

**RESOLUTION**  
**ADOPTING BUDGET, IMPOSING MILL LEVY AND APPROPRIATING FUNDS**

**(2020)**

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The Board of Directors of The Gardens on Havana Metropolitan District No. 2 (the “Board”), City of Aurora, Arapahoe County, Colorado (the “District”) held a regular meeting at 950 S. Cherry Street #1120, Denver, Colorado, on Wednesday, November 20, 2019, at the hour of 9:00 A.M.

Prior to the meeting, each of the directors was notified of the date, time and place of the budget meeting and the purpose for which it was called and a notice of the meeting was posted or published in accordance with § 29-1-106, C.R.S.

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NOTICE AS TO PROPOSED 2020 BUDGET

SENTINEL  
PROOF OF PUBLICATION

STATE OF COLORADO  
COUNTY OF ARAPAHOE }ss.

I DAVID PERRY, do solemnly swear that I am the PUBLISHER of the SENTINEL; that the same is a weekly newspaper published in the County of Arapahoe, State of Colorado and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Arapahoe for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 30, 1923, entitled "Legal Notices and Advertisements," or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado. That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of 1 consecutive insertion; and that the first publication of said notice was in the issue of said newspaper dated November 14 A.D. 2019 and that the last publication of said notice was in the issue of said newspaper dated November 14 A.D. 2019.

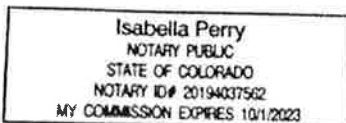
I witness whereof I have hereunto set my hand this 14th day of November A.D. 2019.



Subscribed and sworn to before me, a notary public in the County of Arapahoe, State of Colorado, this 14th day of November A.D. 2019.



Notary Public



NOTICE OF PUBLIC HEARING ON THE  
PROPOSED 2020 BUDGETS  
AND NOTICE OF PUBLIC HEARING ON  
THE AMENDED 2019 BUDGETS

NOTICE IS HEREBY GIVEN that proposed 2020 budgets have been submitted to the Boards of Directors (the "Boards") of THE GARDENS ON HAVANA METROPOLITAN DISTRICT NOS. 1-3 (the "Districts"). A copy of each of the proposed budgets is on file in the office of CliftonLarsonAllen, LLP, 8390 E. Crescent Parkway, Suite 300, Greenwood Village, Colorado, where the same are open for public inspection.

NOTICE IS FURTHER GIVEN that amendments to the 2019 budgets have been submitted to the Districts. A copy of each of the proposed amended budgets is on file in the office of CliftonLarsonAllen, LLP, 8390 E. Crescent Parkway, Suite 300, Greenwood Village, Colorado, where the same are open for public inspection.

Such proposed budgets and amended budgets will be considered at a public hearing during a joint meeting of the Districts to be held at 950 S. Cherry Street, #1120, Denver, Colorado, on Wednesday, November 20, 2019 at 9:00 A.M. Any interested elector of the Districts may file or register any objections to the proposed budgets or amended budgets at any time prior to final adoption of the budgets and amended budgets by the governing body of the District.

BY ORDER OF THE  
BOARDS OF DIRECTORS:  
THE GARDENS ON HAVANA  
METROPOLITAN DISTRICT NOS. 1-3  
/s/ White Bear Ankele Tanaka & Waldron  
Attorneys at Law

Publication: November 14, 2019  
Sentinel

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET AND APPROPRIATING SUMS OF MONEY TO EACH FUND IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE DISTRICT FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2020 AND ENDING ON THE LAST DAY OF DECEMBER 2020.

WHEREAS, the Board has authorized its accountant to prepare and submit a proposed budget to the Board in accordance with Colorado law; and

WHEREAS, the proposed budget has been submitted to the Board for its review and consideration; and

WHEREAS, upon due and proper notice, provided in accordance with Colorado law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 20, 2019, interested electors were given the opportunity to file or present any objections to said proposed budget at any time prior to final adoption of the budget by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. Adoption of Budget. The budget attached hereto and incorporated herein is approved and adopted as the budget of the District for fiscal year 2020. In the event of recertification of values by the County Assessor's Office after the date of adoption hereof, staff is hereby directed to modify and/or adjust the budget and certification to reflect the recertification without the need for additional Board authorization. Any such modification to the budget or certification as contemplated by this Section 1 shall be deemed ratified by the Board.

