

**BUDGET RESOLUTION
(2023)**

CERTIFIED COPY OF RESOLUTION

STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

At the special meeting of the Board of Directors of MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT, City and County of Denver, County of Denver, Colorado, held at 10:00 AM. on Wednesday, November 2, 2022 via teleconference/Zoom:

<https://us02web.zoom.us/j/83491206530pwd=cHhZcWFjRFpNNjZlZlZVRmpMb284Zz09&from=addon>

Meeting ID: 834 9120 6530 Passcode: 682653 Telephone: 1 719 359 4580

, there were present:

Thomas Stahl
Mark Tekavec
Robert Miller
vacant
vacant

Also present was Dianne Miller, Sonja Steele and Rhonda Bilek of Miller Law pllc (“District Counsel”); Janece Soendker, CPA of CliftonLarsonAllen LLP

District Counsel reported that, prior to the meeting, legal counsel had notified each of the directors of the date, time and place of this meeting and the purpose for which it was called. District Counsel further reported that this is a special meeting of the Board of Directors of the District and that the notice of the meeting was posted within the boundaries of the District, and to the best of their knowledge, remains posted to the date of this meeting.

Thereupon, Director Tekavec introduced and moved the adoption of the following Resolution:

RESOLUTION

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 MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT, CITY OF DENVER, COUNTY OF DENVER, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2023 AND ENDING ON THE LAST DAY OF DECEMBER 2023.

WHEREAS, the Board of Directors (the “Board”) of the Mile High Business Center Metropolitan District (the “District”) has authorized its treasurer and legal counsel to prepare and submit a proposed budget to said governing body no later than October 15, 2022; and

WHEREAS, the proposed 2023 budget has been submitted to the Board for its consideration; and

WHEREAS, upon due and proper notice, posted in accordance with Colorado law and published on October 24, 2022 in The Denver Post, said proposed budget was open for inspection by the public at a designated place, a public hearing was held at 10:00 a.m. on Wednesday, November 2, 2022, and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, the budget being adopted by the Board has been prepared based on the best information available to the Board regarding the effects of Article X, Section 20 of the Colorado Constitution; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT, DENVER, COLORADO, AS FOLLOWS:

Section 1. Summary of 2023 Revenues and 2023 Expenditures. That the estimated revenues and expenditures for each fund for fiscal year 2023, as more specifically set forth in the budget attached hereto, are accepted, and approved.

Section 2. Adoption of Budget. That the budget as submitted, or as amended, and attached hereto and incorporated herein is approved and adopted as the budget of the District for fiscal year 2023.

Section 3. 2023 Levy of General Property Taxes. That the foregoing budget indicates that the amount of money necessary to balance the budget for the General Fund for operating expenses is \$345,303.00, and that the 2022 valuation for assessment, as certified by the Denver County Assessor, is \$34,530,350.00. That for the purposes of meeting all general operating expenses of the District during the 2023 budget year, there is hereby levied a tax of 10.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District for the year 2022.

Section 4. 2023 Levy of Debt Retirement Expenses. That the foregoing budget indicates that the amount of money necessary to balance the budget for the Debt Service Fund for debt retirement expense is \$565,987.00 and that the 2022 valuation for assessment, as certified by the Denver County Assessor, is \$34,530,350.00. That for the purposes of meeting all debt retirement expenses of the District during the 2023 budget year, there is hereby levied a tax of 16.391 mills upon each dollar of the total valuation of assessment of all taxable property within the District for the year 2022.

Section 5. Certification to Board of County Commissioners. That the attorney, accountant, or manager for the District is hereby authorized and directed to certify to the Denver County Board of County Commissioners, no later than December 15, 2022, the mill levies for the District hereinabove determined and set. That said certification shall be substantially in the same form as attached hereto and incorporated herein by this reference.

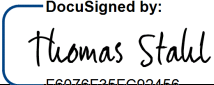
Section 6. Appropriations. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached hereto, are hereby appropriated from the revenue of each fund, to each fund, for the purposes stated and no other.

Section 7. Budget Certification. That the Budget shall be certified by the Secretary/Treasurer of the District and made a part of the public records of the District.

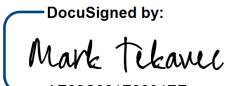
The foregoing Resolution was seconded by Director Miller.

RESOLUTION APPROVED AND ADOPTED ON NOVEMBER 2, 2022.

