Purpose of Contract: Debt Service payments for bonds issued by STC Metropolitan District No. 2  
Title: Cost Sharing Agreement  
Date: October 18, 2013  
Principal Amount: N/A  
Maturity Date: N/A  
Levy: 20.000  
Revenue: \$11

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.

RESOLUTION NO. 2017-11-04

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE STC METROPOLITAN DISTRICT NO. 3  
CALLING A REGULAR ELECTION FOR DIRECTORS  
ON MAY 8, 2018 (THE "ELECTION")**

A. Three (3) vacancies currently exist on the Board of Directors of the District.

B. In accordance with the provisions of the Special District Act ("Act") and the Uniform Election Code ("Code"), the Election must be conducted to elect one (1) Director to serve until the next regular election, to occur May 5, 2020, and two (2) Directors to serve until the second regular election, to occur May 3, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the STC Metropolitan District No. 3 (the "**District**") of the County of Boulder, Colorado:

1. Date and Time of Election. The Election shall be held on May 8, 2018, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, and other applicable laws. At that time, one (1) Director shall be elected to serve until the next regular election, to occur May 5, 2020, and two (2) Directors shall be elected to serve until the second regular election, to occur May 3, 2022.

2. Precinct. The District shall consist of one (1) election precinct for the convenience of the eligible electors of the District.

3. Conduct of Election. The Election shall be conducted as an independent mail ballot election in accordance with all relevant provisions of the Code. The Designated Election Official shall have on file, no later than fifty-five (55) days prior to the Election, a plan for conducting the independent mail ballot Election.

4. Designated Election Official. Lisa A. Johnson shall be the Designated Election Official and is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, Code or other applicable laws. The Election shall be conducted in accordance with the Act, Code and other applicable laws. Among other matters, the Designated Election Official shall appoint election judges as necessary, arrange for the required notices of election (either by mail or publication) and printing of ballots, and direct that all other appropriate actions be accomplished.

5. Absentee Ballot Applications. NOTICE IS FURTHER GIVEN, pursuant to Section 1-13.5-1002, C.R.S., that applications for and return of absentee ballots may be filed with the Designated Election Official of the District, 141 Union Blvd., Suite 150, Lakewood, Colorado 80228, between the hours of 8:00 a.m. and 5:00 p.m., until the close of business on the Tuesday immediately preceding the Election (May 1, 2018).

6. Self-Nomination and Acceptance Forms. Self-nomination and acceptance forms are available at the office of the Designated Election Official located at the above address. All

candidates must file a self-nomination and acceptance form with the Designated Election Official no earlier than January 1, 2018 and no later than the close of business on March 2, 2018.

7. Cancellation of Election. If the only matter before the electors is the election of Directors of the District and if, at the close of business on March 6, 2018 or at any time thereafter, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent, the Designated Election Official shall cancel the Election and declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with law.

8. Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board of Director's intention that the various provisions hereof are severable.


9. Repealer. All acts, orders and resolutions, or parts thereof, of the Board of Directors which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

10. Effective Date. The provisions of this Resolution shall take effect as of the date adopted and approved by the Board of Directors of the District.

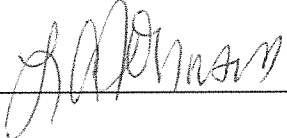
RESOLUTION APPROVED AND ADOPTED on November 1, 2017.

STC METROPOLITAN DISTRICT NO. 3

By:

  
\_\_\_\_\_  
President

Attest:

  
\_\_\_\_\_  
Secretary



# APPLICATION FOR EXEMPTION FROM AUDIT

## SHORT FORM

NAME OF GOVERNMENT ADDRESS	STC METROPOLITAN DISTRICT NO. 3
	c/o Special District Management Services, Inc. 141 Union Boulevard, Suite 150 Lakewood, CO 80228
CONTACT PERSON	Lisa Johnson
PHONE	303-987-0835
EMAIL	ljohnson@sdmsi.com
FAX	303-987-2032

For the Year Ended  
12/31/17  
or fiscal year ended:

### PART 1 - CERTIFICATION OF PREPARER

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

NAME:	Diane Wheeler
TITLE	District Accountant
FIRM NAME (if applicable)	Simmons & Wheeler, P.C.
ADDRESS	304 Inverness Way South, Suite 490, Englewood, CO 80112
PHONE	303-689-0833
DATE PREPARED (Must be prepared prior to Board approval)	3/5/18

#### PREPARER (SIGNATURE REQUIRED)

*Diane K. Wheeler*

Please indicate whether the following financial information is recorded using Governmental or Proprietary fund types	<b>GOVERNMENTAL</b> <small>(MODIFIED ACCRUAL BASIS)</small>	<b>PROPRIETARY</b> <small>(CASH OR BUDGETARY BASIS)</small>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## PART 2 - REVENUE

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

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

## PART 3 - EXPENDITURES

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

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

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

## PART 4 - DEBT OUTSTANDING, ISSUED, AND RETIRED

Please answer the following questions by marking the appropriate boxes.

		Yes	No
4-1	Does the entity have outstanding debt? If Yes, please attach a copy of the entity's Debt Repayment Schedule.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4-2	Is the debt repayment schedule attached? If no, MUST explain: <div style="border: 1px solid black; padding: 2px; width: 500px; margin-top: 5px;">N/A</div>	<input type="checkbox"/>	<input type="checkbox"/>
4-3	Is the entity current in its debt service payments? If no, MUST explain: <div style="border: 1px solid black; padding: 2px; width: 500px; margin-top: 5px;">N/A</div>	<input type="checkbox"/>	<input type="checkbox"/>

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

\*must tie to prior year ending balance

Please answer the following questions by marking the appropriate boxes.		Yes	No
4-5	Does the entity have any authorized, but unissued, debt?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes:	How much? Date the debt was authorized:		
	\$ 1,885,000,000.00 11/5/2013		
4-6	Does the entity intend to issue debt within the next calendar year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes:	How much?		
	\$ -		
4-7	Does the entity have debt that has been refinanced that it is still responsible for?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes:	What is the amount outstanding?		
	\$ -		
4-8	Does the entity have any lease agreements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes:	What is being leased? What is the original date of the lease? Number of years of lease?		
	Is the lease subject to annual appropriation?	<input type="checkbox"/>	<input type="checkbox"/>
	What are the annual lease payments?		
	\$ -		
4-9	Does the entity have a certified Mill Levy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes:	Please provide the following mills levied for the year reported (do not report \$ amounts):		
	Bond Redemption		-
	General/Other		-
	<b>TOTAL</b>		-

Please use this space to provide any explanations or comments.