Section 2. Levy for General Operating Expenses. For the purpose of meeting all general operating expenses of the District during the 2020 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 3. Levy for Debt Service Obligations. For the purposes of meeting all debt service obligations of the District during the 2020 budget year, there is hereby levied a tax of

25.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 4. Levy for Contractual Obligation Expenses. For the purposes of meeting all contractual obligations of the District during the 2020 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 5. Levy for Capital Project Expenses. For the purposes of meeting all capital project obligations of the District during the 2020 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 6. Certification to County Commissioners. The Board directs its legal counsel, manager, accountant or other designee to certify to the Board of County Commissioners of Arapahoe County, Colorado the mill levies for the District as set forth herein. Such certification shall be in compliance with the requirements of Colorado law.

Section 7. Appropriations. The amounts set forth as expenditures in the budget attached hereto are hereby appropriated.

Section 8. Filing of Budget and Budget Message. The Board hereby directs its legal counsel, manager or other designee to file a certified copy of the adopted budget resolution, the budget and budget message with the Division of Local Government by January 30 of the ensuing year.

Section 9. Budget Certification. The budget shall be certified by a member of the District, or a person appointed by the District, and made a part of the public records of the District.

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ADOPTED THIS 20<sup>TH</sup> DAY OF NOVEMBER 2019.

THE GARDENS ON HAVANA METROPOLITAN  
DISTRICT NO. 2

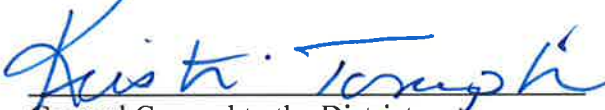
  
\_\_\_\_\_  
Officer of the District

ATTEST:

  
\_\_\_\_\_

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

  
\_\_\_\_\_  
General Counsel to the District

STATE OF COLORADO  
COUNTY OF DENVER  
THE GARDENS ON HAVANA METROPOLITAN DISTRICT NO. 2

I hereby certify that the foregoing resolution constitutes a true and correct copy of the record of proceedings of the Board adopted by a majority of the Board at a District meeting held on Wednesday, November 20, 2019, at 950 S. Cherry Street #1120, Denver, Colorado, as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 20<sup>th</sup> day of November 2019.

  
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**EXHIBIT A**  
**BUDGET DOCUMENT**  
**BUDGET MESSAGE**



**CliftonLarsonAllen**

CliftonLarsonAllen LLP  
CLAconnect.com

## **Accountant's Compilation Report**

Board of Directors

The Gardens on Havana Metropolitan District No. 2

Management is responsible for the accompanying budget of revenues, expenditures, and fund balances of The Gardens on Havana Metropolitan District No. 2 for the year ending December 31, 2020, including the estimate of comparative information for the year ended December 31, 2019, and the actual comparative information for the year ended December 31, 2018, in the format prescribed by Colorado Revised Statutes (C.R.S.) 29-1-105 and the related summary of significant assumptions in accordance with guidelines for the presentation of a budget established by the American Institute of Certified Public Accountants (AICPA). We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the budget nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on the accompanying budget.

The budgeted results may not be achieved as there will usually be differences between the budgeted and actual results, because events and circumstances frequently do not occur as expected, and these differences may be material. We assume no responsibility to update this report for events and circumstances occurring after the date of this report.

We draw attention to the summary of significant assumptions which describe that the budget is presented in accordance with the requirements of C.R.S 29-1-105, and is not intended to be a presentation in accordance with accounting principles generally accepted in the United States of America.

We are not independent with respect to The Gardens on Havana Metropolitan District No. 2.

*CliftonLarsonAllen LLP*

Greenwood Village, Colorado  
January 13, 2020



An independent member of Nexia International



**THE GARDENS ON HAVANA METROPOLITAN DISTRICT NO. 2**  
**SUMMARY**  
**2020 BUDGET**  
**WITH 2018 ACTUAL AND 2019 ESTIMATED**  
**For the Years Ended and Ending December 31,**

