

CASCADE METROPOLITAN DISTRICT NO. 1 NOTICE OF SPECIAL MEETING AND AGENDA

Tuesday, October 26, 2021
5:30 P.M.

Due to COVID-19 coronavirus, this meeting will be held via teleconferencing and can be joined through the directions below:

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/808805133>

You can also dial in using your phone.

United States: [+1 \(408\) 650-3123](tel:+14086503123)

Access Code: 808-805-133

Public invited to attend

Board of Directors

Susan Soloyanis, President	Term Expires May 2023
Mike Herr, Secretary/Treasurer	Term Expires May 2023
Troy Eason, Assistant Secretary	Term Expires May 2022
James Borden, Assistant Secretary	Term Expires May 2022
Vacant	Term Expires May 2023

AGENDA

- 1. Call to Order**
- 2. Declaration of Quorum/Director Qualifications/Reaffirmation of Disclosures**
- 3. Approval of Agenda**
- 4. Consider appointment to fill Board Vacancy**
- 5. Consent Agenda Items** (These items are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless requested, in which event, the item will be removed from Consent Agenda and considered in the Regular Agenda)
 - a. Approval of Board Meeting Minutes from the special meeting on August 24, 2021 (**enclosure**)
 - b. Ratification and Approval of Payables for the period ending September 30, 2021 (**enclosure**) in the amount of:

General Fund:	\$	6,771.35
<u>Debt Service Fund:</u>	\$	<u>33,537.83</u>
Total	\$	40,309.18
 - d. Acceptance of Unaudited Financial Statements as of September 30, 2021 the schedule of cash position updated as of September 30, 2021 and bank statements (**enclosure**)
- 4. Consideration of items removed from Consent Agenda**
- 5. Management Matters**
 - a. Review of payment status and collections

- i. Current billings
 - ii. Collections
- b. Discuss status of post-conversion requirements
- c. Plan and progress on Disposition of assets

6. Legal Matters

- a. Consider for Adoption Resolution 2021-10-01: Annual Admin Resolution (enclosure)
- b. Consider for Adoption Resolution 2021-10-02: Resolution of the Board of Directors Calling Election and Confirmation of the Two Methods for Providing Call for Nominations 1) Emailing/Mailing (as required by statute) and 2) publication (enclosure)
- d. Consider for Adoption Resolution 2021-10-03: Second Amended Schedule of Fees (enclosure)

7. Financial Matters

- a. Public Hearing on 2021 Budget Amendment and Consider Adoption of Resolution No. 2021-10-04 (enclosure)
- a. Public Hearing on 2022 Budget and Consider Adoption Resolution No. 2021-10-05 Adopting Budget, Imposing Mill Levy and Appropriating Funds (enclosure)
- b. Consider for Adoption Resolution 2021-10-06: Certifying Delinquent Fees to County Treasurer (enclosure)
- c. Discuss procedure with remaining balance for the accounts certified

8. Public Comment (Items Not on the Agenda Only. Comments limited to 3 minutes per person and taken in Order In Which They Appear on Sign-Up Sheet)

9. Other Business

- a. Next Meeting— Scheduled for November 23, 2021 at 5:30 PM

10. Adjournment

**MINUTES OF A SPECIAL BOARD MEETING OF
THE BOARD OF DIRECTORS OF THE
CASCADE METROPOLITAN DISTRICT NO. 1
HELD AUGUST 24, 2021**

A special meeting of the Board of Directors (the “Board”) of the Cascade Metropolitan District No. 1 (the "District") was duly held on Tuesday, the 24th day of August 2021 at 5:30 p.m. The special meeting was held via teleconference due to the threat posed by the COVID-19 coronavirus. The special meeting was open to the public.

Directors in Attendance Were:

Jim Borden
Susan Soloyanis
Troy Eason

Also in Attendance Were:

Heather Hartung, Esq., White Bear Ankele Hartung & Waldron, Attorneys at Law
Kevin Walker, Walker Schooler District Managers
Rebecca Hardekopf, Walker Schooler District Managers

1. **Call to Order:** Mr. Walker called the meeting to order at 5:32 p.m.
2. **Declaration of Quorum/Director Qualifications/Reaffirmation of Disclosures:** Mr. Walker confirmed a quorum of the Board was present and that each Director had confirmed their qualifications to serve. Director Herr has been excused from this meeting. Ms. Hartung confirmed the Directors’ conflicts of interest were properly filed.
3. **Approval of Agenda:** The Board accepted the Agenda as presented.
4. **Acceptance of Resignation from Director Whittemore Effective August 20, 2021 and Discussion of Vacant Director Position:** Director Soloyanis moved to accept the resignation from Mr. Whittemore effective August 20, 2021; seconded by Director Borden. Motion passed unanimously. The Board discussed reducing the number of directors to three. Ms. Hartung explained the State Statute does not allow the Board to decrease from five to three. She noted the Service Plan, and the original voting record mentions five directors as well. The vacant position can be filled by appointment, but there is no requirement to publish the vacant position in the newspaper. An email blast can be sent to the community and posted on the website.. If there is nobody to fill the position, they can continue on with the current Board with the position being up for election in May 2022. The Board discussed the time commitment will be limited with only a bond refinance anticipated in 2023. Ms. Hartung suggested the Board hold two to three regular meetings next year with special meetings scheduled as needed.
5. **Election of Officers:** Ms. Hartung explained the Board will need to elect a Director to the President position. After discussion, Director Borden nominated Director Soloyanis to be

President; seconded by Director Eason. Motion passed unanimously.

6. Consent Agenda Items:

- a. Acknowledge Manager’s Report
- b. Approval of Board Meeting Minutes from the special meeting on June 22, 2021
- c. Ratification and Approval of Payables for the period ending July 31, 2021 in the amount of:

General Fund:	\$13,711.79
<u>Debt Service Fund:</u>	<u>\$33,537.83</u>
Total	\$47,249.62

- d. Acceptance of Unaudited Financial Statements as of July 31, 2021 the schedule of cash position updated as of July 31, 2021 and bank statements

Mr. Walker presented a revised version of the June 22, 2021 minutes.

7. Consideration of items removed from Consent Agenda:

Director Borden asked about two \$55 invoices for the fire department for backflow preventers, and an invoice to Waste Management. Mr. Walker explained the Waste Management invoice is for the roll-off dumpster. The two \$55 invoices are an error and should be billed to the fire department and fire protection district. Director Borden asked about legal fees for collection. Ms. Hartung explained the District pays monthly for legal work that is occurring, but legal is collecting the fees back from the customer and they are reimbursed to the District. Ms. Hardekopf explained the accounts that are listed as closed are pending payment by September 1st before being sent to legal counsel for collection. Director Borden moved to accept the Consent Agenda items with the exception of the \$55 invoices that were in error; seconded by Director Borden. Motion passed unanimously.

8. Management Matters

- a. Review of payment status and collections: Mr. Walker reported they are doing well on collections and the decision to have legal file liens has helped clean up delinquent accounts. Mr. Walker noted difficulties with the post office and returned payments by mail, but they are working individually with those customers.
 - i. Current billings
 - ii. Collections
- b. Discuss status of post-conversion requirements: Mr. Walker reported he is still waiting on the estimate for the fire hydrant project. CSU is still working through the negotiations on easements.
- c. Plan and progress on Disposition of assets: Mr. Walker reported on the progress of disposition of assets. The meters were sold for \$1,850, the truck was sold for \$5,050, and scrap metal was sold for \$1,432.52. Expenses totaled \$1,669.46 for a net revenue of \$6,663.06. Remaining items to be sold are the pipe which needs to be brought down the hill, the small parcels adjacent to private property and the County’s parcels, and the Triangle building which needs a title commitment that is still pending. Director Eason noted he may know someone interested in the pipe. The estimated total net revenue after everything is sold is \$20,000. Mr. Walker noted that does not include costs associated with the tank site or Topeka

pump house.

9. Financial Matters

- a. 2022 budget planning – projected increase in fee: Mr. Walker discussed 2022 budget planning and preliminary budgets will be done in September. The District will be increasing the fee so advertising will be done for that. Debt Service Fee will be increased 4%, so an estimated increase from \$81 to \$84. The Admin Fee will likely stay the same and is not projected to increase.
- b. 8126 Chipita Park Rd – Property owner request to waive fees: Ms. Hardekopf explained a property owner has requested to waive fees. This property has two houses on one lot with a tenant occupying one of them. The owner claims they were not aware the tenant was not paying their bills. There is record that the owner was sent notification of non-payment by tenant. The owner is requesting legal fees be waived. WSDM has denied the request and instructed the owner to make a formal request to the Board, but they have not done so and are not in attendance at the meeting. President Soloyanis supports and concurs with WSDM and their approach to this matter and their decisions to date. Director Eason agreed. Director Borden commented that he would not support waiving any fees. Ms. Hardekopf explained that WSDM will move forward with a payment arrangement with the owner and if they default it will be sent back to legal for collection.

