



## ICENOGLE SEAVER POGUE

---

September 28, 2023

Adams County  
Board of County Commissioners  
4430 South Adams County Parkway  
Brighton, CO 80601  
*Via Email:* [commissioners@adcogov.org](mailto:commissioners@adcogov.org)

Division of Local Government  
1313 Sherman Street, Room 521  
Denver, CO 80203  
*Via E-Filing*

State of Colorado  
Office of the State Auditor  
Local Government Audit Division  
1525 Sherman St., 7th Floor  
Denver, CO 80203  
*Via E-Filing*

Adams County Clerk and Recorder  
4430 South Adams County Parkway  
Brighton, CO 80601  
*Via Email:* [clerk@adcogov.org](mailto:clerk@adcogov.org)

**Re: Clear Creek Transit Metropolitan District Nos. 1 and 2**  
Supplement to Annual Report

Dear Sir or Madam:

Enclosed for your information and records is a copy of the 2022 Audits for Clear Creek Transit Metropolitan District Nos. 1 and 2 (the “Districts”). These Audits are being submitted pursuant to Section I of the District’s 2022 Annual Report that was submitted on September 19, 2023. At the time of submitting the Annual Report, the Audits were not completed.

Should you have any questions regarding the enclosed, please do not hesitate to contact our office.

Sincerely,

ICENOGLE SEAVER POGUE  
A Professional Corporation

Alexandra L. Mejia

*Alexandra L. Mejia* | [AMEjia@isp-law.com](mailto:AMEjia@isp-law.com) | Direct 303.867.3016

4725 S. Monaco St., Suite 360 | Denver, CO 80237 | 303.292.9100 | fax 303.292.9101 | [www.isp-law.com](http://www.isp-law.com)

**CLEAR CREEK TRANSIT  
METROPOLITAN DISTRICT NO. 1  
Adams County, Colorado**

**FINANCIAL STATEMENTS AND  
SUPPLEMENTARY INFORMATION**

**YEAR ENDED DECEMBER 31, 2022**

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1  
TABLE OF CONTENTS  
YEAR ENDED DECEMBER 31, 2022**

<b>INDEPENDENT AUDITOR’S REPORT</b>	<b>I</b>
<b>BASIC FINANCIAL STATEMENTS</b>	
<b>GOVERNMENT-WIDE FINANCIAL STATEMENTS</b>	
STATEMENT OF NET POSITION	1
STATEMENT OF ACTIVITIES	2
<b>FUND FINANCIAL STATEMENTS</b>	
BALANCE SHEET – GOVERNMENTAL FUNDS	3
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES GOVERNMENTAL FUNDS	4
RECONCILIATION OF THE STATEMENTS OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES OF THE GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES	5
GENERAL FUND – STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL	6
NOTES TO BASIC FINANCIAL STATEMENTS	7
<b>SUPPLEMENTARY INFORMATION</b>	
CAPITAL PROJECTS FUND – STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL	17



Board of Directors  
Clear Creek Transit Metropolitan District No. 1  
Adams County, Colorado

Independent Auditor's Report

Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of Clear Creek Transit Metropolitan District No. 1 (the "District"), as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements, as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of Clear Creek Transit Metropolitan District No. 1 as of December 31, 2022, and the respective changes in financial position and the respective budgetary comparison for the general fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

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

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

## Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

Exercise professional judgment and maintain professional skepticism throughout the audit.

Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.

Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.

Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.

Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control—related matters that we identified during the audit.

## Other Matters

### Required Supplemental Information

Management has omitted the management's discussion and analysis that accounting principles generally accepted in the United States require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinions on the basic financial statements are not affected by this missing information.

### Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's financial statements as a whole. The supplementary information as listed in the table of contents is presented for the purposes of legal compliance and additional analysis and is not a required part of the financial statements. The supplementary information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States. In our opinion, such information is fairly stated in all material respects in relation to the financial statements as a whole.

*Wipfli LLP*

Wipfli LLP  
Lakewood, Colorado

September 1, 2023

## **BASIC FINANCIAL STATEMENTS**

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1**  
**STATEMENT OF NET POSITION**  
**DECEMBER 31, 2022**

	Governmental Activities
<b>ASSETS</b>	
Cash and Investments	\$ 8,182
Cash and Investments - Restricted	2,700
Prepaid Insurance	5,142
Capital Assets, Not Being Depreciated	22,359,995
Total Assets	22,376,019
<b>LIABILITIES</b>	
Accounts Payable	5,316
Retainage Payable	1,117,980
Total Liabilities	1,123,296
<b>NET POSITION</b>	
Net Investment in Capital Assets	22,359,995
Restricted for:	
Emergency Reserves	2,700
Unrestricted	(1,109,972)
Total Net Position	\$ 21,252,723

See accompanying Notes to Basic Financial Statements.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1  
STATEMENT OF ACTIVITIES  
YEAR ENDED DECEMBER 31, 2022**

	Program Revenues			Capital Grants and Contributions	Net Revenues (Expenses) and Change in Net Position
	Expenses	Charges for Services	Operating Grants and Contributions	Governmental Activities	Governmental Activities
<b>FUNCTIONS/PROGRAMS</b>					
Primary Government:					
Governmental Activities:					
General Government	\$ 72,257	\$ -	\$ 89,124	\$ 4,239,028	\$ 4,255,895
Total Governmental Activities	\$ 72,257	\$ -	\$ 89,124	\$ 4,239,028	4,255,895
<b>CHANGE IN NET POSITION</b>					
					4,255,895
					16,996,828
					<b>\$ 21,252,723</b>

See accompanying Notes to Basic Financial Statements.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1  
BALANCE SHEET –  
GOVERNMENTAL FUNDS  
DECEMBER 31, 2022**

	General	Capital Projects	Total Governmental Funds
<b>ASSETS</b>			
Cash and Investments	\$ 8,182	\$ -	\$ 8,182
Cash and Investments - Restricted	2,700	-	2,700
Prepaid Insurance	5,142	-	5,142
Total Assets	\$ 16,024	\$ -	16,024
<b>LIABILITIES AND FUND BALANCES</b>			
<b>LIABILITIES</b>			
Accounts Payable	\$ 5,316	\$ -	5,316
Retainage Payable	-	1,117,980	1,117,980
Total Liabilities	5,316	1,117,980	1,123,296
<b>FUND BALANCES</b>			
Nonspendable:			
Prepaid Expense	5,142	-	5,142
Restricted for:			
Emergency Reserves	2,700	-	2,700
Assigned to:			
Capital Projects	-	(1,117,980)	(1,117,980)
Unassigned	2,866	-	2,866
Total Fund Balances (Deficits)	10,708	(1,117,980)	(1,107,272)
Total Liabilities and Fund Balances	\$ 16,024	\$ -	
Amounts reported for governmental activities in the statement of net position are different because:			
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.			
Capital Assets, Net			22,359,995
Net Position of Governmental Activities			\$ 21,252,723

See accompanying Notes to Basic Financial Statements.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES –  
GOVERNMENTAL FUNDS  
YEAR ENDED DECEMBER 31, 2022**

	General	Capital Projects	Total Governmental Funds
<b>REVENUES</b>			
Intergovernmental Revenues	\$ 89,124	\$ 4,239,028	\$ 4,328,152
Total Revenues	89,124	4,239,028	4,328,152
<b>EXPENDITURES</b>			
Current:			
Accounting	29,093	742	29,835
Audit	10,950	-	10,950
Dues and Subscriptions	733	-	733
Election	2,258	-	2,258
Engineering	-	2,930	2,930
Insurance and Bonds	5,562	-	5,562
Legal	14,053	5,421	19,474
Miscellaneous	515	-	515
Capital Outlay	-	4,446,035	4,446,035
Total Expenditures	63,164	4,455,128	4,518,292
<b>NET CHANGE IN FUND BALANCES (DEFICIT)</b>	25,960	(216,100)	(190,140)
Fund Balances (Deficit) - Beginning of Year	(15,252)	(901,880)	(917,132)
<b>FUND BALANCES (DEFICIT) - END OF YEAR</b>	\$ 10,708	\$ (1,117,980)	\$ (1,107,272)

See accompanying Notes to Basic Financial Statements.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1  
RECONCILIATION OF THE STATEMENTS OF REVENUES, EXPENDITURES, AND CHANGES  
IN FUND BALANCES OF THE GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES  
YEAR ENDED DECEMBER 31, 2022**

Net Change in Fund Balances - Governmental Funds \$ (190,140)

Amounts reported for governmental activities in the statement of activities are different because:

Governmental funds report capital outlays as expenditures. In the statement of activities, capital outlay is not reported as an expenditure. However, the statement of activities will report as depreciation expense, the allocation of the cost of any depreciable asset over the estimated useful life of the asset. Therefore, this is the amount of capital outlay, net of depreciation, in the current period.