## PART 5 - CASH AND INVESTMENTS

Please provide the entity's cash deposit and investment balances.

		Amount	Total
5-1	YEAR-END Total of ALL Checking and Savings Accounts	\$ -	
5-2	Certificates of deposit	\$ -	
	<b>Total Cash Deposits</b>		\$ -
	Investments (if investment is a mutual fund, please list underlying investments)		
5-3		\$ -	
		\$ -	
		\$ -	
		\$ -	
	<b>Total Investments</b>		\$ -
	<b>Total Cash and Investments</b>		\$ -

Please answer the following questions by marking in the appropriate boxes

		Yes	No	N/A
5-4	Are the entity's Investments legal in accordance with Section 24-75-601, et. seq., C.R.S.?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5-5	Are the entity's deposits in an eligible (Public Deposit Protection Act) public depository (Section 11-10.5-101, et seq. C.R.S.)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

## PART 6 - CAPITAL ASSETS

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

Yes                      No

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

6-3 Complete the following capital assets table:

	Balance - beginning of the year*	Additions (Must be included in Part 3)	Deletions	Year-End Balance
Land	\$ -	\$ -	\$ -	\$ -
Buildings	\$ -	\$ -	\$ -	\$ -
Machinery and equipment	\$ -	\$ -	\$ -	\$ -
Furniture and fixtures	\$ -	\$ -	\$ -	\$ -
Construction In Progress (CIP)	\$ -	\$ -	\$ -	\$ -
Other (explain):	\$ -	\$ -	\$ -	\$ -
Accumulated Depreciation (Please enter a negative, or credit, balance)	\$ -	\$ -	\$ -	\$ -
<b>TOTAL</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

\*must tie to prior year ending balance

Please use this space to provide any explanations or comments:

## PART 7 - PENSION INFORMATION

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

Yes                      No

- 7-1 Does the entity have an "old hire" firemen's pension plan?  Yes       No
- 7-2 Does the entity have a volunteer firemen's pension plan?  Yes       No
- If yes: Who administers the plan?

Indicate the contributions from:

Tax (property, SO, sales, etc.):	\$ -
State contribution amount:	\$ -
Other (gifts, donations, etc.):	\$ -
<b>TOTAL</b>	<b>\$ -</b>

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

Please use this space to provide any explanations or comments:

## PART 8 - BUDGET INFORMATION

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

Yes                      No                      N/A

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

- 8-2 Did the entity pass an appropriations resolution, in accordance with Section 29-1-108 C.R.S.? If no, MUST explain:  Yes       No       N/A

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

General Fund	\$ -

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

Please answer the following question by marking in the appropriate box

Yes

No

- 9-1** Is the entity in compliance with all the provisions of TABOR [State Constitution, Article X, Section 20(5)]?



Note: An election to exempt the government from the spending limitations of TABOR does not exempt the government from the 3 percent emergency reserve requirement. All governments should determine if they meet this requirement of TABOR.

**If no, MUST explain:**

## PART 10 - GENERAL INFORMATION

Please answer the following questions by marking in the appropriate boxes

Yes

No

- 10-1** Is this application for a newly formed governmental entity?



If yes: Date of formation:

- 10-2** Has the entity changed its name in the past or current year?



If yes: Please list the NEW name & PRIOR name:

- 10-3** Is the entity a metropolitan district?



Please indicate what services the entity provides:

Streets, traffic control, water, sewer, park and recreation

- 10-4** Does the entity have an agreement with another government to provide services?



If yes: List the name of the other governmental entity and the services provided:

- 10-5** Has the district filed a *Title 32, Article 1 Special District Notice of Inactive Status* during the year? [Applicable to Title 32 special districts only, pursuant to Sections 32-1-103 (9.3) and 32-1-104 (3), C.R.S.]



If yes: Date Filed:

Please use this space to provide any explanations or comments:

## PART 11 - GOVERNING BODY APPROVAL

Please answer the following question by marking in the appropriate box

YES

NO

12-1 Have you read the new Electronic Signature Policy and do you plan on submitting signatures in accordance with this policy?

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

#### Policy - Requirements

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

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

**The application for exemption from audit form created by our office includes a section for governing body approval. Local governing boards note their approval and submit the application through one of the following three methods:**

- 1) Submit the application in hard copy via the US Mail including original signatures.
- 2) Submit the application electronically via email and either,
  - a. Include a copy of an adopted resolution that documents formal approval by the Board, or
  - b. Include electronic signatures obtained through a software program such as DocuSign or EchoSign in accordance with the requirements noted above.