1/13/20

|   | ACTUAL<br>2018  | ESTIMATED<br>2019 | BUDGET<br>2020 |
|---|-----------------|-------------------|----------------|
| BEGINNING FUND BALANCES   | \$ 2,621        | \$ 2,621          | \$ 100         |
| REVENUES  |                 |                   |                |
| Property taxes  | 91,498          | 93,946            | 100,869        |
| Specific ownership taxes  | 40,907          | 46,000            | 36,876         |
| Interest income   | 69              | 30                | -              |
| Total revenues  | <u>132,474</u>  | <u>139,976</u>    | <u>137,745</u> |
| Total funds available   | <u>135,095</u>  | <u>142,597</u>    | <u>137,845</u> |
| EXPENDITURES  |                 |                   |                |
| Debt Service Fund   | 132,474         | 142,497           | 137,745        |
| Total expenditures  | <u>132,474</u>  | <u>142,497</u>    | <u>137,745</u> |
| Total expenditures and transfers out<br>requiring appropriation | <u>132,474</u>  | <u>142,497</u>    | <u>137,745</u> |
| ENDING FUND BALANCES  | <u>\$ 2,621</u> | <u>\$ 100</u>     | <u>\$ 100</u>  |

This financial information should be read only in connection with the accompanying accountant's compilation report and summary of significant assumptions.

**THE GARDENS ON HAVANA METROPOLITAN DISTRICT NO. 2**  
**PROPERTY TAX SUMMARY INFORMATION**  
**2020 BUDGET**  
**WITH 2018 ACTUAL AND 2019 ESTIMATED**  
**For the Years Ended and Ending December 31,**

1/13/20

|                                | ACTUAL<br>2018      | ESTIMATED<br>2019   | BUDGET<br>2020      |
|--------------------------------|---------------------|---------------------|---------------------|
| <b>ASSESSED VALUATION</b>      |                     |                     |                     |
| Commercial                     | \$ 18,016,568       | \$ 18,016,568       | \$ 18,556,955       |
| State assessed                 | 23,340              | 25,090              | 12,450              |
| Vacant land                    | 275,401             | 275,401             | 275,401             |
| Personal property              | 4,201,327           | 4,767,555           | 5,739,031           |
|                                | <u>22,516,636</u>   | <u>23,084,614</u>   | <u>24,583,837</u>   |
| Adjustments                    | (18,849,629)        | (19,326,757)        | (20,549,088)        |
| Certified Assessed Value       | <u>\$ 3,667,007</u> | <u>\$ 3,757,857</u> | <u>\$ 4,034,749</u> |
| <br>                           |                     |                     |                     |
| <b>MILL LEVY</b>               |                     |                     |                     |
| Debt Service                   | 25.000              | 25.000              | 25.000              |
| Total mill levy                | <u>25.000</u>       | <u>25.000</u>       | <u>25.000</u>       |
| <br>                           |                     |                     |                     |
| <b>PROPERTY TAXES</b>          |                     |                     |                     |
| Debt Service                   | \$ 91,673           | \$ 93,946           | \$ 100,869          |
|                                | <u>91,673</u>       | <u>93,946</u>       | <u>100,869</u>      |
| Levied property taxes          | 91,673              | 93,946              | 100,869             |
| Adjustments to actual/rounding | (175)               | -                   | -                   |
| Budgeted property taxes        | <u>\$ 91,498</u>    | <u>\$ 93,946</u>    | <u>\$ 100,869</u>   |
| <br>                           |                     |                     |                     |
| <b>BUDGETED PROPERTY TAXES</b> |                     |                     |                     |
| Debt Service                   | <u>91,498</u>       | <u>93,946</u>       | <u>100,869</u>      |
|                                | <u>\$ 91,498</u>    | <u>\$ 93,946</u>    | <u>\$ 100,869</u>   |

This financial information should be read only in connection with the accompanying accountant's compilation report and summary of significant assumptions.

**THE GARDENS ON HAVANA METROPOLITAN DISTRICT NO. 2  
GENERAL FUND  
2020 BUDGET  
WITH 2018 ACTUAL AND 2019 ESTIMATED  
For the Years Ended and Ending December 31,**

1/13/20

|   | ACTUAL<br>2018 | ESTIMATED<br>2019 | BUDGET<br>2020 |
|---|----------------|-------------------|----------------|
| BEGINNING FUND BALANCE  | \$ 100         | \$ 100            | \$ 100         |
| REVENUES  |                |                   |                |
| Total revenues  | -              | -                 | -              |
| Total funds available   | 100            | 100               | 100            |
| EXPENDITURES  |                |                   |                |
| Total expenditures  | -              | -                 | -              |
| Total expenditures and transfers out<br>requiring appropriation | -              | -                 | -              |
| ENDING FUND BALANCE   | \$ 100         | \$ 100            | \$ 100         |

This financial information should be read only in connection with the accompanying accountant's compilation report and summary of significant assumptions.