Capital Outlay 4,446,035

Change in Net Position of Governmental Activities \$ 4,255,895

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL  
YEAR ENDED DECEMBER 31, 2022**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
<b>REVENUES</b>			
Intergovernmental Revenues	\$ 118,400	\$ 89,124	\$ (29,276)
Total Revenues	118,400	89,124	(29,276)
<b>EXPENDITURES</b>			
Accounting	30,800	29,093	1,707
Audit	10,950	10,950	-
Dues and Subscriptions	675	733	(58)
Election	-	2,258	(2,258)
Insurance and Bonds	3,850	5,562	(1,712)
Legal	66,000	14,053	51,947
Miscellaneous	5,825	515	5,310
Total Expenditures	118,100	63,164	54,936
<b>NET CHANGE IN FUND BALANCE</b>	300	25,960	25,660
Fund Balance (Deficit) - Beginning of Year	3,300	(15,252)	(18,552)
<b>FUND BALANCE - END OF YEAR</b>	\$ 3,600	\$ 10,708	\$ 7,108

See accompanying Notes to Basic Financial Statements.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 1 DEFINITION OF REPORTING ENTITY**

Clear Creek Transit Metropolitan District No. 1 (the District), a quasi-municipal corporation and political subdivision of the State of Colorado, located entirely in Adams County, Colorado, was organized by court order and decree on November 11, 2010, and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The District was organized in conjunction with one other related district, Clear Creek Transit Metro District No. 2 (District No. 2). The Districts were organized to serve an area which is coextensive with the boundaries of the planned transit oriented development identified as Clear Creek Transit Village. The District will construct, own and operate the majority of the public services and facilities for the development. District No. 2 will fund and assist in the coordination of metropolitan district services and facilities. District No. 2 will encompass the entirety of the development except the property located in the District, which will encompass a track of approximately one acre after final platting. Using funds provided by and through District No. 2, the District will construct, own and operate certain public services and facilities for the development.

The District follows the Governmental Accounting Standards Board (GASB) accounting pronouncements, which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB pronouncements set forth the financial accountability of a governmental organization's elected governing body as the basic criterion for including a possible component governmental organization in a primary government's legal entity. Financial accountability includes, but is not limited to, appointment of a voting majority of the organization's governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens and fiscal dependency.

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

The District is not financially accountable for any other organization, nor is the District a component unit of any other primary governmental entity.

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The more significant accounting policies of the District are described as follows:

**Government-Wide and Fund Financial Statements**

The government-wide financial statements include the statement of net position and the statement of activities. These financial statements include all of the activities of the District. The effect of interfund activity has been removed from these statements. Governmental activities are normally supported by property taxes and intergovernmental revenues.

The statement of net position reports all financial and capital resources of the District. The difference between the sum of assets and deferred outflows and the sum of liabilities and deferred inflows is reported as net position.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Government-Wide and Fund Financial Statements (Continued)**

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

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

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

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

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

The District reports the following major governmental funds:

The General Fund is the District's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

The Capital Projects Fund is used to account for financial resources to be used for the acquisition and construction of capital equipment and facilities.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Budgets**

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

**Pooled Cash and Investments**

The District follows the practice of pooling cash and investments of all funds to maximize investment earnings. Except when required by trust or other agreements, all cash is deposited to and disbursed from a single bank account. Cash in excess of immediate operating requirements is pooled for deposit and investment flexibility. Investment earnings are allocated periodically to the participating funds based upon each fund's average equity balance in the total cash and investments.

**Capital Assets**

Capital assets, which include infrastructure assets (e.g., roads, parks and recreation improvements, water supply system, and storm and sewer improvements), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the District as assets with an initial, individual cost of more than \$5,000. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation.

Capital assets which are anticipated to be conveyed to other governmental entities are recorded as construction in progress and are not included in the calculation of net investment in capital assets.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend the life of the asset are not capitalized. Improvements are capitalized and depreciated over the remaining useful lives of the related fixed assets, as applicable. Depreciation expense has been computed using the straight-line method over the estimated economic useful lives:

Water Supply System	46 Years
Sanitary Sewer and Storm Drainage	46 Years
Streets	20 Years
Parks and Recreation	20 Years

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Equity**

**Net Position**

For government-wide presentation purposes when both restricted and unrestricted resources are available for use, it is the District's practice to use restricted resources first, then unrestricted resources as they are needed.

**Fund Balance**

Fund balance for governmental funds should be reported in classifications that comprise a hierarchy based on the extent to which the government is bound to honor constraints on the specific purposes for which spending can occur. Governmental funds report up to five classifications of fund balance: nonspendable, restricted, committed, assigned, and unassigned. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications describe the relative strength of the spending constraints:

*Nonspendable Fund Balance* – The portion of fund balance that cannot be spent because it is either not in spendable form (such as prepaid amounts or inventory) or legally or contractually required to be maintained intact.

*Restricted Fund Balance* – The portion of fund balance that is constrained to being used for a specific purpose by external parties (such as bondholders), constitutional provisions, or enabling legislation.

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

*Assigned Fund Balance* – The portion of fund balance that is constrained by the government's intent to be used for specific purposes but is neither restricted nor committed. Intent is expressed by the Board of Directors to be used for a specific purpose. Constraints imposed on the use of assigned amounts are more easily removed or modified than those imposed on amounts that are classified as committed.

*Unassigned Fund Balance* – The residual portion of fund balance that does not meet any of the criteria described above.

If more than one classification of fund balance is available for use when an expenditure is incurred, it is the District's practice to use the most restrictive classification first.

**Deficits**

The Capital Projects Fund reported a deficit in the fund financial statements as of December 31, 2022. The deficit is a result of retainage due to vendors.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 3 CASH AND INVESTMENTS**

Cash and investments as of December 31, 2022, are classified in the accompanying financial statements as follows:

Statement of Net Position:

Cash and Investments	\$ 8,182
Cash and Investments - Restricted	2,700
Total Cash and Investments	\$ 10,882

Cash and investments as of December 31, 2022, consist of the following:

Deposits with Financial Institutions	\$ 10,882
Total Cash and Investments	\$ 10,882

**Deposits with Financial Institutions**

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. Eligibility is determined by state regulators. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool for all the uninsured public deposits as a group is to be maintained by another institution or held in trust. The market value of the collateral must be at least 102% of the aggregate uninsured deposits.

The State Commissioners for banks and financial services are required by statute to monitor the naming of eligible depositories and reporting of the uninsured deposits and assets maintained in the collateral pools.

At December 31, 2022, the District's cash deposits had a bank balance of \$35,150 and carrying balance of \$10,882.

**Investments**

The District's formal investment policy is to follow state statutes regarding investments.

The District generally limits its concentration of investments to those which are believed to have minimal credit risk, minimal interest rate risk, and no foreign currency risk. Additionally, the District is not subject to concentration risk or investment custodial risk disclosure requirements for investments that are in the possession of another party.