Print the names of ALL current governing board members below		A MAJORITY of the governing board members must complete and Sign in the column below.
Board Member 1	Print Board Member's Name <b>JAMES A BRZOSTOWICZ</b>	I <u>JAMES BRZOSTOWICZ</u> , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed <u>[Signature]</u> Date: <u>2.9.19</u> My term Expires: <u>MAY, 2020</u>
Board Member 2	Print Board Member's Name <b>LEE MERRITT</b>	I _____, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date: _____ My term Expires: <u>MAY, 2020</u>
Board Member 3	Print Board Member's Name <b>ROBERT REVIS</b>	I <u>ROBERT REVIS</u> , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed <u>[Signature]</u> Date: <u>2/9/18</u> My term Expires: <u>MAY, 2018</u>
Board Member 4	Print Board Member's Name	I _____, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date: _____ My term Expires: _____
Board Member 5	Print Board Member's Name	I _____, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date: _____ My term Expires: _____
Board Member 6	Print Board Member's Name	I _____, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date: _____ My term Expires: _____
Board Member 7	Print Board Member's Name	I _____, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date: _____ My term Expires: _____

**CERTIFICATION OF VALUATION BY  
BOULDER COUNTY ASSESSOR**

New Tax Entity  YES  NO

Date: August 23, 2018

**NAME OF TAX ENTITY:** STC METROPOLITAN DISTRICT 3

**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 :

1. PREVIOUS YEAR'S NET TOTAL ASSESSED VALUATION:	1. \$	<u>\$532</u>
2. CURRENT YEAR'S GROSS TOTAL ASSESSED VALUATION: ‡	2. \$	<u>\$447,747</u>
3. LESS TOTAL TIF AREA INCREMENTS, IF ANY:	3. \$	<u>\$446,837</u>
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	4. \$	<u>\$910</u>
5. NEW CONSTRUCTION: *	5. \$	<u>\$228,478</u>
6. INCREASED PRODUCTION OF PRODUCING MINE: ≈	6. \$	<u>\$0</u>
7. ANNEXATIONS/INCLUSIONS:	7. \$	<u>\$0</u>
8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: ≈	8. \$	<u>\$0</u>
9. NEW PRIMARY OIL AND GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND (29-1-301(1)(b), C.R.S.) ☐:	9. \$	<u>\$0</u>
10. TAXES RECEIVED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1)(a), C.R.S.). Includes all revenue collected on valuation not previously certified:	10. \$	<u>\$0</u>
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.):	11. \$	<u>\$0</u>

‡ This value reflects personal property exemption IF enacted by the jurisdiction as authorized by Art. X, Sec. 20(8)(b), Colo. Constitution  
 \* New Construction is defined as: Taxable real property structures and personal property connected with the structure.  
 ≈ Jurisdiction must submit to the Division of Local Government respective Certifications of Impact in order for the values to be treated as growth in the limit calculation; use forms DLG52 & 52A.  
 ☐ Jurisdiction must apply to the Division of Local Government before the value can be treated as growth in the limit calculation; use Form (DLG 52B).

**USE FOR TABOR "LOCAL GROWTH" CALCULATION ONLY**

IN ACCORDANCE WITH ART. X, SEC. 20, COLO. CONSTITUTION AND 39-5-121(2)(b), C.R.S., THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR :

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: ¶	1. \$	<u>\$1,543,954</u>
<b>ADDITIONS TO TAXABLE REAL PROPERTY</b>		
2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: *	2. \$	<u>\$787,854</u>
3. ANNEXATIONS/INCLUSIONS:	3. \$	<u>\$0</u>
4. INCREASED MINING PRODUCTION: §	4. \$	<u>\$0</u>
5. PREVIOUSLY EXEMPT PROPERTY:	5. \$	<u>\$0</u>
6. OIL OR GAS PRODUCTION FROM A NEW WELL:	6. \$	<u>\$0</u>
7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT: 7. \$	7. \$	<u>\$0</u>
(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. ):		
<b>DELETIONS FROM TAXABLE REAL PROPERTY</b>		
8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	8. \$	<u>\$0</u>
9. DISCONNECTIONS/EXCLUSIONS:	9. \$	<u>\$0</u>
10. PREVIOUSLY TAXABLE PROPERTY:	10. \$	<u>\$0</u>

¶ 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 a new mines and increase 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	1. \$	<u>\$0</u>
---	-------	------------

**NOTE: ALL LEVIES MUST BE CERTIFIED to the COUNTY COMMISSIONERS NO LATER THAN DECEMBER 15.**



RESOLUTION NO. 2018 - 11 - \_\_\_\_  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE STC METROPOLITAN DISTRICT NO. 3  
TO ADOPT THE 2019 BUDGET AND APPROPRIATE SUMS OF MONEY

WHEREAS, the Board of Directors of the STC Metropolitan District No. 3 (“District”) has appointed the District Accountant to prepare and submit a proposed 2019 budget to the Board at the proper time; and

WHEREAS, the District Accountant has submitted a proposed budget to this Board on or before October 15, 2018, for its consideration; and

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 7, 2018, and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution ("TABOR") and other laws or obligations which are applicable to or binding upon the District; 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.

WHEREAS, the Board of Directors of the District has made provisions therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, as more fully set forth in the budget, including any interfund transfers listed therein, so as not to impair the operations of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the STC Metropolitan District No. 3:

1. That the budget as submitted, amended, and summarized by fund, hereby is approved and adopted as the budget of the STC Metropolitan District No. 3 for the 2019 fiscal year.
2. That the budget, as hereby approved and adopted, shall be certified by the Secretary of the District to all appropriate agencies and is made a part of the public records of the District.

3. That the sums set forth as the total expenditures of each fund in the budget attached hereto as **EXHIBIT A** and incorporated herein by reference are hereby appropriated from the revenues of each fund, within each fund, for the purposes stated.

ADOPTED this 7th day of November, 2018.

---

Secretary

(SEAL)

EXHIBIT A  
(Budget)

I, Lisa A. Johnson, hereby certify that I am the duly appointed Secretary of the STC Metropolitan District No. 3, and that the foregoing is a true and correct copy of the budget for the budget year 2019, duly adopted at a meeting of the Board of Directors of the STC Metropolitan District No. 3 held on November 7, 2018.

