#### STADIUM METROPOLITAN DISTRICT ANNUAL REPORT FOR REPORT YEAR 2023 CITY OF COLORADO SPRINGS

This annual report is submitted to El Paso County and the City of Colorado Springs consistent with Section VII of the Service Plan for Stadium Metropolitan District.

#### A. Boundary changes made or proposed during the reporting year.

During the report year of 2023, the Board of Directors did not make or propose any changes to the boundaries of the District.

## B. Intergovernmental Agreements with other governmental bodies entered into or proposed during the reporting year.

During the report year of 2023, the Board of Directors did not enter into any Intergovernmental Agreements.

#### C. Copies of the District's rules and regulations during the reporting year.

During the report year of 2023, the District did not adopt any rules and regulations.

#### D. Summary of any litigation involving the District's Public Improvements.

During the report year of 2023, the District was not involved in any litigation.

#### E. Status of Construction of Public Improvements during the reporting year.

During the report year of 2023, the District completed limited improvements and facilities.

## F. List of all facilities and improvements constructed by the District that have been dedicated to and accepted by the City as of December 31 of the prior year.

During the report year of 2023, the District did not dedicate any facilities or improvements to the City.

#### G. Assessed valuation of the District in 2023.

The assessed valuation of the District is \$11,780.

## H. 2023 Budget, including a description of the public improvements to be constructed in 2024.

See attached Exhibit A.

I. Audit of the District financial statements for the year ending December 31 of the previous year or audit exemption.

The 2023 Audit will be provided once completed.

J. Notice of any uncured events of noncompliance by the District under any Debt instrument which continue beyond a 90-day period.

During the report year of 2023, the District has not had an event of noncompliance.

K. Any inability of the District to pay its obligations as they come due which continue beyond a 90-day period.

During the report year of 2023, the District has not had an inability to pay its obligations.

L. Copies of any Certifications of an External Financial Advisor provided as required by the Privately Placed Debt Limitation provision.

During the report year of 2023, no Certifications of an External Financial Advisor have been issued.

The foregoing Annual Report and accompanying exhibits are submitted this 1st day of August, 2024.

/s/ Nicole R. Peykov

Nicole R. Peykov, Counsel for the District

# **EXHIBIT A** 2024 Budget

## RESOLUTION

#### TO ADOPT 2024 BUDGET, APPROPRIATE SUMS OF MONEY, AND AUTHORIZE THE CERTIFICATION OF THE TAX LEVY STADIUM METROPOLITAN DISTRICT

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

WHEREAS, the Board of Directors of the Stadium Metropolitan District has authorized its consultants to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed budget has been submitted to the Board of Directors of the District for its consideration; and

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was available for inspection by the public at a designated public office, a public hearing was held on October 30, 2023 and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues or planned to be expended from reserves or fund balances so that the budget remains in balance, as required by law; and

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from property tax revenue is $\$_0$ ; and
WHEREAS, the Board of Directors finds that it is required to temporarily lower the operating mill levy to render a refund for \$; and
WHEREAS, the amount of money necessary to balance the budget for voter-approved bonds and interest is \$; and
WHEREAS, the amount of money necessary to balance the budget for contractual obligation purposes from property tax revenue as approved by voters from property tax revenue is \$; and
WHEREAS, the amount of money necessary to balance the budget for capital expenditure purposes from property tax revenue as approved by voters or at public hearing is

\$\_\_\_\_\_; and

refunds/abatements is \$\_0 WHEREAS, the 2023 valuation for assessment for the District as certified by the County Assessor of El Paso County is \$11,780 ; and WHEREAS, at an election held on November 5, 2019, the District has eliminated the revenue and expenditure limitations imposed on governmental entities by Article X, Section 20 of the Colorado Constitution and Section 29-1-301, C.R.S., as amended. NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE STADIUM METROPOLITAN DISTRICT OF EL PASO COUNTY, COLORADO: Adoption of Budget. That the budget as submitted, and attached hereto Section 1. and incorporated herein by this reference, and if amended, then as amended, is hereby approved and adopted as the budget of the Stadium Metropolitan District for calendar year 2024. Budget Revenues. That the estimated revenues for each fund as more specifically set out in the budget attached hereto are accepted and approved. Budget Expenditures. That the estimated expenditures for each fund as Section 3. more specifically set out in the budget attached hereto are accepted and approved. Section 4. Levy of General Property Taxes. That the Board of Directors does hereby certify the levy of general property taxes for collection in 2024 as follows: Levy for General Operating and Other Expenses. That for the purposes of meeting all general operating expense of the District during the 2024 budget year, there is hereby levied a tax of 0 mills upon each dollar of the total valuation of assessment of all taxable property within the District for the year 2023. Temporary Tax Credit or Rate Reduction. That pursuant to Section 39-1-В. 111.5, C.R.S. for the purposes of effect of a refund for the purposes set forth in Section 20 of Article X of the Colorado Constitution, there is hereby certified a temporary property tax credit or temporary mill levy rate reduction of 0 mills upon each dollar of the total valuation of assessment of all taxable property within the boundaries of the District for the year 2023. Levy for General Obligation Bonds and Interest. That for the purposes of C. meeting all debt retirement expense of the District during the 2024 budget year, as the funding requirements of the current outstanding general obligation indebtedness is detailed in the following "Certification of Tax Levies," there is hereby levied a tax of \_\_\_\_\_\_ mills upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2023.

