

**Resolution No. 2023-11-11**

**RESOLUTION  
ADOPTING BUDGET, APPROPRIATING FUNDS AND CERTIFYING MILL LEVIES  
FOR THE CALENDAR YEAR 2024**

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The Board of Directors of Whispering Waters Metropolitan District No. 5 (the “**Board**”), Town of Firestone, Weld County, Colorado (the “**District**”), held a regular meeting, via teleconference on November 13, 2023, at the hour of 9:00 a.m.

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

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NOTICE AS TO PROPOSED 2024 BUDGET

**FIRELIGHT IRRIGATION METROPOLITAN DISTRICT, FIRELIGHT COMMERCIAL METROPOLITAN DISTRICT, FIRELIGHT RESIDENTIAL METROPOLITAN DISTRICT, WHIISPERING WATERS IRRIGATION METROPOLITAN DISTRICT, AND WHIISPERING WATERS METROPOLITAN DISTRICT NOS. 1-6**

**NOTICE CONCERNING 2023 BUDGET AMENDMENT  
AND PROPOSED 2024 BUDGET**

NOTICE IS HEREBY GIVEN that the Boards of Directors (the “**Boards**”) of the FIRELIGHT IRRIGATION METROPOLITAN DISTRICT, FIRELIGHT COMMERCIAL METROPOLITAN DISTRICT, FIRELIGHT RESIDENTIAL METROPOLITAN DISTRICT, WHIISPERING WATERS IRRIGATION METROPOLITAN DISTRICT, AND WHIISPERING WATERS METROPOLITAN DISTRICT NOS. 1-6 (the “**Districts**”), the meetings will be held on Monday, November 13, 2023, at 9:30 A.M. via Zoom for the purpose of conducting such business as may come before the Boards including a public hearing on the 2024 proposed Budgets (the “**Proposed Budgets**”). The necessity may also arise for an Amendment to the 2023 Budgets (the “**Amended Budgets**”). This meeting can be joined using the following information:

<https://us06web.zoom.us/j/84946141386?pwd=S3hkZ2Fram1NcFBkMXdJNHlrcVg5Zz09>

Phone Number: (720) 707-2699

Meeting ID: 849 4614 1386

Passcode: 218551

NOTICE IS FURTHER GIVEN that the Proposed Budgets and Amended Budgets (if applicable) have been submitted to the Districts. A copy of the Proposed Budgets and Amended Budgets are on file at the District's office, 405 Urban Street, Suite 310, Lakewood, Colorado, where the same are open for public inspection.

Any interested elector of the Districts may file any objections to the Proposed Budgets and Amended Budgets at any time prior to final adoption of the Proposed Budgets or the Amended Budgets by the Boards.

**FIRELIGHT IRRIGATION METROPOLITAN DISTRICT, FIRELIGHT COMMERCIAL METROPOLITAN DISTRICT, FIRELIGHT RESIDENTIAL METROPOLITAN DISTRICT, WHIISPERING WATERS IRRIGATION METROPOLITAN DISTRICT, AND WHIISPERING WATERS METROPOLITAN DISTRICT NOS. 1-6**

By /s/ AJ Beckman  
District Manager

Publish in: Fort Lupton Press  
Publish on: November 9, 2023 (one time only)

WHEREAS, the Board has designated 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 and interested electors were given the opportunity to register their protest to the proposed budget prior to the 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 2024. 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 2024 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 2024 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 2024 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 2024 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. Mill Levy Adjustment. When developing the attached budget, consideration was given to any changes in the method of calculating assessed valuation, including any changes to the assessment ratios, or any constitutionally mandated tax credit, cut or abatement, as authorized in the District's service plan. The Board hereby determines in good faith (such determination to be binding and final), that to the extent possible, the adjustments to the mill levies made to account for changes in Colorado law described in the prior sentence, and the actual tax revenues generated by the mill levies, are neither diminished nor enhanced as a result of those changes.

Section 7. Certification to County Commissioners. The Board directs its legal counsel, manager, accountant or other designee to certify to the Board of County Commissioners of Weld 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 8. Appropriations. The amounts set forth as expenditures in the budget attached hereto are hereby appropriated.

Section 9. 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 10. 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 NOVEMBER 13, 2023.

**DISTRICT:**

**WHISPERING WATERS METROPOLITAN DISTRICT NO. 5**, a quasi-municipal corporation and political subdivision of the State of Colorado

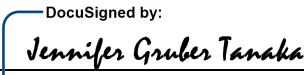
By:  \_\_\_\_\_  
Officer of the District

Attest:

By:  \_\_\_\_\_  
2330926B9FDB4B1...

**APPROVED AS TO FORM:**

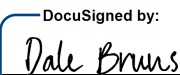
WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

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

STATE OF COLORADO  
COUNTY OF WELD  
WHISPERING WATERS METROPOLITAN DISTRICT NO. 5

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 via teleconference on November 13, 2023, as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 13<sup>th</sup> day of November 2023.