By: \_\_\_\_\_  
Secretary

RESOLUTION NO. 2018 - 11 - \_\_\_\_  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE STC METROPOLITAN DISTRICT NO. 3  
TO SET MILL LEVIES

WHEREAS, the Board of Directors of the STC Metropolitan District No. 3 (“District”) has adopted the 2019 annual budget in accordance with the Local Government Budget Law on November 7, 2018; and

WHEREAS, the adopted budget is attached to the Resolution of the Board of Directors to Adopt the 2019 Budget and Appropriate Sums of Money, and such budget is incorporated herein by this reference; and

WHEREAS, the amount of money necessary to balance the budget for general fund expenses from property tax revenue is identified in the budget; and

WHEREAS, the amount of money necessary to balance the budget for debt service fund expenses from property tax revenue is identified in the budget; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of STC Metropolitan District No. 3:

1. That for the purposes of meeting all general fund expenses of the District during the 2019 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

2. That the District Accountant of the District is hereby authorized and directed to immediately certify to the County Commissioners of Boulder County, Colorado, the mill levies for the District as set forth in the District’s Certification of Tax Levies (attached hereto as **EXHIBIT A** and incorporated herein by reference), recalculated as needed upon receipt of the final certification of valuation from the County Assessor in order to comply with any applicable revenue and other budgetary limits.

ADOPTED this 7th day of November, 2018.

\_\_\_\_\_  
Secretary

(SEAL)

**EXHIBIT A**  
(Certification of Tax Levies)

**STC Metropolitan District No. 3**  
**Proposed Budget**  
**General Fund**  
**For the Year Ended December 31, 2019**

	Actual <u>2017</u>	Adopted Budget <u>2018</u>	Actual <u>6/30/2018</u>	Estimate <u>2018</u>	Proposed Budget <u>2019</u>
Beginning balance	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Revenues:</b>					
Property taxes	-	5	5	5	9
SURA Property Tax Increment	-	5,138	-	2,182	4,468
Specific ownership taxes	-	-	9	153	358
Reimbursement from SURA	-	-	-	-	-
Miscellaneous Income	-	-	-	-	-
<b>Total Revenue</b>	<u>-</u>	<u>5,143</u>	<u>14</u>	<u>2,340</u>	<u>4,835</u>
<b>Total Funds Available</b>	<u>-</u>	<u>5,143</u>	<u>14</u>	<u>2,340</u>	<u>4,835</u>
<b>Expenditures:</b>					
Miscellaneous	-	-	-	-	-
Payroll tax expense	-	-	-	-	-
Treasurer's Fees	-	87	-	-	-
<b>Total expenditures</b>	<u>-</u>	<u>87</u>	<u>-</u>	<u>-</u>	<u>-</u>
<b>Transfers and Reserves</b>					
Transfer to STCMD No. 2	-	5,053	14	2,340	4,835
Emergency Reserve	-	3	-	-	-
<b>Total Transfers and Reserves</b>	<u>-</u>	<u>5,056</u>	<u>14</u>	<u>2,340</u>	<u>4,835</u>
Ending balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Assessed Valuation		<u>\$ 532</u>			<u>\$ 910</u>
Mill Levy		<u>10.000</u>			<u>10.000</u>

**STC Metropolitan District No. 3**  
**Proposed Budget**  
**Debt Service Fund**  
**For the Year Ended December 31, 2019**

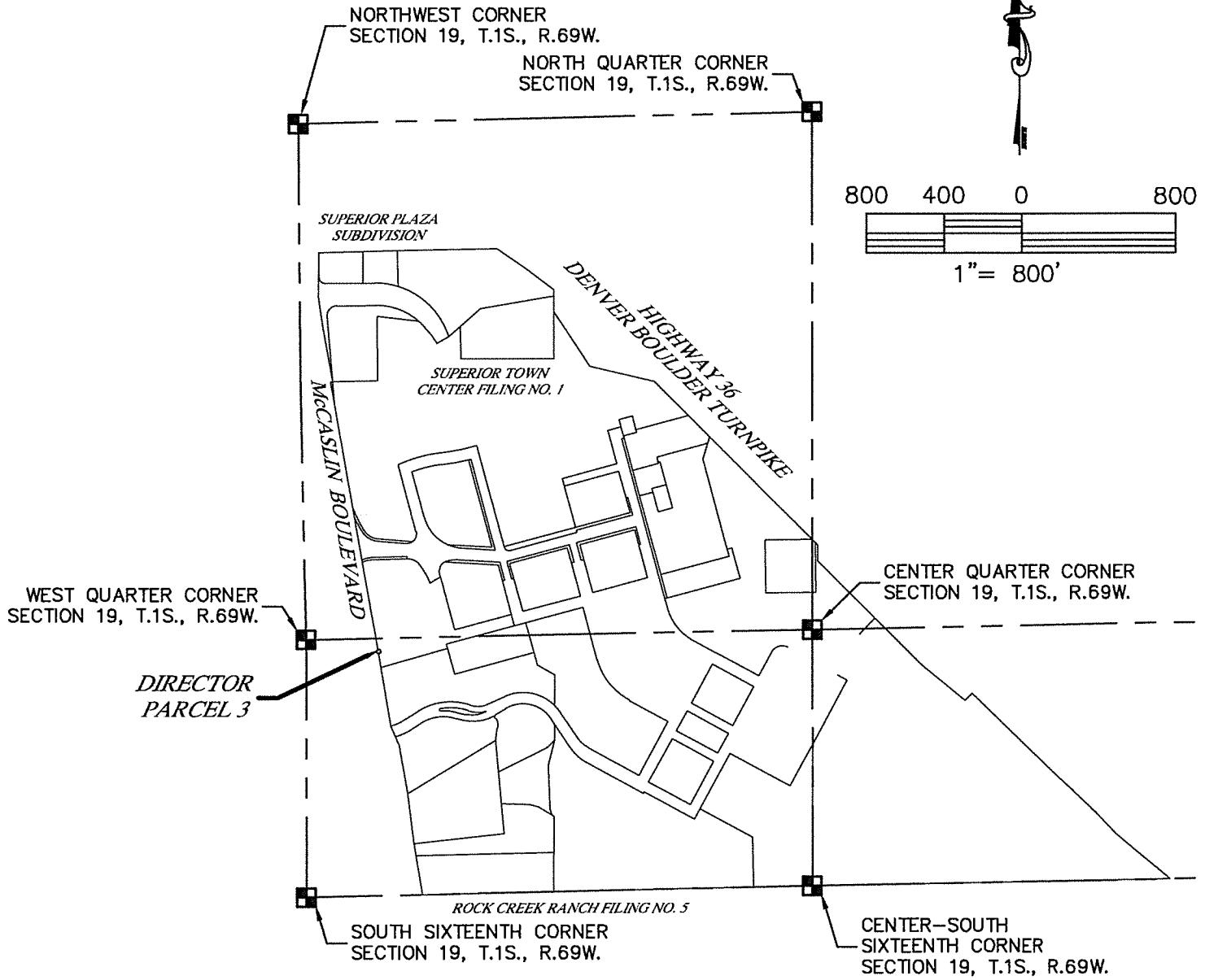
	Actual <u>2017</u>	Adopted Budget <u>2018</u>	Actual <u>6/30/2018</u>	Estimate <u>2018</u>	Proposed Budget <u>2019</u>
Beginning balance	\$ -	\$ -	\$ -	\$ -	\$ -
Revenues:					
Property taxes	-	11	5	11	18
SURA Property Tax Increment	-	10,276	2,200	4,370	8,919
Specific Ownership Taxes	-	1	63	350	715
Reimbursement from SURA	-	-	-	-	-
Interest income	-	-	-	-	-
<b>Total Revenue</b>	<u>-</u>	<u>10,288</u>	<u>2,268</u>	<u>4,731</u>	<u>9,652</u>
<b>Total Funds Available</b>	<u>-</u>	<u>10,288</u>	<u>2,268</u>	<u>4,731</u>	<u>9,652</u>
Expenditures:					
Treasurer's Fees	-	176	32	-	-
Paying agent fees	-	-	-	-	-
<b>Total expenditures</b>	<u>-</u>	<u>176</u>	<u>32</u>	<u>-</u>	<u>-</u>
Transfers and Reserves					
Transfer to STCMD No. 2	-	10,107	2,236	4,731	9,652
Emergency Reserve	-	5	-	-	-
<b>Total Transfers and Reserves</b>	<u>-</u>	<u>10,112</u>	<u>2,236</u>	<u>4,731</u>	<u>9,652</u>
Ending balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Assessed Valuation		<u>\$ 532</u>			<u>\$ 910</u>
Mill Levy		<u>20.000</u>			<u>20.000</u>
Total Mill Levy		<u>30.000</u>			<u>30.000</u>