10. Legal Matters

- a. Adopt Resolution 2021-08-01 – Designating the Location of Regular Meetings of the Board of Directors: Ms. Hartung explained the new legislation allows the Board to meet either in person or electronically. Director Eason moved to adopt Resolution 2021-08-01 – Designating the Location of Regular Meetings of the Board of Directors; seconded by Director Borden. Motion passed unanimously.
- b. Overview of 2021 Legislation and Recent Case Law Affecting Special Districts, Municipalities, and Community Associations: Ms. Hartung noted the new 2021 legislation that affects Special Districts and changes in elections and disclosures.

11. Public Comment: There was no public comment.

12. Other Business

- a. Next Meeting— Scheduled for October 26, 2021 at 5:30 PM. The Board agreed to hold the Budget Hearing at the October 26, 2021 meeting. Ms. Hartung noted the certification of delinquent accounts with proper 30-day notice can be done at the meeting as well.

13. Adjournment: The Board adjourned the meeting at 6:28 PM.

Respectfully submitted,

By:

Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL AUGUST 24, 2021 MINUTES OF THE CASCADE METROPOLITAN DISTRICT NO. 1 BY THE BOARD OF DIRECTORS SIGNING BELOW:

Mike Herr

Troy Eason

James Borden

Susan Soloyanis

Cascade Metropolitan District
PAYMENT REQUEST
10/19/2021
GENERAL FUND ACCOUNT

Company	Invoice	Date	Amount	Comments
Biggs Kofford				
Land Title Guarantee Company	55097175	10/1/2021	500.00	
Mailing Services Inc	15649	9/10/2021	202.64	
Walker Schooler District Managers	6896	9/30/2021	2,879.27	
Waste Connections Of Co Inc	4086620	10/1/2021	30.00	
White Bear Ankele Tanaka & Waldron	16166	5/31/2021	1,266.00	
White Bear Ankele Tanaka & Waldron	18124	9/30/2021	1,710.00	
White Bear Ankele Tanaka & Waldron	18306	9/30/2021	183.44	
TOTAL			6,771.35	

BOND FUND ACCOUNT

Description	Date	Amount	Comments
UMB Bank - Series 2015A & 2015B Interest	11/1/2021	\$ 33,537.83	October
TOTAL		\$ 33,537.83	

TOTAL FOR ALL FUNDS

\$ 40,309.18

_____, President

Cascade Metropolitan District No. 1

Balance Sheet

10/19/21

As of September 30, 2021

Accrual Basis

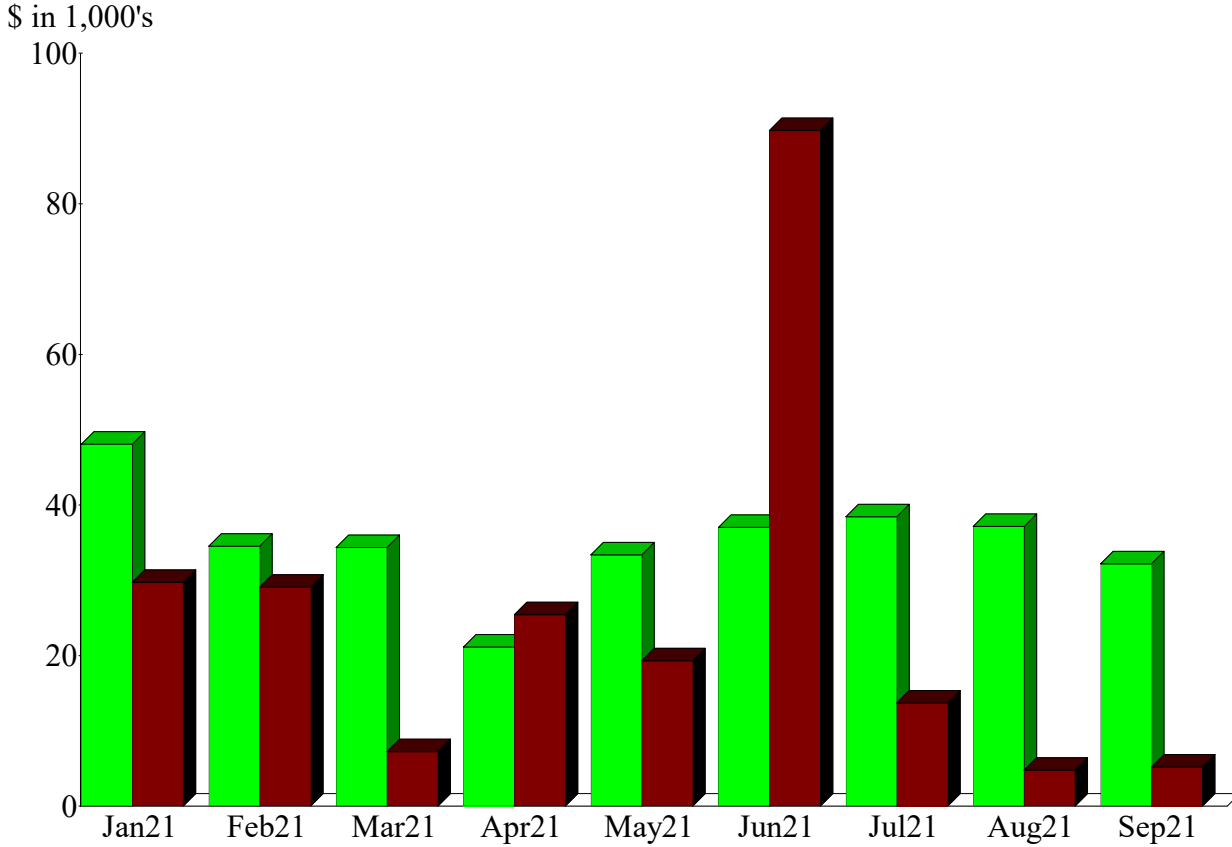
	<u>Sep 30, 21</u>
ASSETS	
Current Assets	
Checking/Savings	
1995 Checking	34,733.59
2002 Savings	125,044.67
2-1050 · UMB Interest 143222.1	114,197.37
2-1055 · UMB Reserve 143222.3	367,737.93
2-1060 · UMB Principal 143222.2	54,169.51
Total Checking/Savings	<u>695,883.07</u>
Accounts Receivable	
1-1200 · Accounts Receivable	43,978.56
1-1210 · Allowance for Doubtful Accounts	-5,000.00
Total Accounts Receivable	<u>38,978.56</u>
Total Current Assets	<u>734,861.63</u>
TOTAL ASSETS	<u>734,861.63</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 · Accounts Payable	8,386.02
Total Accounts Payable	<u>8,386.02</u>
Other Current Liabilities	
1-320 · Prepaid Charges	5,706.16
Total Other Current Liabilities	<u>5,706.16</u>
Total Current Liabilities	<u>14,092.18</u>
Long Term Liabilities	
Bonds Payable 2015A	3,360,000.00
Bonds Payable 2015B	1,445,000.00
Total Long Term Liabilities	<u>4,805,000.00</u>
Total Liabilities	<u>4,819,092.18</u>
Equity	
3-3200 · Invested in Capital Assets	-4,192,805.87
30000 · Opening Balance Equity	-180,464.08
32000 · Retained Earnings	196,910.14
Net Income	92,129.26
Total Equity	<u>-4,084,230.55</u>
TOTAL LIABILITIES & EQUITY	<u>734,861.63</u>

Cascade Metropolitan District No. 1
Profit & Loss Budget vs. Actual
January through September 2021