 \_\_\_\_\_  
Signature

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



**SCHILLING & COMPANY, INC.**

*Certified Public Accountants*

P.O. Box 631579  
HIGHLANDS RANCH, CO 80163

PHONE: 720.348.1086  
FAX: 720.348.2920

### **Accountant's Compilation Report**

Board of Directors  
Whispering Waters Metropolitan District No. 5  
Weld County, Colorado

Management is responsible for the accompanying budget of revenues, expenditures, and fund balances of Whispering Waters Metropolitan District No. 5 (District), for the year ending December 31, 2024, including the estimate of comparative information for the year ending December 31, 2023, and the actual comparative information for the year ending December 31, 2022, in the format required by Colorado Revised Statutes 29-1-105. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants. We did not examine or review the budget nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on the accompanying budget.

The budget is presented in accordance with the requirements of Colorado Revised Statutes 29-1-105, and is not intended to be a presentation in accordance with accounting principles generally accepted in the United States of America.

We are not independent with respect to Whispering Waters Metropolitan District No. 5.

*SCHILLING & COMPANY, INC.*

Highlands Ranch, Colorado  
January 7, 2024



**WHISPERING WATERS METROPOLITAN DISTRICT NO. 5  
PROPERTY TAX SUMMARY INFORMATION  
2024 BUDGET AS ADOPTED  
WITH 2022 ACTUAL AND 2023 ESTIMATED  
FOR THE YEARS ENDED AND ENDING DECEMBER 31,**

	<b>ACTUAL 2022</b>	<b>ADOPTED BUDGET 2023</b>	<b>ADOPTED BUDGET 2024</b>
Assessed Valuation			
Weld County	\$ 10	\$ 10	\$ 70
TIF District Reduction	-	-	(30)
Total Assessed Valuation	\$ 10	\$ 10	\$ 40
Mill Levy			
General Fund	-	-	-
Total Mill Levy	-	-	-
Tax Revenue Levied			
General Fund	\$ -	\$ -	\$ -
Total Tax Revenue Levied	\$ -	\$ -	\$ -

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

**WHISPERING WATERS METROPOLITAN DISTRICT NO. 5  
GENERAL FUND  
2024 BUDGET AS ADOPTED  
WITH 2022 ACTUAL AND 2023 ESTIMATED  
FOR THE YEARS ENDED AND ENDING DECEMBER 31,**

	<u>ACTUAL 2022</u>	<u>ESTIMATED 2023</u>	<u>ADOPTED BUDGET 2024</u>
<b>Beginning Funds Available</b>	\$ -	\$ -	\$ -
<b>Revenue</b>			
Developer Advances	-	-	10,000
<b>Total Revenue</b>	-	-	10,000
<b>Total Available</b>	-	-	10,000
<b>Expenditures</b>			
Intergovernmental transfer to Whispering Waters Irrigation Metropolitan District	-	-	10,000
<b>Total Expenditures requiring appropriation</b>	-	-	10,000
<b>Ending Funds Available</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<b>Emergency Reserve</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

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

**WHISPERING WATERS METROPOLITAN DISTRICT NO. 5  
2024 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Disclosures contained in this summary as presented by management, are those that are believed to be significant as of the date of the compilation report and are not intended to be all-inclusive. The disclosures are intended to describe assumptions used during the preparation of the 2024 annual budget. Actual results may differ from the prospective results contained in the budget.

**SERVICES PROVIDED**

The District was organized in 2017 along Whispering Waters Metropolitan District Nos. 3, 4 and 6. The Firelight Irrigation Metropolitan District, Firelight Commercial Metropolitan District, Firelight Residential Metropolitan District, Whispering Waters Irrigation Metropolitan District and Whispering Waters Metropolitan District No. 1 and 2 were organized in 2009. All of the Districts combined are referred to as the Districts. The Districts were organized in Weld County, Colorado and are governed pursuant to provisions of the Colorado Special District Act. The Districts were organized to finance, construct, acquire, and, if required or authorized by an intergovernmental agreement with the Town of Firestone, operate and maintain certain streets, traffic safety controls, street lighting, water, sanitary sewer, landscaping, storm sewers, flood and surface drainage and park and recreation improvements.

The District obtained voter approval to retain and spend any excess revenues collected under Article X, Section 20 of the Colorado Constitution.

The District prepares its budget on the modified accrual basis of accounting.

**REVENUE/EXPENDITURES**

*Intergovernmental Transfers*

The District is anticipating developer advances which will be transferred to Whispering Waters Irrigation Metropolitan District to provide funding for operating costs of the District.

**RESERVES**

The District is not anticipating any revenue that is subject to TABOR. Therefore, no emergency reserve is required.

This information is an integral part of the accompanying budget.