446837

66443

Sht 1 of 2



NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.



**KING SURVEYORS**

650 E. Garden Drive | Windsor, Colorado 80550

phone: (970) 686-5011 | fax: (970) 686-5821

www.kingsurveyors.com

**PROJECT NO: 2012219**

**DATE: 2/4/2016**

**CLIENT: CIVIL RESOURCES**

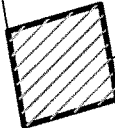
**DWG: 2012219EXH-METRO-3**

**DRAWN: CSK CHECKED: SAL**

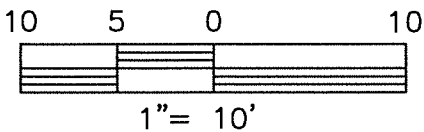
Sht 2 of 2

*MCCASLIN BOULEVARD*

*SUPERLOT 2  
DISCOVERY / SUPERIOR TOWN  
CENTER FILING NO. 1B*



*DIRECTOR PARCEL 3*



NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.



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**PROJECT NO: 2012219**

**DATE: 2/4/2016**

**CLIENT: CIVIL RESOURCES**

**DWG: 2012219EXH-METRO-3**

**DRAWN: CSK CHECKED: SAL**

**INTERGOVERNMENTAL AGREEMENT REGARDING COVENANT  
ENFORCEMENT AND DESIGN REVIEW SERVICES**

THIS INTERGOVERNMENTAL AGREEMENT REGARDING COVENANT ENFORCEMENT AND DESIGN REVIEW SERVICES (“IGA”) is entered into this 7<sup>th</sup> day of June, 2017 by and between **STC METROPOLITAN DISTRICT NO. 1 (“District No. 1”)**; **STC METROPOLITAN DISTRICT NO. 2 (“District No. 2”)**; and **STC METROPOLITAN DISTRICT NO. 3 (“District No. 3”)**, each a quasi-municipal corporation and political subdivision of the State of Colorado (each a “**District**” and, collectively, the “**Districts**”).

**RECITALS**

WHEREAS, the Districts were organized pursuant to Service Plans approved by the Town of Superior on May 13, 2013 (“**Service Plans**”) for the purpose of providing certain public improvements and services to and for the benefit of certain real property in the Town of Superior (the “**Town**”), County of Boulder (the “**County**”), State of Colorado, commonly known as the Superior Town Center (the “**Development**”); and

WHEREAS, the purposes for which the Districts were formed are the design, acquisition, construction, installation, financing, and operation and maintenance of certain water, sanitation, stormwater, streets, safety protection, fire protection, park and recreation and transportation improvements (the “**District Improvements**”), and other facilities and services, including, but not limited to, covenant enforcement and design review services, all in accordance with the Service Plans and Colorado statute; and

WHEREAS, the Service Plans anticipate the coordination of efforts between the Districts in order to finance and construct the District Improvements and to provide public services to the Development in the most efficient manner as possible; and

WHEREAS, the owner and master developer of the Development has executed that certain Master Declaration of Covenants, Conditions and Restrictions dated April 13, 2015 and recorded in the real property records of the County as Reception No. 3439339, as it may be amended from time to time (the “**Declaration**”), for that certain property more particularly described on **Exhibit A** attached hereto and incorporated herein by this reference (the “**Property**”), which Declaration declares that the Property is and shall be subject to the Declaration and shall be owned, held, conveyed, encumbered, leased, improved, used, occupied, enjoyed, sold, transferred, hypothecated, maintained, altered and otherwise enjoyed in accordance with and subject to the covenants and use restrictions contained therein; and