	TOTAL				
	Sep 21	Jan - Sep 21	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense					
Income					
1-505 · Water Sales	4,287.64	6,966.73			
1-506 · Operations Administrative Fee	490.12	43,524.65	41,382.00	2,142.65	105.18%
1-507 · Bulk Water Sales	0.00	-9,921.31			
1-509 · Revenue-Collection Charges	0.00	0.00	5,000.00	-5,000.00	0.0%
1-510 · Late Fees	295.50	4,792.74	250.00	4,542.74	1,917.1%
1-516 · Backflow Noncompliance Fee	0.00	54.45			
1-560 · Interest Income	1.10	22.84			
1-575 · Miscellaneous Income	0.00	275.20			
2-510 · Debt Service Fee	27,102.84	232,565.13	346,715.52	-114,150.39	67.08%
2-515 · AOS Fee	0.00	1,161.30			
2-530 · Malcom Restitution	17.14	814.58			
2-560 · Interest Income-Debt	7.50	180.58	4,000.00	-3,819.42	4.52%
Total Income	32,201.84	280,436.89	397,347.52	-116,910.63	70.58%
Expense					
1-614 · Billing and Customer Service	625.00	16,625.00	24,000.00	-7,375.00	69.27%
1-615 · Audit	0.00	8,400.00	8,500.00	-100.00	98.82%
1-618 · Bank Fees	211.57	1,415.59	100.00	1,315.59	1,415.59%
1-670 · Insurance/SDA Dues	0.00	2,653.02	1,000.00	1,653.02	265.3%
1-672 · Dues, Fees & Subscriptions	0.00	250.00	250.00	0.00	100.0%
1-675 · Legal	1,893.44	20,937.88	20,000.00	937.88	104.69%
1-680 · Management	2,000.00	7,000.00	7,500.00	-500.00	93.33%
1-683 · Accounting/ Bookkeeping	166.67	1,500.03	2,000.00	-499.97	75.0%
1-684 · Expense-Collection Charges	0.00	0.00	5,000.00	-5,000.00	0.0%
1-685 · Miscellaneous	0.00	2,172.82			
1-693 · Payroll Taxes	0.00	55.84			
1-715 · Operation Labor	0.00	730.00			
1-720 · Repairs and Maintenance	0.00	106.32			
1-725 · Telephone/Utilities	0.00	57.37			
1-729 · CSU Settlement	0.00	0.00	35,000.00	-35,000.00	0.0%
1-735 · Water Purchase	0.00	42,044.40			
1-760 · Office Supplies/Postage	290.24	3,225.18			
2-617 · Bank Fees - Debt Service	0.00	43.81			
2-900 · Interest Expense CMD A 2015	0.00	80,437.50	193,050.00	-112,612.50	41.67%
2-905 · Interest Expense CMD B 2015	0.00	33,114.58	79,475.00	-46,360.42	41.67%
3-617 · Bank Fees - Capital	0.00	3,000.00	4,500.00	-1,500.00	66.67%
3-680 · Utilities	0.00	500.00			
Total Expense	5,186.92	224,269.34	380,375.00	-156,105.66	58.96%
Net Ordinary Income	27,014.92	56,167.55	16,972.52	39,195.03	330.93%
Other Income/Expense					
Other Income					
Other Income					
Gain on Sale of Assets	0.00	8,332.52			
2-511 · Reserve - Debt Service Fee	0.00	27,629.18			
Total Other Income	0.00	35,961.70			
Total Other Income	0.00	35,961.70			
Other Expense					
Suspense Account - Bond Payment	0.00	-0.01			
3-771 · Other Expense	0.00	0.00	10,000.00	-10,000.00	0.0%
Total Other Expense	0.00	-0.01	10,000.00	-10,000.01	0.0%
Net Other Income	0.00	35,961.71	-10,000.00	45,961.71	-359.62%
Net Income	27,014.92	92,129.26	6,972.52	85,156.74	1,321.32%

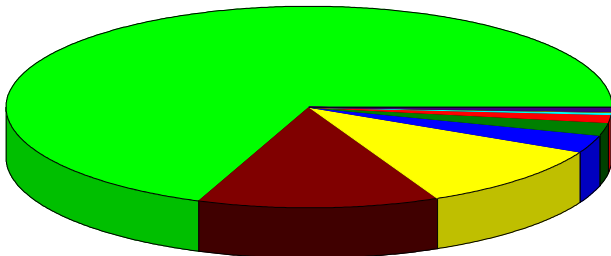
Income and Expense by Month
January through September 2021

Income
Expense



Income Summary
January through September 2021

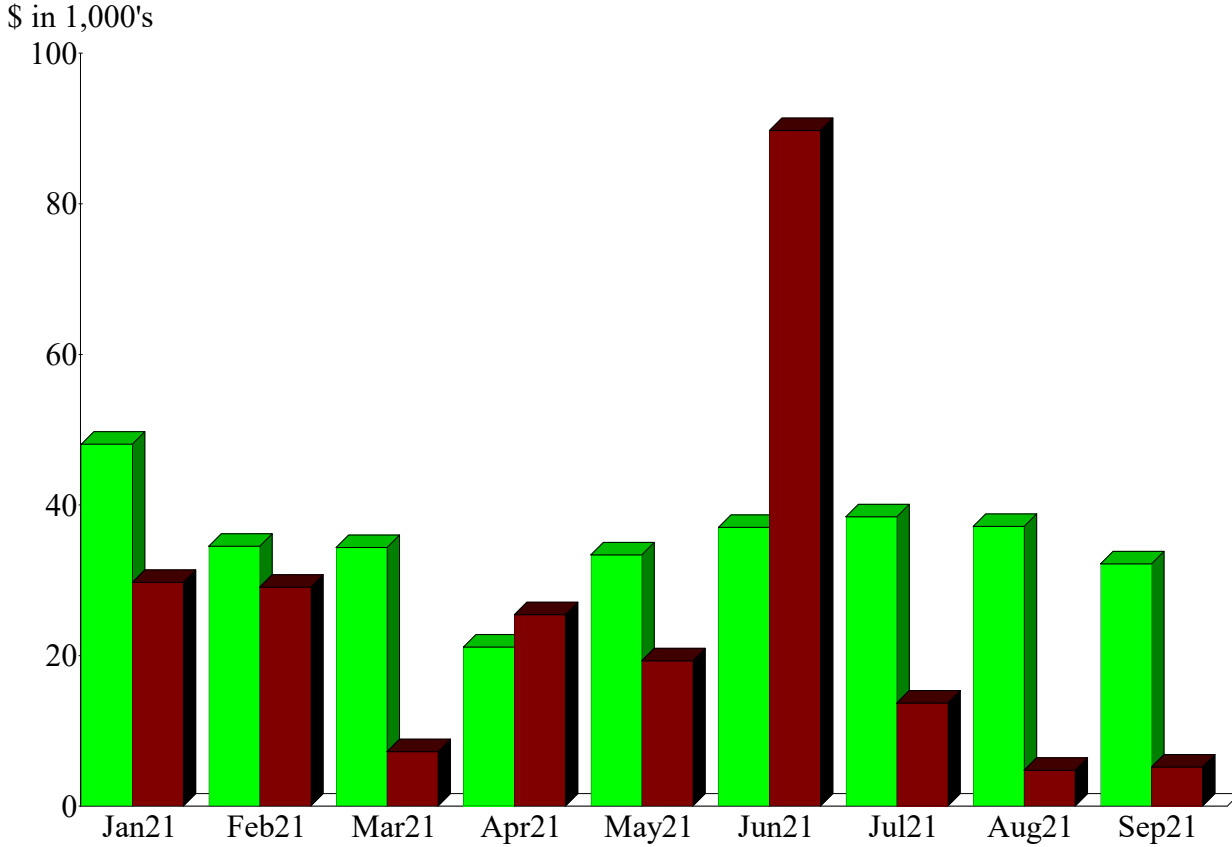
2-510 · Debt Service Fee	71.27%
1-506 · Operations Administrative Fee	13.34
Other Income	11.02
1-507 · Bulk Water Sales	\$-9,921.31
1-505 · Water Sales	2.13
1-510 · Late Fees	1.47
2-515 · AOS Fee	0.36
2-530 · Malcom Restitution	0.25
1-575 · Miscellaneous Income	0.08
2-560 · Interest Income-Debt	0.06
Other	0.02
Sub-Total	\$316,398.59



By Account

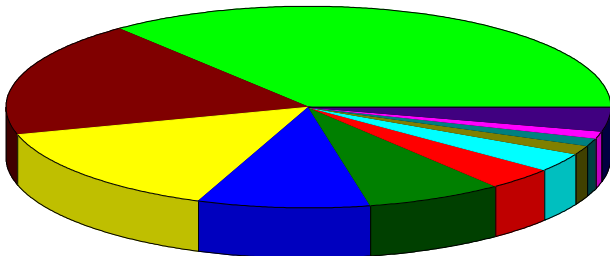
Income and Expense by Month
January through September 2021

Income
Expense



Expense Summary
January through September 2021

2-900 · Interest Expense CMD A 2015	35.87%
1-735 · Water Purchase	18.75
2-905 · Interest Expense CMD B 2015	14.77
1-675 · Legal	9.34
1-614 · Billing and Customer Service	7.41
1-615 · Audit	3.75
1-680 · Management	3.12
1-760 · Office Supplies/Postage	1.44
3-617 · Bank Fees - Capital	1.34
1-670 · Insurance/SDA Dues	1.18
Other	3.05
Total	\$224,269.33



By Account

Resolution No. 2021-10-01

**CASCADE METROPOLITAN DISTRICT NO. 1
ANNUAL ADMINISTRATIVE RESOLUTION
(2022)**

WHEREAS, Cascade Metropolitan District No. 1 (the “**District**”), was organized as a special district pursuant to an Order and Decree of the District Court in and for the County of El Paso, Colorado (the “**County**”); and

WHEREAS, the Board of Directors (the “**Board**”) of the District, has a duty to perform certain obligations in order to assure the efficient operation of the District and hereby directs its consultants to take the following actions.