MILE HIGH BUSINESS CENTER METROPOLITAN
DISTRICT

By: 
F6076F35FC92456...
Thomas Stahl, President

ATTEST:


AE02C901E8804EE...
Mark Tekavec, Secretary/Treasurer

STATE OF COLORADO
COUNTY OF DENVER
MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT

I, Mark Tekavec, hereby certify that I am a director and the duly elected and qualified Secretary/Treasurer of the MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT (the "District"), and that the foregoing constitutes a true and correct copy of the record of proceedings of the Board of Directors of said District adopted at a meeting of the Board of Directors of the District held via teleconference/zoom on Wednesday, November 2, 2022, via <https://us02web.zoom.us/j/83491206530pwd=cHhZcWFjRmNNjZlZlZVRmpMb284Zz09&from=addon> Meeting ID: 834 9120 6530 Passcode: 682653 Telephone: 1 719 359 4580 as recorded in the official record of the proceedings of the District, insofar as said proceedings relate to the budget hearing for fiscal year 2023; that said proceedings were duly had and taken; that the meeting was duly held; and that the persons were present at the meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto subscribed my name on November 2, 2022.

DocuSigned by:

AE82C961E8804EE...

Mark Tekavec, Secretary/Treasurer

**EXHIBIT A
BUDGET DOCUMENT & BUDGET MESSAGE**

**MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT
2023 BUDGET**

MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT

ANNUAL BUDGET

FOR THE YEAR ENDING DECEMBER 31, 2023

**MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT
SUMMARY
2023 BUDGET
WITH 2021 ACTUAL AND 2022 ESTIMATED
For the Years Ended and Ending December 31,**

1/18/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCES	\$ 952,370	\$ 1,132,137	\$ 1,368,198
REVENUE			
Property taxes	944,893	889,147	911,291
Specific ownership tax	46,491	44,438	45,565
Interest income	717	12,000	24,000
Total revenue	<u>992,101</u>	<u>945,585</u>	<u>980,856</u>
Total funds available	<u>1,944,471</u>	<u>2,077,722</u>	<u>2,349,054</u>
EXPENDITURES			
General Fund	240,496	135,282	274,590
Debt Service Fund	571,838	574,242	579,000
Total expenditures	<u>812,334</u>	<u>709,524</u>	<u>853,590</u>
Total expenditures and transfers out requiring appropriation	<u>812,334</u>	<u>709,524</u>	<u>853,590</u>
ENDING FUND BALANCES	<u>\$ 1,132,137</u>	<u>\$ 1,368,198</u>	<u>\$ 1,495,464</u>
EMERGENCY RESERVE	\$ 10,800	\$ 10,400	\$ 10,900
AVAILABLE FOR OPERATIONS	911,696	1,121,727	1,209,941
TOTAL RESERVE	<u>\$ 922,496</u>	<u>\$ 1,132,127</u>	<u>\$ 1,220,841</u>

No assurances provided. See summary of significant assumptions.

**Mile High Business Center Metropolitan District
PROPERTY TAX SUMMARY INFORMATION
2023 BUDGET
WITH 2021 ACTUAL AND 2022 ESTIMATED
For the Years Ended and Ending December 31,**

1/18/23

ACTUAL	ESTIMATED	BUDGET
2021	2022	2023

ASSESSED VALUATION - Denver County

Commercial	\$ 32,613,740	\$ 29,078,870	\$ 29,078,840
State assessed	-	-	56,200
Vacant land	-	-	30
Personal property		4,597,970	5,395,280
Certified Assessed Value	\$ 32,613,740	\$ 33,676,840	\$ 34,530,350

MILL LEVY

General	10.000	10.000	10.000
Debt Service	16.391	16.391	16.391
Total mill levy	26.391	26.391	26.391

PROPERTY TAXES

General	\$ 326,137	\$ 336,768	\$ 345,304
Debt Service	534,572	551,997	565,987
Levied property taxes	860,709	888,765	911,291
Adjustments to actual/rounding	24	(29)	-
Refunds and abatements	84,160	411	-
Budgeted property taxes	\$ 944,893	\$ 889,147	\$ 911,291

BUDGETED PROPERTY TAXES

General	\$ 358,036	\$ 336,913	\$ 345,304
Debt Service	586,857	552,234	565,987
	\$ 944,893	\$ 889,147	\$ 911,291

No assurances provided. See summary of significant assumptions.

**MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT
GENERAL FUND
2023 BUDGET
WITH 2021 ACTUAL AND 2022 ESTIMATED
For the Years Ended and Ending December 31,**

1/18/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCE	\$ 804,523	\$ 922,496	\$ 1,132,127
REVENUE			
Property taxes	358,036	336,913	345,304
Interest income	433	8,000	18,000
Total revenue	<u>358,469</u>	<u>344,913</u>	<u>363,304</u>
Total funds available	<u>1,162,992</u>	<u>1,267,409</u>	<u>1,495,431</u>
EXPENDITURES			
General and administrative			
Accounting	19,860	21,000	24,150
Auditing	5,600	5,900	6,250
County Treasurer's fee	3,581	3,368	3,453
Dues and licenses	809	789	1,000
Insurance and bonds	2,544	2,543	2,750
District management	21,000	30,000	30,000
Legal services	12,000	16,500	18,500
Miscellaneous	3	50	1,000
Election expense	-	2,655	49,500
City review fee	3,000	3,000	3,000
Contingency	-	-	7,737
Operations and maintenance			
Landscaping	23,636	30,000	35,000
Tree replacement	31,456	-	3,000
Utility - Electricity	152	175	250
Irrigation - Water	12,519	12,000	13,000
Drainage pond maintenance	104,310	7,275	75,000
Storm Drainage	26	27	1,000
Total expenditures	<u>240,496</u>	<u>135,282</u>	<u>274,590</u>
Total expenditures and transfers out requiring appropriation	<u>240,496</u>	<u>135,282</u>	<u>274,590</u>
ENDING FUND BALANCE	<u>\$ 922,496</u>	<u>\$ 1,132,127</u>	<u>\$ 1,220,841</u>
EMERGENCY RESERVE	\$ 10,800	\$ 10,400	\$ 10,900
AVAILABLE FOR OPERATIONS	<u>911,696</u>	<u>1,121,727</u>	<u>1,209,941</u>
TOTAL RESERVE	<u>\$ 922,496</u>	<u>\$ 1,132,127</u>	<u>\$ 1,220,841</u>

No assurances provided. See summary of significant assumptions.

**MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT
DEBT SERVICE FUND
2023 BUDGET
WITH 2021 ACTUAL AND 2022 ESTIMATED
For the Years Ended and Ending December 31,**

1/18/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCE	\$ 147,847	\$ 209,641	\$ 236,071
REVENUE			
Property taxes	586,857	552,234	565,987
Specific ownership tax	46,491	44,438	45,565
Interest income	284	4,000	6,000
Total revenue	<u>633,632</u>	<u>600,672</u>	<u>617,552</u>
Total funds available	<u>781,479</u>	<u>810,313</u>	<u>853,623</u>
EXPENDITURES			
General and administrative			
County Treasurer's fee	5,870	5,520	5,660
Paying agent fees	-	3,000	3,000
Contingency	-	-	2,162
Debt Service			
Bond interest - Series 2017	220,968	210,722	200,178
Bond principal - Series 2017	345,000	355,000	365,000
Total expenditures	<u>571,838</u>	<u>574,242</u>	<u>579,000</u>
Total expenditures and transfers out requiring appropriation	<u>571,838</u>	<u>574,242</u>	<u>579,000</u>
ENDING FUND BALANCE	<u>\$ 209,641</u>	<u>\$ 236,071</u>	<u>\$ 274,623</u>

No assurances provided. See summary of significant assumptions.

**MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT
2023 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Services Provided

The District was organized by Court Order in December 2005, and held its organizational meeting on January 20, 2006, to provide financing for the design, acquisition, installation and construction of streets, traffic and safety controls, water, sewer, and storm drainage facilities, and park and recreation. The District's service area is located entirely within the city of Denver (the "City"), Colorado. The District is responsible for management of the construction of all facilities and improvements and for operation and maintenance of all improvements not conveyed to the City. The District also provides the funding for infrastructure improvements and the tax base needed to support ongoing operations. The District was originally organized as Sand Creek Commerce Center Metropolitan District, but changed its name to Mile High Business Center Metropolitan District during 2006.

On November 1, 2005, District voters approved authorization to increase property tax up to \$5,000,000, annually, as necessary, to pay for the operations and maintenance expenditures of the District. Debt authorization was approved in the amount of \$65,000,000 for the above listed facilities, \$13,000,000 for refunding debt, and \$5,000,000 for the cost of operating and maintaining the District's systems. Additionally, amounts were authorized for intergovernmental contracts of \$26,000,000. The election also provided for intergovernmental agreements as multi-fiscal year obligations and allows the District to retain all revenues without regard to the limitations contained in Article X, Section 20 of the Colorado constitution or any other law. However, within the service plan for the District, the total debt that the District is permitted to issue shall not exceed \$13,000,000. Additionally, the service plan limits the mill levy to 50 mills for debt service. The service plan also limits 15 mills for operation and maintenance costs for the first five years of the District's existence and 10 mills thereafter, unless a higher mill levy for operation and maintenance costs is approved by the City.

The District has no employees and all services 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 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.

The calculation of the taxes levied is displayed on the Property Tax Summary page of the budget using the adopted mill levy imposed by the District.

**MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT
2023 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Revenues - (continued)

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 5% of the property taxes collected.

Net Investment Income

Interest earned on the District's available funds has been estimated based on the historical average interest rate.

Expenditures

Administrative Expenditures

Administrative expenditures have been provided based on estimates of the District's Board of Directors and consultants and include the services necessary to maintain the District's administrative viability such as legal, accounting, insurance and other administrative expenses.

County Treasurer's Fees

County Treasurer's fees have been computed at 1.0% of property tax collections.

Debt and Leases

On December 21, 2017 the District issued Series 2017 Unlimited Tax General Obligation Refunding and Improvement Loan in the amount of \$8,425,000 to repay the outstanding Series 2007 and Series 2010 Bonds, as well as \$2,100,000 in new cash to fund infrastructure costs and repay developer advances. The Series 2017 Loan bears interest at 2.970% with a maturity date of December 1, 2037.

The District's current debt service schedule is attached.

The District has no operating or capital leases.

Reserves

The District has provided for an emergency reserve equal to at least 3% of the fiscal year spending for 2023, defined under TABOR.

This information is an integral part of the accompanying budget.

**MILE HIGH METROPOLITAN DISTRICT
SCHEDULE OF DEBT MATURITY**

**\$8,425,000 Unlimited tax General Obligation
Refunding and Improvement Loan
Series 2017 - Dated December 21, 2017
Interest Rate 2.970%
Principal Payable December 1
Interest Payable June 1 and December 1**

Year (December 1)	Principal	Interest	Total
2023	\$ 365,000	\$ 200,178	\$ 565,178
2024	375,000	189,338	564,338
2025	385,000	178,200	563,200
2026	395,000	166,766	561,766
2027	410,000	155,034	565,034
2028	420,000	142,857	562,857
2029	435,000	130,383	565,383
2030	445,000	117,464	562,464
2031	460,000	104,247	564,247
2032	475,000	90,585	565,585
2033	485,000	76,478	561,478
2034	500,000	62,073	562,073
2035	515,000	47,223	562,223
2036	530,000	31,928	561,928
2037	545,000	16,187	561,187
	<u>\$ 6,740,000</u>	<u>\$ 1,708,938</u>	<u>\$ 8,448,938</u>

The District may make prepayments, not to exceed \$250,000 annually, after December 1, 2024 without fees or penalty.

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners¹ of DENVER COUNTY, Colorado.

On behalf of the MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT,
(taxing entity)^A

the BOARD OF DIRECTORS
(governing body)^B

of the MILE HIGH BUSINESS CENTER METROPOLITAN DISTRICT
(local government)^C

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ 34,530,350 assessed valuation of: (GROSS^D assessed valuation, Line 2 of the Certification of Valuation Form DLG 57^E)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area^F the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ 34,530,350 (NET^G assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)
USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10

Submitted: 12/05/2022 for budget/fiscal year 2023.
(no later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)	LEVY ²	REVENUE ²
1. General Operating Expenses ^H	10.000 mills	\$ 345,303
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction ^I	< > mills	\$ < >
SUBTOTAL FOR GENERAL OPERATING:	10.000 mills	\$ 345,303
3. General Obligation Bonds and Interest ^J	16.391 mills	\$ 565,987
4. Contractual Obligations ^K	_____ mills	\$ _____
5. Capital Expenditures ^L	_____ mills	\$ _____
6. Refunds/Abatements ^M	_____ mills	\$ _____
7. Other ^N (specify): _____	_____ mills	\$ _____
_____	_____ mills	\$ _____
TOTAL: [Sum of General Operating Subtotal and Lines 3 to 7]	26.391 mills	\$ 911,290

Contact person: Mark Tekavec Daytime phone: (303) 779-5710
(print)

Signed: _____ Title: Board Member

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.

¹ 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.
² Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's **FINAL** certification of valuation).

CERTIFICATION OF TAX LEVIES, continued

THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.). Taxing entities that are

Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:

BONDS^J:

1.	Purpose of Issue:	<u>Refund Series 2007 & 2010 General Obligation Bonds</u>
	Series:	<u>Series 2017 General Obligation Refunding and improvement loan</u>
	Date of Issue:	<u>December 21, 2017</u>
	Coupon Rate:	<u>2.97%</u>
	Maturity Date:	<u>December 1, 2037</u>
	Levy:	<u>16.391</u>
	Revenue:	<u>\$565,987</u>

2.	Purpose of Issue:	_____
	Series:	_____
	Date of Issue:	_____
	Coupon Rate:	_____
	Maturity Date:	_____
	Levy:	_____
	Revenue:	_____

CONTRACTS^K:

3.	Purpose of Contract:	_____
	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.