Levy for Contractual Obligations. That for the purposes of meeting the

contractual obligation expense of the District during the 2024 budget year, as detailed in the

D.

WHEREAS, the amount of money necessary to balance the budget for

following "Certification of Tax Levies," there is hereby levied a tax of <u>0</u> mills upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2023.

- E. <u>Levy for Capital Expenditures</u>. That for the purposes of meeting all capital expenditures of the District during the 2024 budget year pursuant to Section 29-1-301(1.2) or 29-1-302(1.5), C.R.S., there is hereby levied a tax of <u>0</u> mills upon each dollar of the total valuation of assessment of all taxable property within the boundaries of the District for the year 2023.
- F. <u>Levy for Refunds/Abatements</u>. That for the purposes of recoupment of refunds/abatements of taxes pursuant to Section 39-10-114(1)(a)(I)(B), C.R.S., there is hereby levied a tax of <u>0</u> mills upon each dollar of the total valuation of assessment of all taxable property within the boundaries of the District for the year 2023.
- Section 5. <u>Property Tax and Fiscal Year Spending Limits</u>. That, being fully informed, the Board finds that the foregoing budget and mill levies do not result in a violation of any applicable property tax or fiscal year spending limitation.
- Section 6. <u>Certification</u>. That the appropriate officers of the District are hereby authorized and directed to certify by December 15, 2023, to the Board of County Commissioners of El Paso County, Colorado, the mill levies for the District herein above determined and set, or be authorized and directed to certify to the Board of County Commissioners of El Paso County, Colorado, as herein above determined and set, but as recalculated as needed upon receipt of the final certification of valuation from the County Assessor on or about December 10, 2023 in order to comply with any applicable revenue and other budgetary limits or to implement the intent of the District. That said certification shall be in substantially the form set out and attached hereto and incorporated herein by this reference.
- Section 7. <u>Appropriations</u>. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached hereto, are hereby appropriated from the revenue of each fund, to each fund, for the purposes stated and no other.

[remainder of page intentionally left blank; signature page follows]

## ADOPTED this 30<sup>th</sup> day of October, 2023.

	STADIUM METROPOLITAN DISTRICT
	Nick Ragain
	President
ATTEST:	
Robin Boddy	
Secretary	

# ATTACH COPY OF THE ADOPTED BUDGET AND THE CERTIFICATION OF TAX LEVIES

# STADIUM METROPOLITAN DISTRICT ANNUAL BUDGET FOR THE YEAR ENDING DECEMBER 31, 2024

#### STADIUM METROPOLITAN DISTRICT SUMMARY 2024 BUDGET

## WITH 2022 ACTUAL AND 2023 ESTIMATED For the Years Ended and Ending December 31,

1/22/24

	ACTUAL 2022	ES	TIMATED 2023	В	UDGET 2024
BEGINNING FUND BALANCES	\$ 375,273	\$	171,063	\$	34,813
REVENUES					
Other revenue	170,894		63,662		6,000
PIF revenue	179,003		218,000		254,900
Concessions, Hospitality and Ancillary	492,854		400,000		462,400
Developer Advance	180,000		-		118,587
Total revenues	1,022,751		681,662		841,887
Total funds available	1,398,024		852,725		876,700
EXPENDITURES					
General Fund	756,532		727,880		855,000
Capital Projects Fund	470,429		90,032		-
Total expenditures	1,226,961		817,912		855,000
Total expenditures and transfers out					
requiring appropriation	1,226,961		817,912		855,000
ENDING FUND BALANCES	\$ 171,063	\$	34,813	\$	21,700
EMERGENCY RESERVE	\$ 20,400	\$	18,800	\$	21,700
TOTAL RESERVE	\$ 20,400	\$	18,800	\$	21,700