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

1. The Board directs the District Manager to cause an accurate map of the District’s boundaries to be prepared in accordance with the standards specified by the Division of Local Government (“**Division**”) and to be filed in accordance with § 32-1-306, C.R.S.

2. The Board directs the District Manager to notify the Board of County Commissioners, the County Assessor, the County Treasurer, the County Clerk and Recorder, the governing body of any municipality in which the District is located, and the Division of the name of the chairman of the Board, the contact person, telephone number and business address of the District, as required by § 32-1-104(2), C.R.S.

3. The Board directs the District Manager to prepare and file with the Division, within thirty (30) days of a written request from the Division, an informational listing of all contracts in effect with other political subdivisions, in accordance with § 29-1-205, C.R.S.

4. The Board directs the District’s accountant to cause the preparation of and to file with the Department of Local Affairs the annual public securities report for nonrated public securities issued by the District within sixty (60) days of the close of the fiscal year, as required by §§ 11-58-101, *et seq.*, C.R.S.

5. The Board directs the District Manager to: 1) obtain proposals for auditors to be presented to the Board; 2) to cause an audit of the annual financial statements of the District to be prepared and submitted to the Board on or before June 30; and 3) to cause the audit to be filed with the State Auditor by July 31st, or by the filing deadline permitted under any extension thereof, all in accordance with §§ 29-1-603(1) and 29-1-606, C.R.S. Alternatively, if warranted by § 29-1-604, C.R.S., the Board directs the District’s accountant to apply for and obtain an audit exemption from the State Auditor on or before March 31st in accordance with § 29-1-604, C.R.S.

6. The Board directs the District Manager, if the District has authorized but unissued general obligation debt as of the end of the fiscal year, to cause to be submitted to the Board of County Commissioners or the governing body of the municipality that adopted a resolution of

approval of the District, the District's audit report or a copy of its application for exemption from audit in accordance with § 29-1-606(7), C.R.S.

7. The Board directs the District's accountant to submit a proposed budget to the Board by October 15th, to prepare the final budget and budget message, including any amendments thereto, if necessary, and directs the District Manager to schedule a public hearing on the proposed budget and/or amendments, and to post or publish notices thereof, and directs legal counsel to prepare all budget resolutions and to file the budget, budget resolution and budget message with the Division on or before January 30th, all in accordance with §§ 29-1-101, *et seq.*, C.R.S.

8. The Board directs the District's accountant to monitor expenditures and contracted expenditures and, if necessary, to notify the District Manager, legal counsel and the Board when expenditures or contracted expenditures are expected to exceed appropriated amounts, and directs legal counsel to prepare all budget amendment resolutions and directs the District Manager to schedule a public hearing on a proposed budget amendment and to post or publish notices thereof and to file the amended budget with the Division on or before the date of making such expenditure or contracting for such expenditure, all in accordance with §§ 29-1-101, *et seq.*, C.R.S.

9. The Board directs legal counsel to cause the preparation of the Unclaimed Property Act report and submission of the same to the State Treasurer by November 1st if there is property presumed abandoned and subject to custody as unclaimed property, in accordance with § 38-13-110, C.R.S.

10. The Board directs the District's accountant to prepare the mill levy certification form and directs legal counsel to file the mill levy certification form with the Board of County Commissioners on or before December 15th, in accordance with § 39-5-128, C.R.S.

11. The Board directs that all legal notices shall be published in accordance with § 32-1-103(15), C.R.S.

12. The Board determines that each director may receive compensation for their services as directors subject to the limitations set forth in §§ 32-1-902(3)(a)(I) & (II), C.R.S.

13. The District hereby acknowledges, in accordance with § 32-1-902, C.R.S., the following officers for the District:

Chairman/President:	Susan Soloyanis
Treasurer:	Mike Herr
Secretary:	Troy Eason
Assistant Secretary:	James Borden
Assistant Secretary:	Vacant
Recording Secretary:	District Manager

14. The Board hereby determines that each member of the Board shall, for any potential or actual conflicts of interest, complete conflicts of interest disclosures and directs legal counsel

to file the conflicts of interest disclosures with the Board and with the Colorado Secretary of State at least seventy-two (72) hours prior to every regular and special meeting of the Board, in accordance with §§ 32-1-902(3)(b) and 18-8-308, C.R.S. Written disclosures provided by Board members required to be filed with the governing body in accordance with § 18-8-308, C.R.S. shall be deemed filed with the Board when filed with the Secretary of State. Additionally, at the beginning of each year, each Board member shall submit information to legal counsel regarding any actual or potential conflicts of interest and, throughout the year, each Board member shall provide legal counsel with any revisions, additions, corrections or deletions to said conflicts of interest disclosures.

15. The Board confirms its obligations under § 24-10-110(1), C.R.S., with regards to the defense and indemnification of its public employees, which, by definition, includes elected and appointed officers.

16. The Board hereby appoints the District Manager as the official custodian for the maintenance, care and keeping of all public records of the District, in accordance with §§ 24-72-202, *et seq.*, C.R.S. The Board hereby directs its legal counsel, accountant, manager and all other consultants to adhere to the Colorado Special District Records Retention Schedule as adopted by the District.

17. The Board directs the District Manager to post notice of all regular and special meetings in accordance with § 32-1-903(2) and § 24-6-402(2)(c), C.R.S. The Board hereby designates Colorado.gov/cascademd.com as the District's website for the posting of its regular and special meeting notices. The Board also hereby designates, unless otherwise designated by the Board, the Ute Pass Library as the location the District will post notices of meetings in the event of exigent or emergency circumstances which prevent the District from posting notice of the meeting on the District's website. The Board directs the District Manager to provide the website address set forth above to the Department of Local Affairs for inclusion in the inventory maintained pursuant to § 24-32-116, C.R.S.

18. The Board determines to hold regular meetings on the fourth Tuesday of January, April, July and October, at 5:30 p.m. by telephone, electronic, or other means not including physical presence.

All notices of meetings shall designate whether such meeting will be held by electronic means, at a physical location, or both, and shall designate how members of the public may attend such meeting, including the conference number or link by which members of the public can attend the meeting electronically, if applicable.

19. In the event of an emergency, the Board may conduct a meeting outside of the limitations prescribed in § 24-6-402(2)(c), C.R.S., provided that any actions taken at such emergency meeting are ratified at the next regular meeting of the Board or at a special meeting conducted after proper notice has been given to the public.

20. For the convenience of the electors of the District, and pursuant to its authority set forth in § 1-13.5-1101, C.R.S., the Board hereby deems that all regular and special elections of the District shall be conducted as independent mail ballot elections in accordance with §§ 1-13.5-1101,

et seq., C.R.S., unless otherwise deemed necessary and expressed in a separate election resolution adopted by the Board.

21. Pursuant to the authority set forth in § 1-1-111, C.R.S., the Board hereby appoints Ashley B. Frisbie, of the law firm of WHITE BEAR ANKELE TANAKA & WALDRON, Attorneys at Law, as the Designated Election Official (the “**DEO**”) of the District for any elections called by the Board, or called on behalf of the Board by the DEO, and hereby authorizes and directs the DEO to take all actions necessary for the proper conduct of the election, including, if applicable, cancellation of the election in accordance with § 1-13.5-513, C.R.S.