Colorado revised statutes limit investment maturities to five years or less unless formally approved by the Board of Directors. Such actions are generally associated with a debt service reserve or sinking fund requirements.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 3 CASH AND INVESTMENTS (CONTINUED)**

**Investments (Continued)**

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local governments may invest which include:

- . Obligations of the United States, certain U.S. government agency securities, and securities of the World Bank
- . General obligation and revenue bonds of U.S. local government entities
- . Certain certificates of participation
- . Certain securities lending agreements
- . Bankers' acceptances of certain banks
- . Commercial paper
- . Written repurchase agreements and certain reverse repurchase agreements collateralized by certain authorized securities
- . Certain money market funds
- . Guaranteed investment contracts
- . Local government investment pools

As of December 31, 2022, the District had no investments.

**NOTE 4 CAPITAL ASSETS**

An analysis of the changes in capital assets for the year ended December 31, 2022 follows:

	Balance - December 31, 2021	Increases	Decreases	Balance - December 31, 2022
Capital Assets, Not Being Depreciated:				
Construction in Progress	\$ 17,913,960	\$ 4,446,035	\$ -	\$ 22,359,995
Total Capital Assets, Not Being Depreciated	<u>17,913,960</u>	<u>4,446,035</u>	<u>-</u>	<u>22,359,995</u>
Governmental Activities Capital Assets, Net	<u>\$ 17,913,960</u>	<u>\$ 4,446,035</u>	<u>\$ -</u>	<u>\$ 22,359,995</u>

The District had no depreciation expense recorded for the year ended December 31, 2022.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 5 LONG-TERM OBLIGATIONS**

**Authorized Debt**

On November 2, 2010, a majority of the qualified electors of the District authorized the issuance of indebtedness in an amount not to exceed \$551,000,000 at an interest rate not to exceed 15% per annum. At December 31, 2022, the District had authorized but unissued indebtedness in the following amounts allocated for the following purposes:

	Debt Authorized November 2, 2010	Authorization Used	Authorized But Unissued
Water	\$ 50,000,000	\$ -	\$ 50,000,000
Sanitation	50,000,000	-	50,000,000
Streets	50,000,000	-	50,000,000
Safety Protection	50,000,000	-	50,000,000
Operations and Maintenance	50,000,000	-	50,000,000
TV Relay and Translation	50,000,000	-	50,000,000
Mosquito Control	1,000,000	-	1,000,000
Intergovernmental Agreements	100,000,000	-	100,000,000
Refunding	150,000,000	-	150,000,000
Total	<u>\$ 551,000,000</u>	<u>\$ -</u>	<u>\$ 551,000,000</u>

The Service Plan also limits the total mill levy (debt service and operations combined) to 65.000 mills.

In the future, the District may issue a portion of the remaining authorized but unissued general obligation debt for purposes of providing public improvements to support development as it occurs within the District's service area.

The District has no debt outstanding as of December 31, 2022.

**NOTE 6 RELATED PARTY**

The Developer of the property with constitutes the District is Clear Creek Development, LLC. The majority of the members of the Board of Directors were employees, owners, or otherwise associated with the Developer, and may have had conflicts of interest in dealing with the District.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 7 NET POSITION**

The District has net position consisting of three components – net investment in capital assets, restricted, and unrestricted.

Net investment in capital assets consists of capital assets, net of accumulated depreciation and reduced by the outstanding balances of bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets. As of December 31, 2022, the District had net investment in capital assets calculated as follows:

	Governmental Activities
Net Investment in Capital Assets:	
Capital Assets, Net	\$ 22,359,995

Restricted net position consists of assets that are restricted for use either externally imposed by creditors, grantors, contributors, or laws and regulations of other governments or imposed by law through constitutional provisions or enabling legislation. The District had a restricted net position as of December 31, 2022, as follows:

	Governmental Activities
Restricted Net Position:	
Emergencies	\$ 2,700
Total Restricted Net Position	\$ 2,700

The District has a deficit in unrestricted net position. This deficit amount is a result of the District being responsible for public improvements to be constructed and conveyed to other entities by the District.

**NOTE 8 RISK MANAGEMENT**

The District is exposed to various risks of loss related to torts; thefts of, damage to, or destruction of assets; errors or omissions; injuries to employees; or acts of God.

The District is a member of the Colorado Special Districts Property and Liability Pool (the Pool). The Pool is an organization created by intergovernmental agreement to provide property, liability, public officials' liability, boiler and machinery, and workers' compensation coverage to its members. Settled claims have not exceeded this coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for liability, property, public officials' liability, and workers' compensation coverage. In the event aggregated losses incurred by the Pool exceed amounts recoverable from reinsurance contracts and funds accumulated by the Pool, the Pool may require additional contributions from the Pool members. Any excess funds which the Pool determines are not needed for purposes of the Pool may be returned to the members pursuant to a distribution formula.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 9 TAX, SPENDING, AND DEBT LIMITATIONS**

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

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

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

On November 2, 2010, a majority of the District's electors authorized the District to collect and spend or retain in a reserve all currently levied taxes and fees of the District without regard to any limitations under TABOR or Section 29-1-301, C.R.S.

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

**SUPPLEMENTARY INFORMATION**

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 1  
CAPITAL PROJECTS FUND –  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL  
YEAR ENDED DECEMBER 31, 2022**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
<b>REVENUES</b>			
Intergovernmental Revenues	\$ 8,085,000	\$ 4,239,028	\$ (3,845,972)
Total Revenues	8,085,000	4,239,028	(3,845,972)
<b>EXPENDITURES</b>			
General and Administrative:			
Accounting	-	742	(742)
Engineering	-	2,930	(2,930)
Legal	-	5,421	(5,421)
Capital Outlay	8,085,000	4,446,035	3,638,965
Total Expenditures	8,085,000	4,455,128	3,629,872
<b>NET CHANGE IN FUND BALANCE</b>	-	(216,100)	(216,100)
Fund Balance (Deficit) - Beginning of Year	-	(901,880)	(901,880)
<b>FUND BALANCE (DEFICIT) - END OF YEAR</b>	\$ -	\$ (1,117,980)	\$ (1,117,980)

**CLEAR CREEK TRANSIT  
METROPOLITAN DISTRICT NO. 2  
Adams County, Colorado**

**FINANCIAL STATEMENTS AND  
SUPPLEMENTARY INFORMATION**

**YEAR ENDED DECEMBER 31, 2022**

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**TABLE OF CONTENTS**  
**YEAR ENDED DECEMBER 31, 2022**

<b>INDEPENDENT AUDITOR’S REPORT</b>	<b>I</b>
<b>BASIC FINANCIAL STATEMENTS</b>	
<b>GOVERNMENT-WIDE FINANCIAL STATEMENTS</b>	
<b>STATEMENT OF NET POSITION</b>	<b>1</b>
<b>STATEMENT OF ACTIVITIES</b>	<b>2</b>
<b>FUND FINANCIAL STATEMENTS</b>	
<b>BALANCE SHEET – GOVERNMENTAL FUNDS</b>	<b>3</b>
<b>STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS</b>	<b>4</b>
<b>RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES OF THE GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES</b>	<b>5</b>
<b>GENERAL FUND – STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL</b>	<b>6</b>
<b>NOTES TO BASIC FINANCIAL STATEMENTS</b>	<b>7</b>
<b>SUPPLEMENTARY INFORMATION</b>	
<b>DEBT SERVICE FUND – SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL</b>	<b>23</b>
<b>CAPITAL PROJECTS FUND – SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL</b>	<b>24</b>
<b>OTHER INFORMATION - UNAUDITED</b>	
<b>SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY</b>	<b>26</b>
<b>SCHEDULE OF ASSESSED VALUATION, MILL LEVY, AND PROPERTY TAXES COLLECTED</b>	<b>27</b>



Board of Directors  
Clear Creek Transit Metropolitan District No. 2  
Adams County, Colorado

## Independent Auditor's Report

### Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of Clear Creek Transit Metropolitan District No. 2 (the "District"), as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements, as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of Clear Creek Transit Metropolitan District No. 2 as of December 31, 2022, and the respective changes in financial position and the respective budgetary comparison for the general fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

### Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### Responsibilities of Management for the Financial Statements

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

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

## Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

Exercise professional judgment and maintain professional skepticism throughout the audit.

Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.

Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.

Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.

Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control—related matters that we identified during the audit.

## Other Matters

### Required Supplemental Information

Management has omitted the management's discussion and analysis that accounting principles generally accepted in the United States require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinions on the basic financial statements are not affected by this missing information.

### Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's financial statements as a whole. The supplementary information as listed in the table of contents is presented for the purposes of legal compliance and additional analysis and is not a required part of the financial statements. The supplementary information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States. In our opinion, such information is fairly stated in all material respects in relation to the financial statements as a whole.

### Other Information

The other information, as listed in the table of contents, has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

*Wipfli LLP*

Wipfli LLP  
Lakewood, Colorado

September 3, 2023

## **BASIC FINANCIAL STATEMENTS**

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**STATEMENT OF NET POSITION**  
**DECEMBER 31, 2022**

	Governmental Activities
<b>ASSETS</b>	
Cash and Investments	\$ 268
Cash and Investments - Restricted	11,325,437
Receivable - County Treasurer	817
Property Taxes Receivable	135,325
Total Assets	11,461,847
<b>LIABILITIES</b>	
Accrued Bond Interest Payable	1,460,325
Noncurrent Liabilities:	
Due in More Than One Year	35,386,647
Total Liabilities	36,846,972
<b>DEFERRED INFLOWS OF RESOURCES</b>	
Property Tax Revenue	135,325
Total Deferred Inflows of Resources	135,325
<b>NET POSITION</b>	
Unrestricted	(25,520,450)
Total Net Position	\$ (25,520,450)

See accompanying Notes to Basic Financial Statements.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2  
STATEMENT OF ACTIVITIES  
YEAR ENDED DECEMBER 31, 2022**

	Expenses	Charges for Services	Program Revenues Operating Grants and Contributions	Capital Grants and Contributions	Net Revenues (Expenses) and Change in Net Position
<b>FUNCTIONS/PROGRAMS</b>					
Primary Government:					
Governmental Activities:					
General Government	\$ 89,124	\$ -	\$ -	\$ -	\$ (89,124)
Dedication to Other Governmental Entities	4,239,028	-	-	-	(4,239,028)
Interest and Related Costs					
on Long-Term Debt	2,390,059	-	-	-	(2,390,059)
<b>Total Governmental Activities</b>	<b>\$ 6,718,211</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>(6,718,211)</b>
<b>GENERAL REVENUES</b>					
Property Taxes					135,440
Specific Ownership Taxes					9,374
Net Investment Income					197,769
Total General Revenues					<b>342,583</b>
<b>CHANGE IN NET POSITION</b>					<b>(6,375,628)</b>
Net Position - Beginning of Year					<b>(19,144,822)</b>
<b>NET POSITION - END OF YEAR</b>					<b>\$ (25,520,450)</b>

See accompanying Notes to Basic Financial Statements.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2  
BALANCE SHEET –  
GOVERNMENTAL FUNDS  
DECEMBER 31, 2022**

	General	Debt Service	Capital Projects	Total Governmental Fund
<b>ASSETS</b>				
Cash and Investments	\$ 268	\$ -	\$ -	\$ 268
Cash and Investments - Restricted	-	4,880,826	6,444,611	11,325,437
Receivable - County Treasurer	188	629	-	817
Property Taxes Receivable	31,229	104,096	-	135,325
Total Assets	\$ 31,685	\$ 4,985,551	\$ 6,444,611	11,461,847
<b>LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES</b>				
<b>LIABILITIES</b>	\$ -	\$ -	\$ -	-
Total Liabilities	-	-	-	-
<b>DEFERRED INFLOWS OF RESOURCES</b>				
Deferred Property Tax Revenue	31,229	104,096	-	135,325
Total Deferred Inflows of Resources	31,229	104,096	-	135,325
<b>FUND BALANCES</b>				
Restricted for:				
Debt Service	-	4,881,455	-	4,881,455
Assigned to:				
Capital Projects	-	-	6,444,611	6,444,611
Unassigned	456	-	-	456
Total Fund Balances	456	4,881,455	6,444,611	11,326,522
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	\$ 31,685	\$ 4,985,551	\$ 6,444,611	
Long-term liabilities, including Developer advances payable and bonds payable are not due and payable in the current period and, therefore, are not reported in the funds.				
Bonds Payable				(35,237,590)
Accrued Interest Payable - Bonds				(1,460,325)
Developer Advance Payable				(136,174)
Accrued Interest Payable - Developer Advances				(12,883)
Net Position of Governmental Activities				\$ (25,520,450)

See accompanying Notes to Basic Financial Statements.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES –**  
**GOVERNMENTAL FUNDS**  
**YEAR ENDED DECEMBER 31, 2022**

	General	Debt Service	Capital Projects	Total Governmental Funds
<b>REVENUES</b>				
Property Taxes	\$ 31,151	\$ 104,289	\$ -	\$ 135,440
Specific Ownership Taxes	2,156	7,218	-	9,374
Net Investment Income	1,199	91,868	104,702	197,769
Total Revenues	<u>34,506</u>	<u>203,375</u>	<u>104,702</u>	<u>342,583</u>
<b>EXPENDITURES</b>				
Current:				
Intergovernmental Expenditures	89,124	-	4,239,028	4,328,152
Debt Service:				
Interest Expense - Series 2021A Bonds	-	1,391,950	-	1,391,950
Paying Agent Fees	-	7,000	-	7,000
Total Expenditures	<u>89,124</u>	<u>1,398,950</u>	<u>4,239,028</u>	<u>5,727,102</u>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	(54,618)	(1,195,575)	(4,134,326)	(5,384,519)
<b>OTHER FINANCING SOURCES (USES)</b>				
Developer Advance	54,974	-	-	54,974
Transfers from Other Funds		67	-	67
Transfers to Other Funds	-	-	(67)	(67)
Total Other Financing Sources (Uses)	<u>54,974</u>	<u>67</u>	<u>(67)</u>	<u>54,974</u>
<b>NET CHANGE IN FUND BALANCES</b>	356	(1,195,508)	(4,134,393)	(5,329,545)
Fund Balances - Beginning of Year	<u>100</u>	<u>6,076,963</u>	<u>10,579,004</u>	<u>16,656,067</u>
<b>FUND BALANCES - END OF YEAR</b>	<u>\$ 456</u>	<u>\$ 4,881,455</u>	<u>\$ 6,444,611</u>	<u>\$ 11,326,522</u>

See accompanying Notes to Basic Financial Statements.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2  
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES  
IN FUND BALANCES OF THE GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES  
YEAR ENDED DECEMBER 31, 2022**

Net Change in Fund Balances - Governmental Funds \$ (5,329,545)

Amounts reported for governmental activities in the statement of activities are different because:

The issuance of long-term debt (e.g., issuance of bonds, the receipt of Developer advances) provides current financial resources to governmental funds, while the repayment of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. This amount is the net effect of these difference in the treatment of long-term debt and related items as follows:

Developer Advances (54,974)

Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.