#### STADIUM METROPOLITAN DISTRICT PROPERTY TAX SUMMARY INFORMATION 2024 BUDGET

## WITH 2022 ACTUAL AND 2023 ESTIMATED For the Years Ended and Ending December 31,

1/22/24

	ACTUAL 2022		ESTIMATED 2023		E	BUDGET 2024
ASSESSED VALUATION Commercial	\$	854,980	\$	11,220	\$	11,780
State assessed Vacant land		- 457,800		24,510 -		-
Certified Assessed Value	\$	1,312,780	\$	35,730	\$	11,780
MILL LEVY						
General Debt Service		0.000 0.000		0.000 0.000		0.000 0.000
Total mill levy		0.000		0.000		0.000
PROPERTY TAXES  General  Debt Service	\$	- -	\$	- -	\$	- -
Budgeted property taxes	\$	-	\$	-	\$	-
BUDGETED PROPERTY TAXES  General  Debt Service	\$	- -	\$	- -	\$	- -
	\$	-	\$	-	\$	-

#### STADIUM METROPOLITAN DISTRICT GENERAL FUND 2024 BUDGET

## WITH 2022 ACTUAL AND 2023 ESTIMATED For the Years Ended and Ending December 31,

1/22/24

		ACTUAL	ES	TIMATED	В	UDGET
		2022		2023		2024
BEGINNING FUND BALANCES	\$	168,006	\$	138,693	\$	34,813
REVENUES						
Other revenue		5,362		6,000		6,000
PIF revenue		179,003		218,000		254,900
Concessions, Hospitality and Ancillary		492,854		400,000		462,400
Developer Advance		50,000		-		118,587
Total revenues		727,219		624,000		841,887
Total funds available		895,225		762,693		876,700
EVDENDITUDES						
EXPENDITURES						
General and administrative		00.007		05.000		04.000
Accounting		26,927		25,000		31,200
Auditing		4,425		4,730		5,250
Dues and licenses		1,091		1,200		1,050
Insurance		45,483		53,000		77,800
Legal		8,730		15,000		13,500
Miscellaneous		1,875		5,000		-
Banking fees		313		350		180
Election Expense		18		-		-
Operations and maintenance						
Stadium operating expenses - Other		7,114		-		-
Repairs & Maintenance - Other		75,919		88,000		104,000
Maintenance Supplies		29,152		25,000		26,000
Landscaping				7,500		-
Events		1,056		500		6,000
Event subcontracted services - security		2,340		16,000		10,000
Event Expense - cleaning		66,590		50,000		84,500
Event suncontracted services - ambulance/medica	1	310		-		-
Event subcontracted services - Parking		40,530		34,000		43,500
Pest Control		,		3,600		-
Fire protection				10,000		_
Small Equipment Expense		12,223		50,000		11,500
Furniture and Fixtures		12,220		15,000		
Utilities		230,881		150,000		213,000
Trash Collection		15,382		13,000		12,000
Software		23,429		36,000		76,500
Computer & Internet - other						
•		112,744		125,000		135,500
Contingency		-		-		3,520
Repay developer advance		50,000		707.000		-
Total expenditures		756,532		727,880		855,000
Total avacaditures and transfers out						
Total expenditures and transfers out		750 500		707 000		055 000
requiring appropriation		756,532		727,880		855,000
ENDING FUND BALANCES	\$	138,693	\$	34,813	\$	21,700
EMEDGENCY DESERVE	¢	20 400	Ф	10 000	Ф	21 700
EMERGENCY RESERVE TOTAL RESERVE	\$	20,400	<u>\$</u> \$	18,800 18,800	<u>\$</u> \$	21,700 21,700
TOTAL RESERVE	<u> </u>	-			φ	21,700

No assurance provided. See summary of significant assumptions.