22. In accordance with § 1-11-103(3), C.R.S., the Board hereby directs the DEO to certify to the Division the results of any elections held by the District and, pursuant to § 32-1-1101.5(1), C.R.S., to certify results of any ballot issue election to incur general obligation indebtedness to the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the district and file a copy of such certification with the Division of Securities.

23. The Board directs legal counsel to cause a notice of authorization of or notice to incur general obligation debt to be recorded with the County Clerk and Recorder within thirty (30) days of authorizing or incurring any indebtedness, in accordance with § 32-1-1604, C.R.S.

24. Pursuant to the authority set forth in § 24-12-103, C.R.S., the Board hereby designates, in addition to any officer of the District, Kevin Walker of Walker Schooler District Managers, as a person with the power to administer all oaths or affirmations of office and other oaths or affirmations required to be taken by any person upon any lawful occasion.

25. The Board directs the District Manager to cause the preparation of and filing with the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the District, if requested, the application for quinquennial finding of reasonable diligence in accordance with §§ 32-1-1101.5(1.5) and (2), C.R.S.

26. The Board directs the District Manager to cause the preparation of and the filing with the Board of County Commissioners or the governing body of any municipality in which the District is located, the Division, the State Auditor, the County Clerk and Recorder and any interested parties entitled to notice pursuant to § 32-1-204(1), C.R.S., an annual report, if requested, in accordance with § 32-1-207(3)(c), C.R.S.

27. The Board directs the District Manager to obtain proposals and/or renewals for insurance, as applicable, to insure the District against all or any part of the District’s liability, in accordance with §§ 24-10-115, *et seq.*, C.R.S. The Board directs the District’s accountant to pay the annual SDA membership dues, agency fees and insurance premiums, as applicable, in a timely manner. The Board appoints the District Manager as its proxy for the SDA Annual meeting for voting and quorum purposes.

28. The Board hereby opts to include elected or appointed officials as employees within the meaning of § 8-40-202(1)(a)(I)(A), C.R.S., and hereby directs the District Manager to obtain workers’ compensation coverage for the District.

29. The Board hereby directs legal counsel to prepare the disclosure notice required by § 32-1-809, C.R.S., and to disseminate the information to the electors of the District accordingly. Further, the Board hereby designates the following website as the District's official website for the purposes thereof: sdaco.org.

30. The Board hereby directs the District Manager to prepare and record with the County Clerk and Recorder updates to the disclosure statement notice and map required by § 32-1-104.8, C.R.S., if additional property is included within the District's boundaries.

31. In accordance with § 38-35-109.5(2), C.R.S, the District hereby designates the President of the Board as the official who shall record any instrument conveying title of real property to the District within 30 days of any such conveyance.

32. The Board directs the District's accountant to prepare and submit the documentation required by any continuing disclosure obligation signed in conjunction with the issuance of debt by the District.

33. The Board directs legal counsel to monitor, and inform the Board of, any legislative changes that may occur throughout the year.

[Remainder of page intentionally left blank, signature page follows.]

ADOPTED this 26th day of October, 2021.

**CASCADE METROPOLITAN DISTRICT
NO. 1**

By: _____
Officer of the District

Attest:

By: _____

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

CERTIFICATION OF RESOLUTION

I hereby certify that the foregoing constitutes a true and correct copy of the resolution of the Board adopted at a meeting held on Tuesday, October 26, 2021, via teleconference.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 26th day of October, 2021.

Signature

Printed Name

Resolution No. 2021-10-02

**RESOLUTION OF BOARD OF DIRECTORS
CALLING ELECTION**

CASACDE METROPOLITAN DISTRICT NO. 1

§§ 32-1-804, 1-1-111(2), 1-13.5-1103(1), and 1-13.5-513(1), C.R.S.

At a meeting of the Board of Directors (the “**Board**”) of the Cascade Metropolitan District No. 1 (the “**District**”), it was moved to adopt the following Resolution:

WHEREAS, the District was organized as a special district pursuant to §§ 32-1-101, *et seq.*, C.R.S. (the “**Special District Act**”); and

WHEREAS, the District is located entirely within El Paso County, Colorado (the “**County**”); and

WHEREAS, pursuant to § 32-1-804, C.R.S., the Board governs the conduct of regular and special elections for the District; and

WHEREAS, the Board anticipates holding a regular election on May 3, 2022, for the purpose of electing directors and desires to take all actions necessary and proper for the conduct thereof (the “**Election**”); and

WHEREAS, the Election shall be conducted pursuant to the Special District Act, the Colorado Local Government Election Code and the Uniform Election Code of 1992, to the extent not in conflict with the Colorado Local Government Election Code, including any amendments thereto, and shall also comply with Article X, § 20 of the Colorado Constitution (“**TABOR**”), as necessary; and

WHEREAS, pursuant to § 1-1-111(2), C.R.S., the Board is authorized to designate an election official (the “**Designated Election Official**”) to exercise authority of the Board in conducting the Election; and

WHEREAS, pursuant to § 1-13.5-513(1), C.R.S., the Board can authorize the Designated Election Official to cancel the Election upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Board hereby calls the Election for the purpose of electing directors. The Election shall be conducted as: an independent mail ballot election in accordance with §§ 1-13.5-1101, *et seq.*, C.R.S.

2. The Board names Ashley B. Frisbie of the law firm of White Bear Ankele Tanaka & Waldron as the Designated Election Official for the Election. The Designated Election Official shall

act as the primary contact with the County and shall be primarily responsible for ensuring the proper conduct of the Election.

3. Without limiting the foregoing, the following specific determinations also are made:
 - a. The Board hereby directs general counsel to the District to approve the final form of the ballot to be submitted to the eligible electors of the District and authorizes the Designated Election Official to certify those questions and take any required action therewith.
 - b. The Board hereby directs general counsel to the District to oversee the general conduct of the Election and authorizes the Designated Election Official to take all action necessary for the proper conduct thereof and to exercise the authority of the Board in conducting the Election, including, but not limited to, causing the call for nominations; appointment, training and setting compensation of election judges and a board of canvassers, as necessary; all required notices of election, including notices required pursuant to TABOR; printing of ballots; supervision of the counting of ballots and certification of election results; and all other appropriate actions.
4. The District shall be responsible for the payment of any and all costs associated with the conduct of the Election, including its cancellation, if permitted.
5. The Board hereby ratifies any and all actions taken to date by general counsel and the Designated Election Official in connection with the Election.
6. The Board hereby authorizes and directs the Designated Election Official to cancel the Election and to declare the candidates elected if, at the close of business on the sixty-third day before the Election, or at any time thereafter, there are not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates, and so long as the only ballot questions are for the election of candidates. The Board further authorizes and directs the Designated Election Official to publish and post notice of the cancellation as necessary and file such notice and cancellation resolutions with the County Clerk and Recorder and with the Division of Local Government, as required. The Designated Election Official shall also notify the candidates that the Election was canceled and that they were elected by acclamation.
7. This Resolution shall remain in full force and effect until repealed or superseded by subsequent official action of the Board.

[Remainder of Page Intentionally Left Blank]

ADOPTED THIS 26th DAY OF OCTOBER, 2021.

CASCADE METROPOLITAN DISTRICT NO. 1

Officer of the District

ATTEST:

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

Signature Page to Resolution Calling Election

Resolution No. 2021-10-03

**SECOND AMENDMENT
TO THE
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF
CASCADE METROPOLITAN DISTRICT NO. 1**

**CONCERNING THE IMPOSITION OF VARIOUS FEES, RATES, PENALTIES AND
CHARGES**

(Adoption of New Fee Schedule)

WHEREAS, Cascade Metropolitan District No. 1 (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Board of Directors of the District (the “**Board**”) shall have the management, control and supervision of all the business and affairs of the District; and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the District is authorized to fix and impose and, from time to time, increase or decrease fees, rates, tolls, penalties and charges for services or facilities furnished by the District which, until paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, the District was the provider of water services to residents and owners within and outside of the District’s boundaries; and

WHEREAS, on June 9, 2015, the District issued bonds in the form of the *Water Enterprise Revenue Refunding and Improvement Bonds, Series 2015A and Series 2015B* (collectively, the “**Bonds**”); and

WHEREAS, the District utilized the Bonds to improve the District’s water distribution system, reduce water losses and to meet the construction standards required by Colorado Springs Utilities; and

WHEREAS, the District’s water distribution system was converted to Colorado Springs Utilities on December 1, 2020 (the “**Conversion**”); and