WHEREAS, the Property encumbered by the Declaration either is, or is anticipated to be included within the boundaries of one of the Districts; and

WHEREAS, the Declaration provides that one or more of the Districts shall enforce each of the provisions provided therein; and

WHEREAS, the Declaration further provides for Rules, Regulations and Design Guidelines (the “**Guidelines**”) to be promulgated, amended, revised from time to time, administered and enforced by the Districts; and

WHEREAS, the Districts entered into that certain Facilities Funding, Construction and Operation Agreement (the “FFCOA”), dated January 15, 2015, pursuant to which the Districts agreed that District No. 2 is the Operating District responsible for all operations and maintenance services for the Districts; and

WHEREAS, both the Declaration and the FFCOA contemplate that the Districts may engage or delegate their rights to another District; and

WHEREAS, pursuant to the Colorado Constitution, Article XIV, Sections 18(2)(a) and (b), and Section 29-1-203, C.R.S., metropolitan districts may cooperate or contract with each other to provide any function, service or facility lawfully authorized to each, and any such contract may provide for the sharing of costs, the imposition of taxes, and the incurring of debt; and

WHEREAS, to promote efficient administration and enforcement of the Declaration and the Guidelines, the Districts wish to authorize and designate the Board of Directors of District No. 2 to exercise the powers of the Districts with respect to the provision of covenant enforcement and design review services (the “Services”) for the Property; and

WHEREAS, each of the Districts shall duly adopt a resolution of its Board of Directors: (i) acknowledging the Districts’ powers to enforce covenants pursuant to state statute and the intention of the Districts to provide for uniform enforcement of the covenants and the uniform provision of design review services through the Declaration and Guidelines, and (ii) authorizing the Board of Directors of District No. 2 to implement and facilitate such uniformity in the provision of the Services throughout the Property; and

WHEREAS, the Districts wish to further define District No. 2’s authority to administer and enforce the Declaration and the Guidelines for the Property subject to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual agreement set forth herein, the receipt and sufficiency of which are hereby acknowledged, the Districts agree as follows:

1. Incorporation of Recitals. The Recitals are incorporated into and made a substantive part of this IGA.
2. Delegation to District No. 2. During the Term of this IGA, as hereinafter defined, the Districts hereby assign and delegate to District No. 2 all duties, rights and obligations delegated to the Districts by the Declaration and Guidelines, as may be amended, with respect to the Services. Specifically with respect to each document, District No. 2 is authorized as follows:

- (a) Declaration. On behalf of the Districts, District No. 2 shall be charged with promulgating, amending and revising from time to time the Guidelines and to promulgate additional and/or supplemental design guidelines (including with respect to specific portions of the Property) as authorized by the Declaration. The Districts acknowledge that the initial Guidelines have been promulgated and adopted by the Boards of Directors of District No. 1, District No. 2 and District No. 3. The Districts further authorize District No. 2 to enforce the “Use Restrictions,” as defined in the Declaration and to take any and all actions provided for in

Article 6, "Covenant Enforcement Committee," of the Declaration on behalf of the Districts regardless as to whether the property subject to the action is included within the boundaries of District No. 1, District No. 2 or District No. 3. In accordance with Section 14.6 of the Declaration, the Districts acknowledge that the Declaration may only be modified with a written and recorded instrument containing the consents of the then record Owners of at least sixty-seven percent (67%) of the Lots subject to the Declaration together with the approval of fifty-one percent (51%) of the First Mortgagees;

(b) Guidelines. The Districts acknowledge that general administration of the Guidelines is assigned by the Declaration to the Design Review Committee and Covenant Enforcement Committee, as such committees are more particularly described in the Declaration and Guidelines. District No. 2 shall appoint the members of the Design Review Committee and Covenant Enforcement Committee in accordance with the Guidelines. To the extent that actions of the "Board" as defined in the Guidelines are needed to administer and enforce the Guidelines, the Board of Directors of District No. 2 shall take such actions on behalf of the Districts.

(c) Independent Contractors. The Districts agree and acknowledge that at any time during the Term of this IGA, as hereinafter defined, District No. 2 may engage one or more third party independent contractors to carry out and enforce all or a portion of the provisions of the Declaration, the Guidelines, this IGA and any supplemental documents and agreements related to the provision of the Services. Any such contractors shall be engaged under the sole direction and of control of District No. 2.

3. Covenant Enforcement Area and Revenue. During the Term of this IGA, District No. 2 is authorized to undertake the Services within the boundaries of District No. 1, District No. 2 and District No. 3 to the extent that the real property within such boundaries is subject to the Declaration and/or the Guidelines; provided, however, that any and all revenues used to furnish the Services in accordance with the Declaration and Guidelines must be derived from within the District boundaries in which the Services are furnished. By way of illustration, revenue furnished for the administration of the Declaration and Guidelines within the boundaries of District No. 2 shall be derived from within the boundaries of District No. 2 or from within a smaller sub-set of such boundaries to the extent such sub-set is the sole recipient of the Services provided.

4. Effective Date and Term. This IGA shall be effective as of the date first set forth above (the "**Effective Date**") and shall continue to be in full force and effect for perpetuity unless either or both of the Districts agree by written resolution of its Board of Directors to terminate the same (the "**Termination Date**") as provided in Section 8 herein. The "**Term**" of this IGA shall extend from the Effective Date to the Termination Date.

5. Insurance. During the term of this IGA District No. 2 shall maintain appropriate insurance limits and coverage related to the provision of the Services described herein, and District No. 2 shall also require all service contractors to meet appropriate minimum insurance requirements.