Accrued Interest on Bonds - Change in Liability (1,039,126)  
Accrued Interest on Developer Advances - Change in Liability (9,169)  
Amortization of Bond Premium 57,186

Change in Net Position of Governmental Activities \$ (6,375,628)

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2  
GENERAL FUND –  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL  
YEAR ENDED DECEMBER 31, 2022**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
<b>REVENUES</b>			
Property Taxes	\$ 31,988	\$ 31,151	\$ (837)
Specific Ownership Taxes	2,239	2,156	(83)
Net Investment Income	-	1,199	1,199
Other Income	2,000	-	(2,000)
Total Revenues	<u>36,227</u>	<u>34,506</u>	<u>(1,721)</u>
<b>EXPENDITURES</b>			
Contingency	4,520	-	4,520
County Treasurer's Fee	480	-	480
Intergovernmental Expenditures	118,400	89,124	29,276
Total Expenditures	<u>123,400</u>	<u>89,124</u>	<u>34,276</u>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	(87,173)	(54,618)	32,555
<b>OTHER FINANCING SOURCES (USES)</b>			
Developer Advance	87,173	54,974	(32,199)
Total Other Financing Sources (Uses)	<u>87,173</u>	<u>54,974</u>	<u>(32,199)</u>
<b>NET CHANGE IN FUND BALANCE</b>	-	356	356
Fund Balance - Beginning of Year	<u>-</u>	<u>100</u>	<u>100</u>
<b>FUND BALANCE - END OF YEAR</b>	<u>\$ -</u>	<u>\$ 456</u>	<u>\$ 456</u>

See accompanying Notes to Basic Financial Statements.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 1 DEFINITION OF REPORTING ENTITY**

Clear Creek Transit Metropolitan District No. 2 (the District), a quasi-municipal corporation and political subdivision of the state of Colorado, located entirely in Adams County, Colorado, was organized by court order and decree on November 10, 2010, and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The District was organized in conjunction with one other related district, Clear Creek Transit Metro District No. 1 (District No. 1). The Districts were organized to serve an area which is coextensive with the boundaries of the planned transit-oriented development identified as Clear Creek Transit Village. District No. 1 will construct, own and operate the majority of the public services and facilities for the development. The District will fund and assist in the coordination of metropolitan district services and facilities. The District will encompass the entirety of the development except the property located in District No. 1, which will encompass a track of approximately one acre after final platting. Using funds provided by and through the District, District No. 1 will construct, own and operate certain public services and facilities for the development.

The District follows the Governmental Accounting Standards Board (GASB) accounting pronouncements, which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB pronouncements set forth the financial accountability of a governmental organization's elected governing body as the basic criterion for including a possible component governmental organization in a primary government's legal entity. Financial accountability includes, but is not limited to, appointment of a voting majority of the organization's governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens and fiscal dependency.

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

The District is not financially accountable for any other organization, nor is the District a component unit of any other primary governmental entity.

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The more significant accounting policies of the District are described as follows:

**Government-Wide and Fund Financial Statements**

The government-wide financial statements include the statement of net position and the statement of activities. These financial statements include all of the activities of the District. The effect of interfund activity has been removed from these statements. Governmental activities are normally supported by property taxes and intergovernmental revenues.

The statement of net position reports all financial and capital resources of the District. The difference between the sum of assets and deferred outflows and the sum of liabilities and deferred inflows is reported as net position.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Government-Wide and Fund Financial Statements (Continued)**

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

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

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

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

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

The District reports the following major governmental funds:

The General Fund is the District's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

The Debt Service Fund accounts for the resources accumulated and payments made for principal and interest on long-term general obligation debt of the governmental funds.

The Capital Projects Fund is used to account for financial resources to be used for the acquisition and construction of capital equipment and facilities.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Budgets**

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

**Pooled Cash and Investments**

The District follows the practice of pooling cash and investments of all funds to maximize investment earnings. Except when required by trust or other agreements, all cash is deposited to and disbursed from a single bank account. Cash in excess of immediate operating requirements is pooled for deposit and investment flexibility. Investment earnings are allocated periodically to the participating funds based upon each fund's average equity balance in the total cash and investments.

**Property Taxes**

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

Property taxes, net of estimated uncollectible taxes, are recorded initially as deferred inflow of resources in the year they are levied and measurable. The property tax revenues are recorded as revenue in the year they are available or collected.

**Deferred Inflows of Resources**

In addition to liabilities, the statement of net position reports a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period and so will not be recognized as an inflow of resources (revenue) until that time. The District has one item that qualifies for reporting in this category. Accordingly, the item, *deferred property tax revenue*, is deferred and recognized as an inflow of resources in the period that the amount becomes available.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Equity**

**Net Position**

For government-wide presentation purposes when both restricted and unrestricted resources are available for use, it is the District's practice to use restricted resources first, then unrestricted resources as they are needed.

**Fund Balance**

Fund balance for governmental funds should be reported in classifications that comprise a hierarchy based on the extent to which the government is bound to honor constraints on the specific purposes for which spending can occur. Governmental funds report up to five classifications of fund balance: nonspendable, restricted, committed, assigned, and unassigned. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications describe the relative strength of the spending constraints:

*Nonspendable Fund Balance* – The portion of fund balance that cannot be spent because it is either not in spendable form (such as prepaid amounts or inventory) or legally or contractually required to be maintained intact.

*Restricted Fund Balance* – The portion of fund balance that is constrained to being used for a specific purpose by external parties (such as bondholders), constitutional provisions, or enabling legislation.

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

*Assigned Fund Balance* – The portion of fund balance that is constrained by the government's intent to be used for specific purposes but is neither restricted nor committed. Intent is expressed by the Board of Directors to be used for a specific purpose. Constraints imposed on the use of assigned amounts are more easily removed or modified than those imposed on amounts that are classified as committed.

*Unassigned Fund Balance* – The residual portion of fund balance that does not meet any of the criteria described above.

If more than one classification of fund balance is available for use when an expenditure is incurred, it is the District's practice to use the most restrictive classification first.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 3 CASH AND INVESTMENTS**

Cash and investments as of December 31, 2022, are classified in the accompanying financial statements as follows:

Statement of Net Position:	
Cash and Investments	\$ 268
Cash and Investments - Restricted	11,325,437
Total Cash and Investments	<u>\$ 11,325,705</u>

Cash and investments as of December 31, 2022, consist of the following:

Deposits with Financial Institutions	\$ 828
Investments	11,324,877
Total Cash and Investments	<u>\$ 11,325,705</u>

**Deposits with Financial Institutions**

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. Eligibility is determined by state regulators. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool for all the uninsured public deposits as a group is to be maintained by another institution or held in trust. The market value of the collateral must be at least 102% of the aggregate uninsured deposits.

The State Commissioners for banks and financial services are required by statute to monitor the naming of eligible depositories and reporting of the uninsured deposits and assets maintained in the collateral pools.

At December 31, 2022, the District's cash deposits had a bank balance and carrying balance of \$828.

**Investments**

The District's formal investment policy is to follow state statutes regarding investments.

The District generally limits its concentration of investments to those noted with an asterisk (\*) below, which are believed to have minimal credit risk, minimal interest rate risk, and no foreign currency risk. Additionally, the District is not subject to concentration risk or investment custodial risk disclosure requirements for investments that are in the possession of another party.

Colorado revised statutes limit investment maturities to five years or less unless formally approved by the Board of Directors. Such actions are generally associated with a debt service reserve or sinking fund requirements.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2  
 NOTES TO BASIC FINANCIAL STATEMENTS  
 DECEMBER 31, 2022**

**NOTE 3 CASH AND INVESTMENTS (CONTINUED)**

**Investments (Continued)**

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local governments may invest which include:

- . Obligations of the United States, certain U.S. government agency securities, and securities of the World Bank
- . General obligation and revenue bonds of U.S. local government entities
- . Certain certificates of participation
- . Certain securities lending agreements
- . Bankers' acceptances of certain banks
- . Commercial paper
- . Written repurchase agreements and certain reverse repurchase agreements collateralized by certain authorized securities
- . Certain money market funds
- . Guaranteed investment contracts
- \* Local government investment pools

As of December 31, 2022, the District had the following investments:

<u>Investment</u>	<u>Maturity</u>	<u>Amount</u>
Colorado Local Government Liquid Asset Trust (COLOTRUST)	Weighted-Average Under 60 Days	<u>\$ 11,324,877</u>

**COLOTRUST**

The District invested in the Colorado Local Government Liquid Asset Trust (COLOTRUST) (the Trust), an investment vehicle established for local government entities in Colorado to pool surplus funds. The State Securities Commissioner administers and enforces all state statutes governing the Trust. The Trust currently offers three portfolios – COLOTRUST PRIME, COLOTRUST PLUS+, and COLOTRUST EDGE.