WHEREAS, the District did not dissolve with the Conversion and will not be permitted to do so until such time as the debt incurred for the required improvements to the infrastructure

has been repaid in full; and

WHEREAS, to repay the debt, and for ongoing administration functions necessary to remain in compliance with Colorado law, the District is required to continue to impose and collect ongoing monthly debt service fees (the “**Debt Service Fee**” or “**Monthly Debt Service Fee**”) and monthly administrative fees (the “**Administrative Fee**” or “**Monthly Administrative Fee**”); and

WHEREAS, pursuant to §32-1-1001(2), C.R.S., the Board, as a governing body that previously furnished domestic water or sanitary sewer services directly to residents and property owners within or outside of the District, may fix or increase fees, rates, tolls, penalties or charges for domestic water or sanitary sewer services only after consideration of the action at a public meeting held at least thirty (30) days after providing notice stating that the action is being considered and stating the date, time and place of the meeting at which the action is being considered; and

WHEREAS, on February 23, 2021, the Board of Directors adopted, after complying with §32-1-1001(2), C.R.S, the Resolution Concerning the Imposition of Various Fees, Rates, Penalties and Charges which was amended on June 22, 2021 by that First Amendment to the Resolution Concerning the Imposition of Various Fees, Rates, Penalties and Charges – Adoption of New Fee Schedule, which was also adopted after complying with §32-1-1001(2), C.R.S, (collectively, the “**Fee Resolution**”); and

WHEREAS, pursuant to § 32-1-1001(2)(a)(IV), C.R.S., on August 28, 2021, the Board provided the required thirty (30) days’ notice by posting the notice on the official website of the Colorado Special District Association, the statewide association of special districts forms pursuant to § 29-1-401, C.R.S., which association posted the notice on a publicly accessible section of its website; and

WHEREAS, the Board has determined that modification to the Schedule of Fees in the Fee Resolution is necessary and in the best interests of the District, present and future property owners within the District and the properties served by the District.

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

1. SCHEDULE OF FEES - AMENDMENT: The schedule of fees set forth in Exhibit A of the Fee Resolution is replaced in its entirety by the schedule of fees set forth in **Exhibit A** to this Resolution, which is attached hereto and incorporated herein by this reference.
2. PRIOR PROVISIONS EFFECTIVE. Except as specifically amended hereby, all the terms and provisions of the Fee Resolution shall remain in full force and effect.
3. PRIOR FEES. Any fees, rates, tolls penalties or charges due under the Fee

Resolution, to the extent outstanding and unpaid, shall remain in effect until fully paid and shall not be eliminated hereby.

4. THE PROPERTY. This Resolution shall apply to all property within the District's boundaries, including, but not limited to, the property set forth in **Exhibit B**, attached hereto and incorporated herein, and any additional property included into the District after the date of this Resolution.
5. EFFECTIVE DATE. This Resolution shall become effective on January 1, 2022.

Remainder of Page Intentionally Left Blank. Signature Page to Follow.

APPROVED AND ADOPTED this 26th day of October, 2021.

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

Officer of the District

ATTEST:

Officer of the District

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

EXHIBIT A

Schedule of Fees and Charges

Adopted and Effective January 1, 2022

MONTHLY DEBT SERVICE FEE: \$84.41

MONTHLY ADMINISTRATIVE FEE: \$8.34

The Due Date for the monthly Debt Service Fee and monthly Administrative Fee, a total of \$92.75, is the last day of the month following the month for which the Debt Service Fee and Administrative Fee are billed.

ACCOUNT USER FEE Cost to District

The Due Date for the Account User Fee is fifteen (15) days from the date invoiced.

TRANSFER FEE \$100.00/Transfer

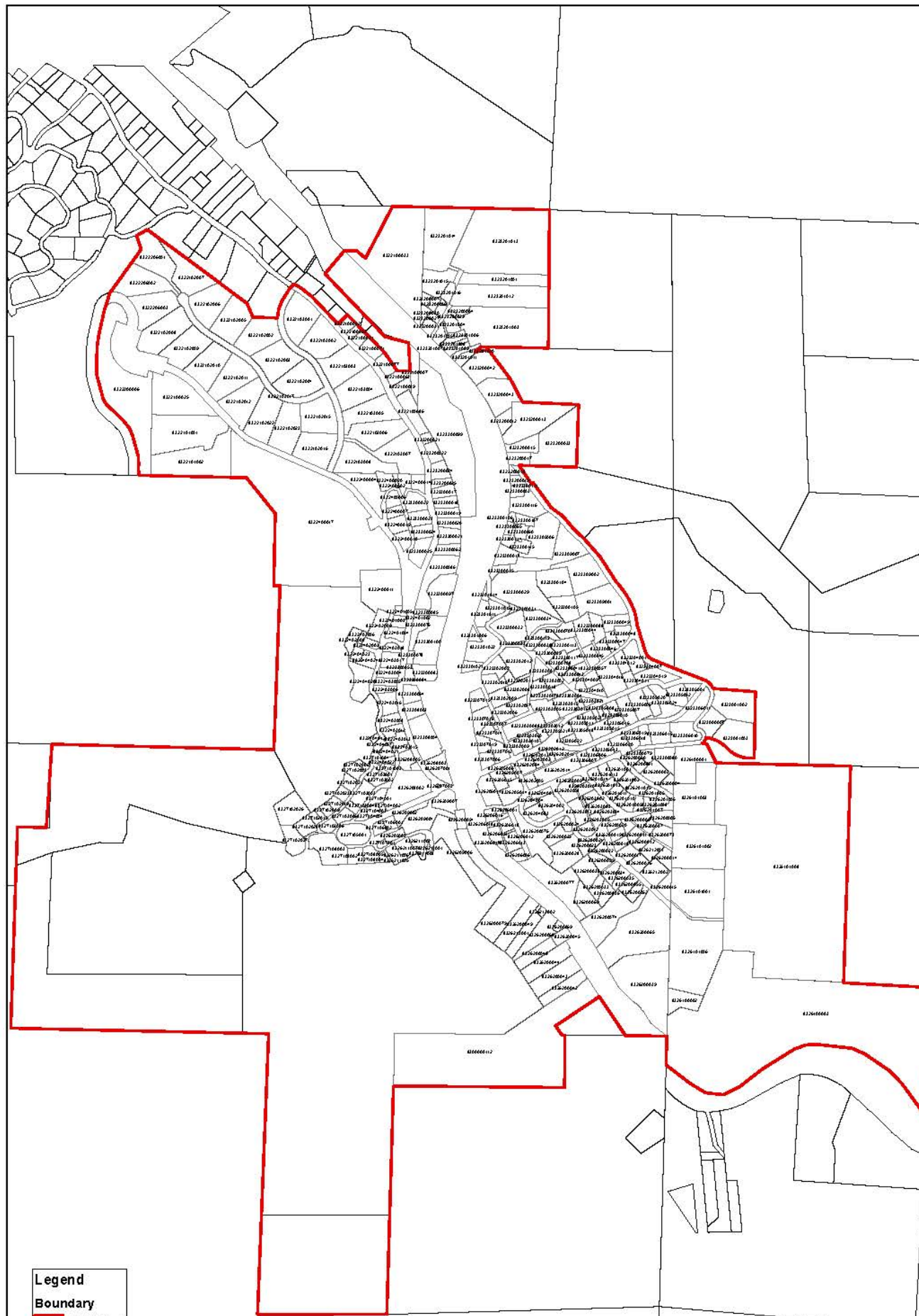
The Due Date for the Transfer Fee is at closing or within fifteen (15) days from the Transfer, whichever occurs first.

The Monthly Debt Service Fee, Monthly Administrative Fee and Transfer Fee are imposed upon each Residential Unit, Commercial Unit and each developable Lot within the District Boundaries and each Lot Out of District Boundaries for which the Out of District Boundaries Capital Investment Fee has been paid, all regardless of whether any structure is constructed or existing on the Lot; provided, however, that the Monthly Debt Service Fee shall not be imposed upon properties which are not developable and which are either designated as undevelopable by El Paso County or on which development is or has been restricted pursuant to a permanent use restriction or other similar designation by El Paso County.