#### STADIUM METROPOLITAN DISTRICT CAPITAL PROJECTS FUND 2024 BUDGET

## WITH 2022 ACTUAL AND 2023 ESTIMATED For the Years Ended and Ending December 31,

1/22/24

	ACTUAL 2022		ESTIMATED 2023		BUDGET 2024
BEGINNING FUND BALANCES	\$	207,267	\$	32,370	\$ -
REVENUES					
Other revenue		165,532		57,662	-
Developer Advance		130,000		-	-
Total revenues		295,532		57,662	-
Total funds available		502,799		90,032	
EXPENDITURES Capital Projects					
Small Equipment Expense		72,040		-	-
Capital outlay		149,500		90,032	-
Repay Developer Advace		248,889		-	-
Total expenditures		470,429		90,032	-
Total expenditures and transfers out requiring appropriation		470,429		90,032	-
ENDING FUND BALANCES	\$	32,370	\$	-	\$ -

#### STADIUM METROPOLITAN DISTRICT 2024 BUDGET SUMMARY OF SIGNIFICANT ASSUMPTIONS

#### **Services Provided**

The District, a quasi-municipal corporation and a political subdivision of the State of Colorado, was organized by order and decree of the El Paso County, Colorado District Court on November 20, 2019 and is governed pursuant to provision of the Colorado Special District Act (Title 32, Article1, Colorado Revised Statues). The District operates under a Service Plan approved by the City of Colorado Springs, Colorado on September 24, 2019. The District's service area is located in the City of Colorado Springs, Colorado.

The District was established to provide the financing, design, acquisition, construction, completion, installation, replacement and/or operation and maintenance of public improvement and services, including the following types of improvements: water, sanitation, streets, traffic and safety protection, parks and recreation, transportation, television relay and translation, mosquito control, security, business recruitment, and fire protection.

On November 5, 2019, the District's voters approved total indebtedness of \$480,000,000 for the above listed facilities. The District's voters also authorized total indebtedness of \$40,000 each for debt refunding and debt related agreements or other contracts with other public entities. The election also allows the District to retain all revenues without regard to the limitations contained in Article X, Section 20 of the Colorado constitution. Pursuant to the District's Service Plan the maximum debt issuance is \$50,000,000 without further approval by the City. The maximum debt service mill levy the District can impose is 50.000 mills and operations and maintenance mill levy impose is 15.000 mills.

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 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

#### **PIF Fees**

The District charges a public improvement fee (PIF). The nature of the PIF is that of a fee imposed under private contract and not through the exercise of any governmental taxing authority. The PIF is applied to the sale of goods at a rate of 2.00%, in addition to all sales and use taxes that may be imposed and is collected by the retailers in the District and remitted to the District within 20 days after month end.

#### **Developer Advance**

Developer advances are recorded as revenue for budget purposes with an obligation for future repayment when the District is financially able to reimburse the Developer from bond proceeds and other legally available revenue.

#### STADIUM METROPOLITAN DISTRICT 2024 BUDGET SUMMARY OF SIGNIFICANT ASSUMPTIONS

#### Revenues – (continued)

#### **Other Revenues**

The District anticipates additional revenues from hospitality and concessions.

#### **Expenditures**

#### **Administrative, Operations and Maintenance Expenditures**

Administrative and operating expenditures include the estimated services necessary to maintain the District's administrative viability such as legal, management, accounting, insurance, and other administrative expenses.

#### **Capital Outlay**

The District anticipates infrastructure improvements as noted in the Capital Projects Fund.

#### **Debt and Leases**

#### **Developer Advances**

The District entered into a Funding and Reimbursement Agreement – Capital and Operations and Maintenance (Agreement) with the Developer. The District agrees to repay the Developer along with accrued interest, at a rate of 8% beginning on the date the advance were made to the date of repayment. The Agreement does not constitute a multiple-fiscal year obligation.

The District has outstanding Developer Advances with anticipated activity as follows:

Balance - December 31, 2022	Additions*	Repayments*	Balance - December 31, 2023
\$ 10,749,579	\$ -	\$ -	\$ 10,749,579
1,514,532	859,966	-	2,374,498
449,500	-	-	449,500
16,756	35,960	-	52,716
\$ 12,730,367	\$ 895,926	\$ -	\$ 13,626,293
	December 31, 2022 \$ 10,749,579 1,514,532 449,500	December 31, 2022 Additions*  \$ 10,749,579 \$ -  1,514,532 859,966  449,500 -  16,756 35,960	December 31, 2022         Additions*         Repayments*           \$ 10,749,579         \$ -         \$ -           1,514,532         859,966         -           449,500         -         -           16,756         35,960         -