6. Preliminary Budget Process. The Districts agree to cooperate to establish annual budgets for the provision of the Services, which budgets shall be allocated and administered by

District No. 2 in accordance with the revenue limitations defined herein. During each year of the Term, District No. 2 shall consult with District No. 1 and/or District No. 3 regarding a budget for the Services for the forthcoming year. Such consultation shall occur early enough in the year to allow District No. 1 and/or District No. 3 to produce and deliver to District No. 2 a set of preliminary budget documents for the forthcoming year on or before September 15 of each year. The consultation shall include District No. 2's verification of revenue streams available for the Services during the upcoming year. If any District anticipates entering into any operation funding agreement with a third-party as a revenue source, the other Districts shall have the right to review the terms of any such operation funding agreement prior to approval and execution. The preliminary budget documents shall address all funding issues regarding the Services. At a minimum, the preliminary budget documents ("**Preliminary Budget Documents**") shall include:

- (i) An accounting of any estimated carryover balances from prior years;
- (ii) A proposed schedule for deposits based on the expected timing for receipt of funds generated from (i) the Districts' ad valorem taxes and specific ownership taxes; (ii) advances to the Districts from developer(s); and/or (iii) other rates, fees, tolls and charges that may be imposed by any of the Districts from time to time in accordance with State law; and
- (iii) An estimate of costs for Services for the forthcoming year distinguishing between Services conducted for the benefit of and within the boundaries of District No. 1 and/or District No. 3 from those Services conducted for the benefit of and within the boundaries of District No. 2 and allocating funding from each District in a pro rata amount according to such estimated costs for Services in accordance with generally accepted accounting principles for each District.

7. Budget Review and Approval.

(a) On or before November 15 of each year, District No. 1 and/or District No. 3 shall either: (a) approve the Preliminary Budget Documents (in which case the proposed budget provided in the Preliminary Budget Documents shall become the Final Budget for the forthcoming year); or (b) propose in writing to District No. 2 additions to and/or deletions from the Preliminary Budget Documents. District No. 1 and/or District No. 3 may propose additions to and/or deletions from only those portions of the Preliminary Budget Documents which directly obligate District No. 1 and/or District No. 3 to appropriate and expend funds during the funding year for Services provided within its boundaries. District No. 1 and/or District No. 3 shall have no right or authority to object to or propose additions to and/or deletions from any other portions of the Preliminary Budget Documents.

(b) The Districts shall, in good faith, discuss and attempt to reach an agreement with respect to the Preliminary Budget Documents. In the event any District cannot agree on Preliminary Budget Documents on or before November 1 of each year, District No. 1 and/or District No. 3 may terminate this IGA as provided in Section 8 herein. If District No. 1 and/or District No. 3 do not terminate the IGA, the Districts agree that any dispute shall be resolved by District No. 2.

(c) On or before December 15 of each year throughout the Term of this IGA, each of the Districts agree to budget and appropriate funds for the ensuing year in an amount sufficient to pay for the costs and expenses necessary to undertake the Services.

(d) The Final Budget for the Services may be amended from time to time in accordance with State law, to reflect changes in actual revenues and/or expenses, utilizing the same process and requirements set forth in this Section and Section 6, except that District No. 2 may establish alternative reasonable time periods for preparation, review and approval of proposed budget amendments. Any Final Budget processed and approved in accordance with this Section shall be known as an “**Amended Final Budget.**”

(e) In the event that funding provided by either District for the Services exceeds the amount owed by that District according to the Amended Final Budget, the balance may be carried over and credited against the anticipated funding obligation of such District for the following year as identified by the Preliminary Budget Documents.

8. Termination of IGA and Transition of Responsibilities.

(a) Either District may terminate this IGA with or without cause. In such case, the written resolution of the terminating District’s Board of Directors described in Section 4 shall establish a ninety (90) to one hundred twenty (120) day transition period (“**Transition Period**”) ending on the Termination Date to unwind the mutual covenants of this IGA related to the Services. During the Transition Period, the Districts agree to work cooperatively to develop and execute transition procedures that minimize risk to the Districts’ property owners.

(b) To the extent it is possible to assess whether excess funds of District No. 1 and/or District No. 3 will remain under District No. 2’s control following the Termination Date, District No. 1 and/or District No. 3 shall transmit any funding overage to District No. 2 during the Transition Period. In the event that the end balance for District No. 2’s funding of the Services cannot be determined during the Transition Period, District No. 2 shall transmit any balance remaining on its books to District No. 2 no later than January 31<sup>st</sup> of the year following the year in which this IGA is terminated.

(c) During the Transition Period, District No. 2 shall transmit any and all books, documents, papers and records related to Services provided for the benefit of District No. 1 and/or District No. 3 to District No. 1 and/or District No. 3. As provided in Section 10 herein, District No. 2 shall also retain copies of such books, documents, papers and records.

(d) Commencing on the Termination Date, each of the Districts shall administer the Services within their respective boundaries, and any and all revenues used to furnish the Services shall continue to be derived from within the District boundaries in which the Services are furnished.

9. Multi-Year Fiscal Obligation. The obligation of the Districts to fund the Services shall constitute a multiple-fiscal year obligation of each of the Districts, as authorized in the Ballot Issues approved by the electorates of each District at the 2013 general election.



10. Records and Reports. Throughout the term of this IGA and for a period of three (3) years following the Termination Date, District No. 2 shall maintain and preserve books, documents, papers and records of any contractors or service providers providing Services on behalf of District No. 1 and/or District No. 3 which are directly pertinent to this IGA and make the same available to District No. 1 and/or District No. 3 and any of its authorized representatives upon request at all reasonable times for the purposes of making audits, examinations, excerpts and transcriptions.