COLOTRUST PRIME and COLOTRUST PLUS+, which operate similarly to a money market fund and each share is equal in value to \$1.00, offer daily liquidity. Both portfolios may invest in U.S. Treasury securities and repurchase agreements collateralized by U.S. Treasury securities. COLOTRUST PLUS+ may also invest in certain obligations of U.S. government agencies, highest rated commercial paper, and any security allowed under CRS 24-75-601.

COLOTRUST EDGE, a variable net asset value (NAV) Local Government Investment Pool, offers weekly liquidity and is managed to approximate a \$10.00 transactional share price. COLOTRUST EDGE may invest in securities authorized by CRS 24-75-601, including U.S. Treasury securities, repurchase agreements collateralized by U.S. Treasury securities, certain obligations of U.S. government agencies, highest rated commercial paper, and any security allowed under CRS 24-75-601.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 3 CASH AND INVESTMENTS (CONTINUED)**

**COLOTRUST (Continued)**

A designated custodial bank serves as custodian for the Trust's portfolios pursuant to a custodian agreement. The custodian acts as safekeeping agent for the Trust's investment portfolios and provides services as the depository in connection with direct investments and withdrawals. The custodian's internal records segregate investments owned by the Trust. COLOTRUST PRIME and COLOTRUST PLUS+ are rated AAAM by Standard & Poor's. COLOTRUST EDGE is rated AAAsf/S1 by Fitch Ratings. COLOTRUST records its investments at fair value and the District records its investment in COLOTRUST at net asset value as determined by fair value. There are no unfunded commitments, the redemption frequency is daily or weekly, and there is no redemption notice period.

**NOTE 4 LONG-TERM OBLIGATIONS**

The following is an analysis of changes in the District's long-term obligations for the year ended December 31, 2022:

	Balance - December 31, 2021	Additions	Reductions of Long-Term Obligations	Balance - December 31, 2022	Due Within One Year
Limited Tax G.O. Bonds					
Series 2021A	\$ 28,365,000	\$ -	\$ -	\$ 28,365,000	\$ -
Limited Tax G.O. Bonds					
Series 2021B	5,700,000	-	-	5,700,000	-
Bond Premium	1,229,776	-	57,186	1,172,590	-
Subtotal Bonds Payable	<u>35,294,776</u>	<u>-</u>	<u>57,186</u>	<u>35,237,590</u>	<u>-</u>
Other Debts:					
Developer Advances	81,200	54,974	-	\$ 136,174	-
Interest on Developer Advances	3,714	9,169	-	12,883	-
Subtotal Other Debts	<u>84,914</u>	<u>64,143</u>	<u>-</u>	<u>149,057</u>	<u>-</u>
Total	<u>\$ 35,379,690</u>	<u>\$ 64,143</u>	<u>\$ 57,186</u>	<u>\$ 35,386,647</u>	<u>\$ -</u>

The details of the District's long-term obligations are as follows:

**Revenue Supported Limited Tax General Obligation Bonds, Series 2021A (the Senior Bonds) and Subordinate Revenue Supported Limited Tax General Obligation Bonds, Series 2021B, (the Subordinate Bonds, and together with the Senior Bonds, the Bonds)**

**Proceeds of the Bonds**

The District issued the Bonds on April 27, 2021, in the par amounts of \$28,365,000 for the Senior Bonds and \$5,700,000 for the Subordinate Bonds. Proceeds from the sale of the Bonds were used to finance or reimburse the costs of public improvements related to the development and fund capitalized interest, and, in the case of the Senior Bonds only, fund the Reserve Fund, and pay the costs of issuing the Bonds.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 4 LONG-TERM OBLIGATIONS (CONTINUED)**

**Revenue Supported Limited Tax General Obligation Bonds, Series 2021A (the Senior Bonds) and Subordinate Revenue Supported Limited Tax General Obligation Bonds, Series 2021B, (the Subordinate Bonds, and together with the Senior Bonds, the Bonds) (Continued)**

**Details of the Senior Bonds**

The Senior Bonds were issued as three term bonds that bear interest at rates ranging from 4.0% to 5.0%, payable semiannually on June 1 and December 1, beginning on December 1, 2021. The Senior Bonds have mandatory sinking fund principal payments due annually on December 1, beginning on December 1, 2025 and have a final maturity of December 1, 2050.

To the extent principal of any Senior Bond is not paid when due, such principal shall remain outstanding until paid and will continue to bear interest at the rate then borne by the Senior Bonds. To the extent interest on any Senior Bond is not paid when due, such unpaid interest shall compound semiannually on each June 1 and December 1 at the interest rate then borne by the Senior Bonds.

**Senior Pledged Revenue**

The Senior Bonds are payable solely from and to the extent of the Senior Pledged Revenue which means the moneys derived by the District from the following sources: (a) all Senior Property Tax Revenues; (b) the portion of Specific Ownership Tax which is collected as a result of imposition of the Senior Required Mill Levy; (c) the PIF (Public Improvement Fee) Revenue; and (d) any other legally available moneys which the District determines, in its absolute discretion, to credit to the Senior Bond Fund.

Senior Property Tax Revenues means the moneys derived from imposition by the District of the Senior Required Mill Levy and are net of the collection costs of the County and any tax refunds or abatement authorized by or on behalf of the County. Senior Property Tax Revenues do not include specific ownership tax revenues.

**Senior Required Mill Levy**

The District is required to impose a Senior Required Mill Levy upon all taxable property of the District each year in an amount equal to 50 mills (subject to adjustment for changes in the method of calculating assessed valuation after tax year 2010) less any amounts on deposit in the Senior Bond Fund and, in the District's discretion, the Surplus Fund and, solely as provided in the Senior Indenture, the Reserve Fund.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 4 LONG-TERM OBLIGATIONS (CONTINUED)**

**Revenue Supported Limited Tax General Obligation Bonds, Series 2021A (the Senior Bonds) and Subordinate Revenue Supported Limited Tax General Obligation Bonds, Series 2021B, (the Subordinate Bonds, and together with the Senior Bonds, the Bonds) (Continued)**

PIF Revenue

“PIF Revenue” is the revenue generated from the PIF minus costs of collection. Property within the District is subject to a Declaration of Covenants Imposing and Implementing the Clear Creek Public Improvement Fee (the PIF Covenant) recorded by the Developer for the purpose of imposing a public improvement fee (the PIF) on the property in the District and in Clear Creek Transit Metropolitan District No. 1. The PIF is generally defined in the PIF Covenant as a public improvement fee in the amount of 3.0%. The PIF Covenant imposes the PIF on all PIF Sales that occur within the District. The PIF Covenant generally defines “PIF Sales” as any and all retail sales transactions by any retailer operating within the District upon which a sales tax would be payable.

**Additional Security for Senior Bonds**

The Senior Bonds are additionally secured by capitalized interest which was funded from proceeds of the Senior Bonds in the amount of \$4,375,056, by the Reserve Fund which was funded from proceeds of the Senior Bonds in the amount of the Reserve Requirement of \$2,497,339, and by amounts, if any, in the Senior Surplus Fund.

The Senior Surplus Fund is required to be funded with future annual excess Senior Pledged Revenue, if any, up to the Maximum Surplus Amount of \$2,497,339. The Senior Surplus Fund is to be maintained for so long as any Senior Bond is outstanding.

**Details of the Subordinate Bonds**

The Subordinate Bonds bear interest at the rate of 7.90% per annum and are structured as “cash flow” bonds, meaning that no regularly scheduled payments of principal are due on the Subordinate Bonds prior to their maturity date. Instead, principal is payable on each December 15 from available Subordinate Pledged Revenue, if any. The Subordinate Bonds mature on December 15, 2050 and are subject to mandatory redemption prior to maturity. Interest on the Subordinate Bonds is payable on each December 15, commencing December 15, 2021, to the extent of the Subordinate Pledged Revenue. Accrued unpaid interest on the Subordinate Bonds will compound annually on each December 15 until sufficient Subordinate Pledged Revenue is available for payment.