PAYMENTS: Payment for the Monthly Debt Service Fee, Monthly Administrative Fee, Account User Fee and Transfer Fee shall be made payable to the Cascade Metropolitan District No. 1 and sent to the following address for receipt by the Due Date:

Cascade Metropolitan District No. 1
Post Office Box 1479
Colorado Springs, Colorado 80901

EXHIBIT B
THE PROPERTY



Legend
Boundary
District No. 1

Resolution No. 2020-10-04

**CASCADE METROPOLITAN DISTRICT NO. 1
RESOLUTION TO AMEND 2021 BUDGET**

WHEREAS, the Board of Directors of Cascade Metropolitan District No. 1 (the “**District**”) certifies that at a special meeting of the Board of Directors of the District held October 26, 2021, a public hearing was held regarding the 2021 amended budget, and, subsequent thereto, the following Resolution was adopted by affirmative vote of a majority of the Board of Directors:

WHEREAS, the Board of Directors of the District adopted a budget and appropriated funds for fiscal year 2021 as follows:

General Fund	\$108,350
and;	

WHEREAS, the necessity has arisen for additional expenditures by the District due to additional costs which could not have been reasonably anticipated at the time of adoption of the budget, requiring the expenditure of funds in excess of those appropriated for fiscal year 2021; and

WHEREAS, funds are available for such expenditure.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the District does hereby amend the adopted budget for fiscal year 2021 as follows:

General Fund	\$124,902
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BE IT FURTHER RESOLVED, that such sums are hereby appropriated from the revenues of the District to the funds named above for the purpose stated, and that any ending fund balances shall be reserved for purposes of complying with Article X, Section 20 of the Colorado Constitution.

[Remainder of page intentionally left blank.]

ADOPTED this 26th day of October, 2021.

**CASCADE METROPOLITAN DISTRICT NO.
1**

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 EL PASO
CASCADE METROPOLITAN DISTRICT NO. 1

I hereby certify that the foregoing resolution constitutes a true and correct copy of the record of proceedings of the Board adopted at a meeting held via teleconference on Tuesday, October 26, 2021 as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 26th day of October 2021.

Resolution No. 2021-10-05

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

(2022)

The Board of Directors of Cascade Metropolitan District No. 1 (the “**Board**”), County of El Paso, Colorado (the “**District**”) held a special meeting via teleconference on October 26, 2021, at the hour of 5:30 P.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.

[Remainder of Page Intentionally Left Blank.]

NOTICE AS TO PROPOSED 2022 BUDGET

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 2022 AND ENDING ON THE LAST DAY OF DECEMBER 2022.

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 October 26, 2021, 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 2022. 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 2022 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 2022 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 4. Levy for Contractual Obligation Expenses. For the purposes of meeting all contractual obligations of the District during the 2022 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 2022 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 El Paso 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.

[Remainder of page intentionally left blank.]

ADOPTED THIS 26TH DAY OF OCTOBER, 2021.

CASCADE METROPOLITAN DISTRICT NO. 1

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 ELPASO
CASCADE METROPOLITAN DISTRICT NO. 1

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 Tuesday, October 26, 2021, via teleconference as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 26th day of October, 2021.

EXHIBIT A
BUDGET DOCUMENT
BUDGET MESSAGE

**CASCADE METROPOLITAN DISTRICT NO. 1
2022 BUDGET
GENERAL FUND**

	2020 ACTUAL	2021 ACTUAL	2021 PROJECTED / BUDGET	2021 BUDGET	2022 BUDGET
GENERAL FUND: BEGINNING BALANCE	\$ 96,398.76	\$ 187,203.26	\$ 187,203.26	\$ 164,305.33	140,211.88
REVENUES					
OPERATIONS ADMINISTRATIVE FEE (\$8.64/MONTH/ACCOUNT)		\$ 43,524.65	\$ 42,000.00	\$ 41,382.00	42,000.00
COLLECTION CHARGES			\$ 7,500.00	\$ 5,000.00	5,000.00
WATER SERVICE USAGE	\$ 222,859.21			\$ -	
WATER SERVICE FEE	\$ 167,869.17				
WATER SERVICE BULK	\$ 13,021.93	\$ 34.00	\$ 34.00	-	-
LATE FEES	\$ 2,833.26	\$ 4,792.74	\$ 4,702.74	\$ 250.00	2,500.00
BACKFLOW NON-COMPLIANCE FEE	\$ 445.55	\$ 54.45	\$ 54.45		-
TAP FEES	\$ 15,000.00				
MISCELLANEOUS INCOME	\$ -	\$ 275.20	\$ 275.20		
GAIN ON SALE OF ASSETS	\$ -	\$ 8,332.52	\$ 10,000.00	-	10,000.00
INTEREST INCOME	\$ 121.37	\$ 22.84	\$ 21.74		100.00
TOTAL REVENUES	\$ 422,150.49	\$ 57,036.40	\$ 64,588.13	\$ 46,632.00	59,600.00
TOTAL FUNDS AVAILABLE	\$ 518,549.25	\$ 244,239.66	\$ 251,791.39	\$ 164,555.33	199,811.88
EXPENSES					
BILLING AND CUSTOMER SERVICE MANAGEMENT		\$ 16,000.00	\$ 24,000.00	\$ 24,000.00	24,000.00
ACCOUNTING AND BOOKKEEPING		\$ 1,333.36	\$ 2,000.00	\$ 2,000.00	2,000.00
CSU SETTLEMENT			\$ -	\$ 35,000.00	35,000.00
COLLECTION CHARGES			\$ -	\$ 5,000.00	5,000.00
PAYROLL ACCOUNTING	\$ 2,100.00		\$ -	\$ -	-
AUDIT	\$ 8,250.00	\$ 8,400.00	\$ 8,400.00	\$ 8,500.00	9,000.00
BANK FEES	\$ 1,714.39	\$ 1,415.59	\$ 1,800.00	\$ 100.00	1,800.00
ELECTION	\$ 632.43		\$ -	\$ -	2,500.00
INSURANCE/SDA DUES	\$ 3,766.47	\$ 3,153.02	\$ 5,500.00	\$ 1,000.00	2,500.00
DUES, FEES, & SUBSCRIPTIONS	\$ 175.00	\$ 250.00	\$ 250.00	\$ 250.00	250.00
LEGAL / LEGAL RELATING TO COLLECTIONS MANAGEMENT/ACCOUNTING	\$ 34,005.64	\$ 19,671.88	\$ 26,000.00	\$ 20,000.00	10,000.00
ENGINEERING	\$ 60,000.00	\$ -			
COST OF SALES		\$ 2,172.82	\$ 2,172.82	-	2,500.00
PAYROLL TAXES	\$ 2,785.16	\$ 55.84	\$ 55.84	-	-
CHEMICAL & SUPPLIES	\$ 110.20		\$ -	-	
OPERATION LABOR	\$ 35,330.00	\$ 730.00	\$ 730.00	-	-
LOCATES	\$ 285.00		\$ -	-	
REPAIRS & MAINTENANCE	\$ 28,021.54	\$ 106.32	\$ 150.00	-	2,500.00
TELEPHONE/UTILITIES EXPENSE	\$ 645.36	\$ 557.37	\$ 700.00	-	
VEHICLE EXPENSE	\$ 51.00		\$ -	-	
WATER PURCHASE EXPENSE	\$ 195,094.26	\$ 42,044.00	\$ 42,044.00	-	-
WATER QUALITY TESTING EXPENSE	\$ 1,672.67		\$ -	-	
OFFICE SUPPLIES & POSTAGE	\$ 4,500.56	\$ 3,137.58	\$ 3,600.00	-	3,600.00
CONTINGENCY			\$ -	\$ 5,000.00	5,000.00
TOTAL EXPENSES	\$ 379,139.68	\$ 104,027.78	\$ 124,902.66	\$ 108,350.00	113,150.00
OTHER FINANCING SOURCES					
TRANSFERS IN - GRANT CAPITAL PROJECT FUND	\$ 47,793.69				
GENERAL FUND: ENDING BALANCE	\$ 187,203.26	\$ 140,211.88	\$ 126,888.73	\$ 56,205.33	86,661.88
EMERGENCY RESERVE: State Required at 3%	\$ 11,374.19	\$ 3,120.83	\$ 3,747.08	\$ 3,250.50	\$ 3,394.50