11. Access License. District No. 1 and/or District No. 3 hereby grants and conveys to District No. 2 a non-exclusive access license (the “**Access License**”) over, across, under and through any real property as may now be owned or as may be acquired in the future by District No. 1 and/or District No. 3 for the purpose of providing access for the provision of the Services, which right of access includes, but is not limited to, the right of District No. 2 to do all things necessary to administer and enforce the Declaration and Guidelines. The Access License shall run in favor of District No. 2 and its officers, agents, service contractors and employees. The Access License shall be effective as of the Effective Date and shall automatically terminate on the Termination Date, as each is defined in Section 4 herein.

12. Notices. All notices, demands, requests or other communications to be sent by one party to the other hereunder or required by law shall be in writing and shall be deemed to have been validly given or served by delivery of same in person to the addressee or by courier delivery via Federal Express or other nationally recognized overnight air courier service, by electronically-confirmed electronic mail or facsimile transmission, or by depositing same in the United States mail, postage prepaid, addressed as follows:

To District No. 1:                   STC Metropolitan District No. 1  
141 Union Blvd., Suite 150  
Lakewood, CO 80228  
Attn: District Manager  
Telephone: 720-214-3965  
Email: ljohnson@sdmsi.com

To District No. 2:                   STC Metropolitan District No. 2  
141 Union Blvd., Suite 150  
Lakewood, CO 80228  
Attn: District Manager  
Telephone: 720-214-3965  
Email: ljohnson@sdmsi.com

To District No. 3:                   STC Metropolitan District No. 3  
141 Union Blvd., Suite 150  
Lakewood, CO 80228  
Attn: District Manager  
Telephone: 720-214-3965  
Email: ljohnson@sdmsi.com

With copies for all  
Districts to:

McGeady Becher, P.C.  
450 E. 17<sup>th</sup> Ave., Suite 400  
Denver, CO 80203  
Attn: Megan Becher  
Telephone: 303-592-4380  
Email: mbecher@mcgeadybecher.com

All notices, demands, requests or other communications shall be effective upon such personal delivery, one (1) business day after being deposited with United Parcel Service or other nationally recognized overnight air courier service, on the date of transmission if sent by confirmed electronic mail or facsimile, or three (3) business days after deposit in the United States mail. By giving the other party hereto at least ten (10) days written notice thereof in accordance with the provisions hereof, each of the parties shall have the right from time to time to change its address or contact information.

13. Assignment. No District shall assign any of its rights nor delegate any of its duties hereunder to any person or entity. Any purported assignment or delegation in violation of the provisions hereof shall be void and ineffectual.

14. Parties Interested Herein. Nothing expressed or implied in this IGA is intended or shall be construed to confer upon, or to give to, any person other than the Districts any right, remedy, or claim under or by reason of this IGA or any covenants, terms, conditions, or provisions thereof, and all the covenants, terms, conditions, and provisions in this IGA by and on behalf of the Districts shall be for the sole and exclusive benefit of the Districts.

15. Default/Remedies. In the event of a breach or default of this IGA by any District, the non-defaulting District(s) shall be entitled to exercise all remedies available at law or in equity, including, but not limited to, termination of this IGA as provided in Section 8 herein. In the event of any litigation, arbitration or other proceeding to enforce the terms, covenants or conditions hereof, the prevailing District in such proceeding shall obtain as part of its judgment or award its reasonable attorneys' fees.

16. Governing Law and Jurisdiction. This IGA shall be governed and construed under the laws of the State of Colorado. Venue for any legal action relating to this Agreement shall be exclusive to the District Court in and for the County of Boulder, Colorado.

17. Inurement. Each of the terms, covenants and conditions hereof shall be binding upon and inure to the benefit of the parties hereto and their respective permitted successors and assigns.

18. Integration. This IGA constitutes the entire agreement between the parties with respect to the matters addressed herein. All prior discussions and negotiations regarding the subject matter hereof are merged herein.

19. Severability. If any covenant, term, condition, or provision under this IGA shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such

covenant, term, condition, or provision shall not affect any other provision contained herein, the intention being that such provisions are severable.

20. Counterparts. This IGA may be executed in one or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same document.

21. Paragraph Headings. Paragraph headings are inserted for convenience of reference only.

22. Amendment. This IGA may be amended from time to time by agreement between the parties hereto; provided, however, that no amendment, modification, or alteration of the terms or provisions hereof shall be binding upon the Districts unless the same is in writing and duly executed by the parties hereto.

23. Non-Waiver. No waiver of any of the provisions of this IGA shall be deemed to constitute a waiver of any other provision of this IGA, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided herein, nor shall the waiver of any default hereunder be deemed to be a waiver of any subsequent default hereunder.

**[SIGNATURE PAGE FOLLOWS]**

IN WITNESS WHEREOF, the Districts have executed this IGA as of the day and year first set forth above.

**STC METROPOLITAN DISTRICT NO. 1,** a quasi-municipal corporation and political subdivision of the State of Colorado

\_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary

**STC METROPOLITAN DISTRICT NO. 2,** a quasi-municipal corporation and political subdivision of the State of Colorado

\_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary

**STC METROPOLITAN DISTRICT NO. 3,** a quasi-municipal corporation and political subdivision of the State of Colorado

\_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary



Special District  
Management  
Services, Inc.

141 Union Boulevard, Suite 150  
Lakewood, CO 80228-1898  
303-987-0835 • Fax: 303-987-2032

## MEMORANDUM

TO: Board of Directors

FROM: Deborah D. McCoy  
President

DATE: September 1, 2018

RE: Notice of 2019 Rate Increase

In accordance with the Management Agreement ("Agreement") between the District and Special District Management Services, Inc. ("SDMS"), at the time of the annual renewal of the Agreement, the hourly rate described in Article III for management services shall increase. Our current rates are \$137.00 per hour for management, administration and accounting, field services are \$70 per hour and utility billing is \$65.00 per hour. The new rates will be \$140.00/hr. for management administration and accounting. Field services and utility locates will be \$75.00/hr. At this time, no change will be made to the utility billing rate of \$65.00 per hour.

We hope you will understand that it is necessary to increase our rates so that we may continue to provide the best and most efficient management services you expect from SDMS.