In the event that any amount of principal or interest on the Subordinate Bonds remains unpaid after the application of all Subordinate Pledged Revenue available therefor on December 15, 2071, the Subordinate Bonds shall be deemed to be discharged and paid in full.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 4 LONG-TERM OBLIGATIONS (CONTINUED)**

**Revenue Supported Limited Tax General Obligation Bonds, Series 2021A (the Senior Bonds) and Subordinate Revenue Supported Limited Tax General Obligation Bonds, Series 2021B, (the Subordinate Bonds, and together with the Senior Bonds, the Bonds) (Continued)**

**Subordinate Pledged Revenue**

The Subordinate Bonds are secured by and payable solely from and to the extent of Subordinate Pledged Revenue, which means the moneys derived by the District from the following sources: (a) the Subordinate Property Tax Revenues; (b) the portion of the Specific Ownership Tax which is collected as a result of imposition of the Subordinate Required Mill Levy; (c) the portion of revenues generated from the PIF, net of the costs of collection and administration remaining after deduction of any amounts applied to the payment of debt service on the Senior Bonds; and (d) any other legally available moneys which the District determines, in its absolute discretion, to credit to the Subordinate Bond Fund.

Subordinate Property Tax Revenues means the moneys derived from imposition by the District of the Subordinate Required Mill Levy and are net of the collection costs of the County and any tax refunds or abatement authorized by or on behalf of the County. Subordinate Property Tax Revenues do not include specific ownership tax revenues.

**Subordinate Required Mill Levy**

The District is required to impose a Subordinate Required Mill Levy upon all taxable property of the District each year in an amount of 50 mills (subject to adjustment for changes in the method of calculating assessed valuation after tax year 2010) less the amount of the Senior Obligation Mill Levy, or such lesser mill levy which will pay all of the principal of and interest on the Subordinate Bonds in full. Senior Obligation Mill Levy means the sum of the Senior Required Mill Levy and any other ad valorem property tax levy required to be imposed by the District for the payment of Senior Obligations. If the amount of the Senior Obligation Mill Levy equals or exceeds 50 mills in any year, as adjusted, the Subordinate Required Mill Levy for that year will be zero.

**Optional Redemption**

The Senior Bonds and the Subordinate Bonds are subject to redemption prior to maturity, at the option of the District, on December 1, 2026 and December 15, 2026, respectively, and on any date thereafter, upon payment of par, accrued interest, and a redemption premium equal to a percentage of the principal amount so redeemed as follows:

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 4 LONG-TERM OBLIGATIONS (CONTINUED)**

**Revenue Supported Limited Tax General Obligation Bonds, Series 2021A (the Senior Bonds) and Subordinate Revenue Supported Limited Tax General Obligation Bonds, Series 2021B, (the Subordinate Bonds, and together with the Senior Bonds, the Bonds) (Continued)**

Date of Redemption Senior Bonds	Date of Redemption Subordinate Bonds	Redemption Premium
December 1, 2026, to November 30, 2027	December 15, 2026, to December 14, 2027	3.00 %
December 1, 2027, to November 30, 2028	December 15, 2027, to December 14, 2028	2.00
December 1, 2028, to November 30, 2029	December 15, 2028, to December 14, 2029	1.00
December 1, 2029, and thereafter	December 15, 2029, and thereafter	0.00

**Events of Default**

The occurrence of any one or more of the following events or the existence of any one or more of the following conditions shall constitute an Event of Default under the Indenture, and there shall be no default or Event of Default hereunder except as provided in this Section:

- (a) The District fails or refused to impose the Senior Required Mill Levy or to apply the Pledged Revenue as required by the Indenture;
- (b) The District defaults in the performance or observance of any other of the covenants, agreements, or conditions on the part of the District in the Indenture or Bond Resolution, and fails to remedy the same after notice thereof; or
- (c) The District files a petition under the federal bankruptcy laws or other applicable bankruptcy laws seeking to adjust the obligation represented by the Bonds.

The Senior Bonds do not have any unused lines of credit. No assets have been pledged as collateral on the Senior Bonds.

The Senior Bonds are not subject to early termination. The Senior Bonds are not subject to acceleration.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 4 LONG-TERM OBLIGATIONS (CONTINUED)**

**Revenue Supported Limited Tax General Obligation Bonds, Series 2021A (the Senior Bonds) and Subordinate Revenue Supported Limited Tax General Obligation Bonds, Series 2021B, (the Subordinate Bonds, and together with the Senior Bonds, the Bonds) (Continued)**

The District's long-term obligations relating to the Series 2021A general obligation bonds will mature as follows:

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2023	\$ -	\$ 1,391,950	\$ 1,391,950
2024	-	1,391,950	1,391,950
2025	10,000	1,391,950	1,401,950
2026	210,000	1,391,550	1,601,550
2027	405,000	1,383,150	1,788,150
2028-2032	2,620,000	6,640,950	9,260,950
2033-2037	3,835,000	5,924,500	9,759,500
2038-2042	5,465,000	4,811,500	10,276,500
2043-2047	7,535,000	3,249,000	10,784,000
2048-2050	8,285,000	965,000	9,250,000
Total	<u>\$ 28,365,000</u>	<u>\$ 28,541,500</u>	<u>\$ 56,906,500</u>

The annual debt service requirements of the Subordinate Bonds are not currently determinable since they are payable only from available Subordinate Pledged Revenue.

**Authorized Debt**

On November 2, 2010, a majority of the qualified electors of the District authorized the issuance of indebtedness in an amount not to exceed \$551,000,000 at an interest rate not to exceed 15% per annum. At December 31, 2022, the District had authorized but unissued indebtedness in the following amounts allocated for the following purposes:

	<u>Debt Authorized November 2, 2010</u>	<u>Authorization Used for Series 2021A Bonds</u>	<u>Authorization Used for Series 2021B Bonds</u>	<u>Authorized But Unissued</u>
Water	\$ 50,000,000	\$ 7,091,250	\$ 1,425,000	\$ 41,483,750
Sanitation	50,000,000	7,091,250	1,425,000	41,483,750
Streets	50,000,000	7,091,250	1,425,000	41,483,750
Safety Protection	50,000,000	7,091,250	1,425,000	41,483,750
Operations and Maintenance	50,000,000	-	-	50,000,000
TV Relay and Translation	50,000,000	-	-	50,000,000
Mosquito Control	1,000,000	-	-	1,000,000
Intergovernmental Agreements	100,000,000	-	-	100,000,000
Refunding	150,000,000	-	-	150,000,000
Total	<u>\$ 551,000,000</u>	<u>\$ 28,365,000</u>	<u>\$ 5,700,000</u>	<u>\$ 516,935,000</u>

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 4 LONG-TERM OBLIGATIONS (CONTINUED)**

**Authorized Debt (Continued)**

The Service Plan also limits the total mill levy (debt service and operations combined) to 65.000 mills. Required Mill Levy is discussed under Bonds.

In the future, the District may issue a portion of the remaining authorized but unissued general obligation debt for purposes of providing public improvements to support development as it occurs within the District's service area.

**Developer Advance**

The District has entered into Funding and Reimbursement Agreements with the Developer as follows:

**Operations Funding Agreement**

The District and Clear Creek Development, LLC (the Developer) entered into a Funding Agreement (Operations and Maintenance) on March 5, 2021, as amended on January 1, 2022, whereby the Developer agreed to loan moneys to the District for the purpose of covering revenue shortfalls with respect to operation and maintenance expenses of the District.

Under the Operations Funding Agreement, the District acknowledges Developer has advanced to the District a total not to exceed \$62,884 (the 2020 Shortfall Amount) as of the date of the agreement. The District had a shortfall for fiscal year 2021 in an aggregate amount of \$81,200. The District had a shortfall in revenues available for operations, maintenance and administrative expenses in fiscal year 2022 in an aggregate amount of \$54,974.

The Developer shall advance funds necessary to fund, or shall directly pay, the District's operations, maintenance and administrative expenses on a periodic basis as needed. If the District requires additional advances above the Shortfall Amount from the Developer in order to meet the District's operation and maintenance expenses, including for the payment of such expenses in future fiscal years, the District shall request such additional funds in writing.