**THE GARDENS ON HAVANA METROPOLITAN DISTRICT NO. 2**  
**DEBT SERVICE FUND**  
**2020 BUDGET**  
**WITH 2018 ACTUAL AND 2019 ESTIMATED**  
**For the Years Ended and Ending December 31,**

1/13/20

|   | ACTUAL<br>2018  | ESTIMATED<br>2019 | BUDGET<br>2020 |
|---|-----------------|-------------------|----------------|
| BEGINNING FUND BALANCE  | \$ 2,521        | \$ 2,521          | \$ -           |
| REVENUES  |                 |                   |                |
| Property taxes  | 91,498          | 93,946            | 100,869        |
| Specific ownership taxes  | 40,907          | 46,000            | 36,876         |
| Interest income   | 69              | 30                | -              |
| Total revenues  | <u>132,474</u>  | <u>139,976</u>    | <u>137,745</u> |
| Total funds available   | <u>134,995</u>  | <u>142,497</u>    | <u>137,745</u> |
| EXPENDITURES  |                 |                   |                |
| General and administrative                                      |                 |                   |                |
| County Treasurer's fees   | 1,373           | 1,406             | 1,513          |
| Transfer to District No. 3                                      | 131,101         | 141,091           | 136,232        |
| Total expenditures  | <u>132,474</u>  | <u>142,497</u>    | <u>137,745</u> |
| Total expenditures and transfers out<br>requiring appropriation | <u>132,474</u>  | <u>142,497</u>    | <u>137,745</u> |
| ENDING FUND BALANCE   | <u>\$ 2,521</u> | <u>\$ -</u>       | <u>\$ -</u>    |

This financial information should be read only in connection with the accompanying accountant's compilation report and summary of significant assumptions.

**THE GARDENS ON HAVANA METROPOLITAN DISTRICT NO. 2**  
**2020 BUDGET**  
**SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Services Provided**

The District, a quasi-municipal corporation and political subdivision of the State of Colorado, was organized by order and decree of the District Court on May 27, 2008, by the City of Aurora, Colorado 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 other related districts, the Gardens on Havana Metropolitan District No. 1 and the Gardens on Havana Metropolitan District No. 3. Under the respective Service Plans, District No. 1 is to be the Operating District and District Nos. 2 and 3 are to be the Financing Districts. The District operates under a Service Plan approved by the City of Aurora on May 28, 2008. The District's service area is located in Arapahoe County, Colorado entirely within the City of Aurora.

On May 6, 2008, a majority of the qualified electors of the District authorized the issuance of indebtedness in an amount not to exceed \$450,000,000. As of December 31, 2016, the District had remaining voted debt authorization of approximately \$419,394,500. Pursuant to the Service Plan, the District cannot issue debt in excess of \$75,000,000. Additionally 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 Article X, Section 20 of the Colorado Constitution.

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

The District prepares its budget on the modified accrual basis of accounting in accordance with the requirements of Colorado Revised Statutes C.R.S. 29-1-105 using its best estimates as of the date of the budget hearing. These estimates are based on expected conditions and its expected course of actions. The assumptions disclosed herein are those that the District believes are significant to the budget. There will usually be differences between the budget and actual results, because events and circumstances frequently do not occur as expected, and those differences may be material.

**Revenues**

**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, sale of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District.

The calculation of the taxes levied is displayed on the Property Tax Summary Information page of the budget.

**Specific Ownership Taxes**

Specific ownership taxes are set by the State and collected by the County Treasurer, primarily on vehicle licensing within the County as a whole. The specific ownership taxes are allocated by the County Treasurer to all taxing entities within the County. The budget assumes that the District's share will be equal to approximately 6% of the property taxes collected.

**THE GARDENS ON HAVANA METROPOLITAN DISTRICT NO. 2  
2020 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Expenditures**

**County Treasurer's Fees**

County Treasurer's fees have been computed at 1.5% of property tax collections.

**Transfer to District No. 3**

Pursuant to an intergovernmental agreement, the District anticipates to transfer to District No. 3 net tax revenues generated from its debt service mill levy to pay for bonds issued by District No. 3 in 2017.

**Debt and Leases**

The District has neither outstanding debt nor any operating or capital leases.

**Reserve**

**Emergency Reserve**

District No. 1 has provided for an Emergency Reserve fund equal to at least 3% of fiscal year spending for District Nos. 2 and 3 as defined under TABOR.

**This information is an integral part of the accompanying budget.**