**CASCADE METROPOLITAN DISTRICT NO. 1
2022 BUDGET
DEBT SERVICE FUND**

	2020 ACTUAL		2021 Actual		2021 PROJECTED / BUDGET		2021 BUDGET		2022 BUDGET
DEBT SERVICE FUND: BEGINNING BALANCE	\$ 435,973.05	\$	472,773.18	\$	472,773.18	\$	429,433.25		366,925.96
REVENUE									
TRANSFER IN - GENERAL FUND									
DEBT SERVICE WATER FEE (\$84.4/MONTH)	\$ 336,244.11	\$	232,565.13	\$	310,000.00	\$	346,715.52		330,000.00
AOS FEES	\$ 4,680.01	\$	1,161.30	\$	1,161.30	\$	-		
MALCOM RESTITUTION	\$ 277.97	\$	814.58	\$	814.58				
INTEREST INCOME	\$ 3,340.60	\$	180.58	\$	210.00	\$	4,000.00		300.00
TOTAL REVENUE	\$ 344,542.69	\$	234,721.59	\$	312,185.88	\$	780,148.77	\$	330,300.00
EXPENSES									
SERIES 2015A INTEREST	\$ 224,356.83	\$	193,050.00	\$	193,050.00	\$	193,050.00		190,675.00
SERIES 2015A PRINCIPAL		\$	50,000.00	\$	50,000.00	\$	50,000.00		50,000.00
SERIES 2015B INTEREST	\$ 80,047.92	\$	79,475.00	\$	79,475.00	\$	79,475.00		78,650.00
SERIES 2015B PRINCIPAL		\$	15,000.00	\$	15,000.00	\$	15,000.00		15,000.00
SERIES 2015 BANK FEES	\$ 3,337.81	\$	3,043.81	\$	3,060.00	\$	4,500.00		3,500.00
CONTINGENCY				\$	-	\$	5,000.00		5,000.00
TOTAL EXPENSES	\$ 307,742.56	\$	340,568.81	\$	340,585.00	\$	347,025.00	\$	342,825.00
DEBT SERVICE: ENDING BALANCE	\$ 472,773.18	\$	366,925.96	\$	444,374.06	\$	862,557.02	\$	354,400.96
OTHER FINANCING SOURCES (USES)									
SERIES 2015A DEBT SERVICE RESERVE FUND						\$	367,700.00		

**CASCADE METROPOLITAN DISTRICT NO. 1
2022 BUDGET
ENTERPRISE CAPITAL PROJECT FUND**

	2020 ACTUAL	2021 BUDGET
CAPITAL PROJECT FUND		
SERIES 2015A&B CAPITAL FUND: BEGINNING BALANCE	\$ 133,500.00	
REVENUES-SERIES 2015 BOND PROCEEDS		
TRANSFER IN FROM COST OF ISSUANCE		
INTEREST INCOME	\$ -	
TOTAL REVENUES	\$ -	\$ -
TOTAL REVENUE & FUND BALANCE	\$ 133,500.00	\$ -
EXPENSES		
CAPITAL IMPROVEMENTS	\$ 133,500.00	\$ -
LEGAL	\$ -	
ENGINEERING/INSPECTIONS	\$ -	
BANK FEES	\$ -	
MISCELLANEOUS	\$ -	
UTILITIES	\$ -	
TOTAL EXPENSES	\$ 133,500.00	\$ -
CAPITAL FUND: ENDING BALANCE	\$ -	\$ -

**CASCADE METROPOLITAN DISTRICT NO. 1
2022 BUDGET
GRANT CAPITAL PROJECT FUND**

	2020 ACTUAL	2021 BUDGET
GRANT PROJECT FUND		
BEGINNING BALANCE	\$ -	\$ -
REVENUES		
GRANT PROCEEDS	\$ 75,395.00	
INTEREST INCOME		\$ -
TOTAL REVENUES	\$ 75,395.00	\$ -
TOTAL REVENUE & FUND BALANCE	\$ 75,395.00	\$ -
EXPENSES		
CAPITAL IMPROVEMENTS	\$ 15,782.48	
LEGAL	\$ 11,568.83	
ENGINEERING	\$ -	
MISCELLANEOUS	\$ 250.00	
TOTAL EXPENSES	\$ 27,601.31	\$ -
TRANSFER TO GENERAL FUND	\$ (47,793.69)	
GRANT FUND: ENDING BALANCE	\$ -	\$ -

Resolution No. 2021-10-06

**RESOLUTION
OF THE
BOARD OF DIRECTORS
OF
CASCADE METROPOLITAN DISTRICT NO. 1**

**CERTIFYING DELINQUENT DEBT SERVICE FEES, ADMINISTRATIVE FEES
RATES, TOLLS, PENALTIES AND CHARGES TO EL PASO COUNTY TREASURER
FOR COLLECTION**

WHEREAS, the Cascade Metropolitan District No. 1 (the "District") was duly organized and validly exists pursuant to and in accordance with the Special District Act, §§ 32-1-101, *et seq.*, C.R.S.; and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the Board of Directors of the District (the "Board") is empowered to fix and from time to time increase or decrease certain fees, rates, tolls, penalties or charges for services, programs or facilities furnished by the District; and

WHEREAS, the District was the provider of water services to residents and owners within and outside of the District's boundaries; and

WHEREAS, on June 9, 2015, the district issued bonds in the form of the *Water Enterprise Revenue Refunding and Improvement Bonds, Series 2015A and Series 2015B* (collectively, the "Bonds"); and

WHEREAS, the District utilized the Bonds to improve the District's water distribution system, reduce water losses and to meet the construction standards required by Colorado Springs Utilities; and

WHEREAS, the District's water distribution system was converted to Colorado Springs Utilities on December 1, 2020 (the "Conversion"); and

WHEREAS, the District did not dissolve with the Conversion and will not be permitted to do so until such time as the debt incurred for the required improvements to the infrastructure has been repaid in full; and

WHEREAS, to repay the debt, and for ongoing administration functions necessary to remain in compliance with Colorado law, the District is required to impose and collect ongoing monthly debt service fees (the "Debt Service Fee") and monthly administrative fees (the

“Administrative Fee”); and

WHEREAS, pursuant to § 32-1-1101(l)(e), C.R.S., the District is permitted to have certain delinquent fees, rates, tolls, penalties, charges or assessments made or levied by the District certified to the El Paso County Treasurer (the "County Treasurer") for collection in the same manner as taxes; and

WHEREAS, the properties reflected on Exhibit A, attached hereto and incorporated herein by this reference (the "Delinquent Properties"), are delinquent in their Debt Service and Administrative Fees by at least six (6) months and by more than One Hundred Fifty Dollars (\$150); and

WHEREAS, the Delinquent Properties have outstanding delinquent fees rates, tolls, penalties, charges or assessments in the amounts set forth in Exhibit A (the "Delinquent Fees"); and

WHEREAS, pursuant to § 32-1-1101(l)(e), C.R.S., the District may elect, by resolution, at a public meeting held after receipt of notice by the Delinquent Properties, to certify the Delinquent Fees to the County Treasurer for collection; and

WHEREAS, on September 22, 2021, the District provided notice to the Delinquent Properties through written correspondence deposited in the United States mail; and

WHEREAS, the Board hereby considers the adoption of this Resolution at a public meeting, which meeting has been properly noticed in accordance with Colorado law; and

WHEREAS, the District, by this Resolution, desires to certify the Delinquent Fees to the County Treasurer for collection.

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

1. CERTIFICATION OF DELINQUENT FEES. The Board hereby elects to have the Delinquent Fees certified to the County Treasurer to be collected and paid over by the County Treasurer in the same manner as taxes are authorized to be collected and paid over pursuant to § 39-10-107, C.R.S. The Board hereby directs the District's Manager to certify to the County Treasurer the Delinquent Fees set forth in Exhibit A, attached hereto and incorporated herein by this reference (the "Certification"). Such Delinquent Fees shall be certified by no later than the deadline established by the County Treasurer in order to comply with State statutory and County certification deadlines.

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APPROVED AND ADOPTED this 26th day of October, 2021.

CASCADE METROPOLITAN DISTRICT NO. 1

By: _____
Officer of the District

ATTEST:

By: _____

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

EXHIBIT A

Delinquent Properties and Delinquent Fees

Street Address	Property Description	Past Due	Collection Fee	Total
4590 Hagerman Avenue	Assessor Parcel No. 8323307015	\$388.00	\$246.00	\$634.00
4620 Fountain Avenue	Assessor Parcel No. 8322403006	\$1,090.36	\$246.00	\$1,336.36
4675 Fountain Avenue	Assessor Parcel No. 8323300078	\$298.50	\$246.00	\$544.50
8302 Chipita Park Road	Assessor Parcel No. 8322100077	\$193.43	\$246.00	\$439.43