Each loan advance made under the Operations Funding Agreement accrues simple interest at the rate of 8.0% per annum from the date of such advance until the date such advance is repaid.

As of December 31, 2022, \$136,174 of principal and \$12,883 of interest are outstanding under this Agreement.

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 5 NET POSITION**

The District has net position consisting of one component - unrestricted.

The District has a deficit in unrestricted net position. This deficit amount is a result of the District being responsible for the repayment of bonds issued for public improvements to be constructed and conveyed to other governmental entities.

**NOTE 6 RELATED PARTY**

The Developer of the property with constitutes the District is Clear Creek Development, LLC. The majority of the members of the Board of Directors were employees, owners, or otherwise associated with the Developer, and may have had conflicts of interest in dealing with the District.

**NOTE 7 RISK MANAGEMENT**

The District is exposed to various risks of loss related to torts; thefts of, damage to, or destruction of assets; errors or omissions; injuries to employees; or acts of God.

The District is a member of the Colorado Special Districts Property and Liability Pool (the Pool). The Pool is an organization created by intergovernmental agreement to provide property, liability, public officials' liability, boiler and machinery, and workers' compensation coverage to its members. Settled claims have not exceeded this coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for liability, property, public officials' liability, and workers' compensation coverage. In the event aggregated losses incurred by the Pool exceed amounts recoverable from reinsurance contracts and funds accumulated by the Pool, the Pool may require additional contributions from the Pool members. Any excess funds which the Pool determines are not needed for purposes of the Pool may be returned to the members pursuant to a distribution formula.

**NOTE 8 TAX, SPENDING, AND DEBT LIMITATIONS**

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

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

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

**NOTE 8 TAX, SPENDING, AND DEBT LIMITATIONS (CONTINUED)**

TABOR requires local governments to establish Emergency Reserves. These reserves must be at least 3% of Fiscal Year Spending (excluding bonded debt service). Local governments are not allowed to use the Emergency Reserves to compensate for economic conditions, revenue shortfalls, or salary or benefit increases. The District transfers its net operating revenue to District No. 1. Therefore, the Emergency Reserves related to the District's revenue are reported in District No. 1.

On November 2, 2010, a majority of the District's electors authorized the District to collect and spend or retain in a reserve all currently levied taxes and fees of the District without regard to any limitations under TABOR or Section 29-1-301, C.R.S.

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

**SUPPLEMENTARY INFORMATION**

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2  
DEBT SERVICE FUND –  
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL  
YEAR ENDED DECEMBER 31, 2022**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
<b>REVENUES</b>			
Property Taxes	\$ 106,625	\$ 104,289	\$ (2,336)
Specific Ownership Taxes	7,464	7,218	(246)
Public Improvement Fees	265,596	-	(265,596)
Net Investment Income	5,500	91,868	86,368
Total Revenues	<u>385,185</u>	<u>203,375</u>	<u>(181,810)</u>
<b>EXPENDITURES</b>			
Current:			
County Treasurer's Fee	1,599	-	1,599
PIF Collection Fees	8,000	-	8,000
Paying Agent Fees	-	7,000	(7,000)
Debt Service:			
Interest Expense - Series 2021A Bonds	1,391,950	1,391,950	-
Total Expenditures	<u>1,401,549</u>	<u>1,398,950</u>	<u>2,599</u>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	<b>(1,016,364)</b>	<b>(1,195,575)</b>	<b>(179,211)</b>
<b>OTHER FINANCING SOURCES (USES)</b>			
Transfer from Other Funds	-	67	67
Total Other Financing Sources (Uses)	<u>-</u>	<u>67</u>	<u>67</u>
<b>NET CHANGE IN FUND BALANCE</b>	<b>(1,016,364)</b>	<b>(1,195,508)</b>	<b>(179,144)</b>
Fund Balance - Beginning of Year	<u>6,072,942</u>	<u>6,076,963</u>	<u>4,021</u>
<b>FUND BALANCE - END OF YEAR</b>	<b><u>\$ 5,056,578</u></b>	<b><u>\$ 4,881,455</u></b>	<b><u>\$ (175,123)</u></b>

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2  
CAPITAL PROJECTS FUND –  
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL  
YEAR ENDED DECEMBER 31, 2022**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
<b>REVENUES</b>			
Net Investment Income	\$ 3,800	\$ 104,702	\$ 100,902
Total Revenues	7,600	104,702	100,902
<b>EXPENDITURES</b>			
Debt Service:			
Intergovernmental Expenditures	8,085,000	4,239,028	3,845,972
Total Expenditures	8,085,000	4,239,028	3,845,972
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	(8,077,400)	(4,134,326)	3,943,074
<b>OTHER FINANCING SOURCES (USES)</b>			
Transfer to Other Funds	-	(67)	(67)
Total Other Financing Sources (Uses)	-	(67)	(67)
<b>NET CHANGE IN FUND BALANCE</b>	(8,077,400)	(4,134,393)	3,946,807
Fund Balance - Beginning of Year	9,681,631	10,579,004	897,373
<b>FUND BALANCE - END OF YEAR</b>	\$ 1,604,231	\$ 6,444,611	\$ 4,844,180

**OTHER INFORMATION - UNAUDITED**

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2  
SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY  
DECEMBER 31, 2022**

\$28,365,000 Limited Tax General Obligation  
Series 2021A  
Interest Rate 4.000%  
Date: April 27, 2021  
Interest Payable June 1 and December 1  
Principal Payable December 1

Year Ending December 31,	Principal	Interest	Total
2023	\$ -	\$ 1,391,950	\$ 1,391,950
2024	-	1,391,950	1,391,950
2025	10,000	1,391,950	1,401,950
2026	210,000	1,391,550	1,601,550
2027	405,000	1,383,150	1,788,150
2028	455,000	1,366,950	1,821,950
2029	475,000	1,348,750	1,823,750
2030	525,000	1,329,750	1,854,750
2031	550,000	1,308,750	1,858,750
2032	615,000	1,286,750	1,901,750
2033	650,000	1,256,000	1,906,000
2034	720,000	1,223,500	1,943,500
2035	760,000	1,187,500	1,947,500
2036	830,000	1,149,500	1,979,500
2037	875,000	1,108,000	1,983,000
2038	955,000	1,064,250	2,019,250
2039	1,010,000	1,016,500	2,026,500
2040	1,095,000	966,000	2,061,000
2041	1,155,000	911,250	2,066,250
2042	1,250,000	853,500	2,103,500
2043	1,315,000	791,000	2,106,000
2044	1,420,000	725,250	2,145,250
2045	1,495,000	654,250	2,149,250
2046	1,610,000	579,500	2,189,500
2047	1,695,000	499,000	2,194,000
2048	1,820,000	414,250	2,234,250
2049	1,915,000	323,250	2,238,250
2050	4,550,000	227,500	4,777,500
Total	<u>\$ 28,365,000</u>	<u>\$ 28,541,500</u>	<u>\$ 56,906,500</u>

**CLEAR CREEK TRANSIT METROPOLITAN DISTRICT NO. 2**  
**SCHEDULE OF ASSESSED VALUATION, MILL LEVY, AND PROPERTY TAXES COLLECTED**  
**DECEMBER 31, 2022**

Levy/ Collection Year	Mills Levied for			Assessed Valuation		Total Property Taxes		Percent Collected to Levied
	General	Debt Service	Total	Assessed Valuation	Percent Change	Levied	Collected	
2020/2021	15.000	50.000	65.000	\$ 615,160	0.00%	\$ 39,985	\$ 39,748	99.41 %
2021/2022	15.000	50.000	65.000	2,132,500	346.66%	138,613	\$ 135,440	97.71
Estimated for 2022/2023	15.000	50.000	65.000	\$ 2,081,910	97.63%	\$ 135,325		

NOTE: Property taxes collected in any one year can include collection of delinquent property taxes levied in prior years.