#### STADIUM METROPOLITAN DISTRICT 2024 BUDGET SUMMARY OF SIGNIFICANT ASSUMPTIONS

#### **Debt and Leases (continued)**

	D	Balance - ecember 31,					D	Balance - ecember 31,
		2023	/	Additions*		ayments*		2024
Developer Advance				_		_		
- Capital	\$	10,749,579	\$	-	\$	-	\$	10,749,579
Accrued Interest -								
Developer Advances								
- Capital		2,374,498		859,966		-		3,234,465
Developer Advance								
- Operations		449,500		118,587		-		568,087
Accrued Interest -								
Developer Advances								
- Operations		52,716		35,960				88,676
	\$	13,626,293	\$	1,014,513	\$	-	\$	14,640,807

<sup>\*</sup> Estimates

#### **Operating Leases**

The District accounts for contracts containing both lease and non-lease components as separate contracts when possible. In cases where the contract does not provide separate price information for lease and non-lease components, and it is impractical to estimate the price of such components, the District treats the components as a single lease unit.

The District leases certain areas of the stadium facility to a related party, and a related lease receivable and deferred inflow have been recorded. The lease provides for minimum annual lease payments of \$12,000 through December 31, 2051. The District has elected to recognize payments received for short-term leases with a lease term of 12 months or less as revenue as the payments are received.

The District has no capital leases.

#### Reserves

#### **Emergency Reserve**

The District has provided for an Emergency Reserve equal to at least 3% of fiscal year spending as defined under TABOR.

This information is an integral part of the accompanying budget.

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

TO: County Commissioners <sup>1</sup> ofEL PAS	SO COUNTY	, Colorado.
On behalf of the STADIUM METROPOLITAN DI	ISTRICT	
	(taxing entity) <sup>A</sup>	,
the BOARD OF DIRECTORS	(governing body) <sup>B</sup>	
of the STADIUM METROPOLITAN DISTRICT		
<b>Note:</b> If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area <sup>F</sup> the tax levies must be \$\frac{11,78}{2}\$	OSS <sup>D</sup> assessed valuation, Line 2 of the Certific	
	value from final certification by assessor no later than for budget/fiscal year 2024	OF VALUATION PROVIDED
(no rater than Dec. 15) (nimindu yyyy)		(уууу)
PURPOSE (see end notes for definitions and examples)	LEVY <sup>2</sup>	REVENUE <sup>2</sup>
1. General Operating Expenses <sup>H</sup>		\$ 0
<ol> <li><minus> Temporary General Property Tax Credity Temporary Mill Levy Rate Reduction<sup>I</sup></minus></li> </ol>	/ <u> </u>	<u>\$&lt; &gt;</u>
SUBTOTAL FOR GENERAL OPERATING:	0.000 mills	\$ 0
3. General Obligation Bonds and Interest <sup>J</sup>	mills	<u>\$</u>
4. Contractual Obligations <sup>K</sup>	mills	\$
5. Capital Expenditures <sup>L</sup>	mills	\$
6. Refunds/Abatements <sup>M</sup>	mills	<u>\$</u>
7. Other <sup>N</sup> (specify):	mills	\$
	mills	\$
TOTAL: Sum of General Operating Subtotal and Lines 3 to 7	9 0.000 mills	\$ 0
Contact person: Seef Le Roux	Phone: (719)635-033	0
Signed: Seef Le Roux	Title: Accountant for	
Survey Question: Does the taxing entity have voter ap operating levy to account for changes to assessment rather than the local state of the control of the	ates?	☐ Yes ☐ No

Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.

DLG 70 (Rev.9/23) Page 1 of 4

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

<sup>&</sup>lt;sup>2</sup> Levies must be rounded to <u>three</u> decimal places and revenue must be calculated from the total <u>NET assessed valuation</u> (Line 4 of Form DLG57 on the County Assessor's <u>FINAL</u> certification of valuation).

#### **CERTIFICATION OF TAX LEVIES, continued**

THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.). Taxing entities that are Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

#### CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:

BONE	)S <sup>J</sup> :	
1.	Purpose of Issue:	_
	Series:	_
	Date of Issue:	_
	Coupon Rate:	_
	Maturity Date:	-
	Levy:	_
	Revenue:	-
2.	Purpose of Issue:	
	Series:	
	Date of Issue:	
	Coupon Rate:	
	Maturity Date:	
	Levy:	
	Revenue:	
COM		
	TRACTS <sup>k</sup> :	
3.	1	-
	Title:	-
	Date:	-
	Principal Amount:	-
	Maturity Date:	-
	Levy:	-
	Revenue:	 -
4.	Purpose of Contract:	
	Title:	
	Date:	
	Principal Amount:	
	Maturity Date:	
	Levy:	
	Revenue:	

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

Page 2 of 4 DLG 70 (Rev.9/23)