

Resolution No. 2024-11-09

**RESOLUTION
ADOPTING BUDGET, APPROPRIATING SUMS OF MONEY AND CERTIFYING
MILL LEVIES FOR THE CALENDAR YEAR 2025**

The Board of Directors of Whispering Waters Metropolitan District No. 5 (the “**Board**”), Town of Firestone, Weld County, Colorado (the “**District**”), held a special meeting, via teleconference on November 22, 2024, at the hour of 11:00 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 2025 BUDGET

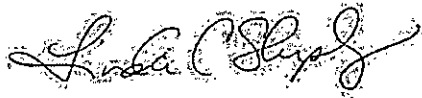
Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

Firelight & Whispering Waters MDs (Pub Alliance)**
c/o Public Alliance
405 Urban St., Suite 310
Lakewood CO 80228

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Weld } ss

This Affidavit of Publication for the Fort Lupton Press, a weekly newspaper, printed and published for the County of Weld, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 11/14/2024, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Fort Lupton Press

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 11/14/2024. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.

20134029363-924890

Jean Schaffer
Notary Public
My commission ends January 16, 2028



Public Notice

FIRELIGHT IRRIGATION
METROPOLITAN DISTRICT,
FIRELIGHT COMMERCIAL
METROPOLITAN DISTRICT,
FIRELIGHT RESIDENTIAL
METROPOLITAN DISTRICT,
WHISPERING WATERS IRRIGATION
METROPOLITAN DISTRICT, AND
WHISPERING WATERS
METROPOLITAN DISTRICT NOS. 1-8

NOTICE CONCERNING 2024 BUDGET AMENDMENT AND PROPOSED 2025 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, WHISPERING WATERS IRRIGATION METROPOLITAN DISTRICT, AND WHISPERING WATERS METROPOLITAN DISTRICT NOS. 1-8 (the "Districts"), the meetings will be held on Friday, November 22, 2024, at 11:00 A.M. via Zoom for the purpose of conducting such business as may come before the Boards including a public hearing on the 2025 proposed Budgets (the "Proposed Budgets"). The necessity may also arise for an Amendment to the 2024 Budgets (the "Amended Budgets"). This meeting can be joined using the following information:

<https://us02web.zoom.us/j/7636703470>
Phone Number: (720) 707-2699
Meeting ID: 763 670 3470
Passcode: #

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 Districts' offices, 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, WHISPERING WATERS IRRIGATION METROPOLITAN DISTRICT, AND WHISPERING WATERS METROPOLITAN DISTRICT NOS. 1-8

By /s/ AJ Beckman
District Manager

Legal Notice No. FLP1157
First Publication: November 14, 2024
Last Publication: November 14, 2024
Publisher: Fort Lupton Press

WHEREAS, the Board has appointed 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 available for inspection by the public at a designated place, a public hearing was held and interested electors of the District were provided a public comment period and given the opportunity to file any objections to the proposed budget prior to the 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 2025. 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 of Property Taxes. The Board does hereby certify the levy of property taxes for collection in 2025 as more specifically set out in the budget attached hereto.

Section 3. 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 4. 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 5. Appropriations. The amounts set forth as expenditures in the budget attached hereto are hereby appropriated from the revenue of each fund for the purposes stated.

Section 6. 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 7. Budget Certification. The budget shall be certified by a member of the District, or a person appointed by the District, and made a part of the public records of the District.

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ADOPTED NOVEMBER 22, 2024.

DISTRICT:

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

Signed by:
By: Reggie Golden
Officer of the District

ATTEST:

DocuSigned by:
By: Dale Brunns
2330926B9FDB4B1...

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

Signed by:
C. J. Stebbins
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 Friday, November 22, 2024, as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 22nd day of November, 2024.

DocuSigned by:
Dale Brunns
Signature 2330926B9FDB4B1...

EXHIBIT A
BUDGET DOCUMENT
BUDGET MESSAGE

WHISPERING WATERS METROPOLITAN DISTRICT NO. 5
ANNUAL BUDGET
FOR THE YEAR ENDING DECEMBER 31, 2025



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, 2025, including the estimate of comparative information for the year ending December 31, 2024, and the actual comparative information for the year ending December 31, 2023, 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
December 9, 2024

**WHISPERING WATERS METROPOLITAN DISTRICT NO. 5
PROPERTY TAX SUMMARY INFORMATION
2025 BUDGET AS ADOPTED
WITH 2023 ACTUAL AND 2024 ESTIMATED
FOR THE YEARS ENDED AND ENDING DECEMBER 31,**

	<u>ACTUAL 2023</u>	<u>ADOPTED BUDGET 2024</u>	<u>ADOPTED BUDGET 2025</u>
Assessed Valuation			
Weld County	\$ 10	\$ 70	\$ 70
TIF District Reduction	-	(30)	(33)
Total Assessed Valuation	<u>\$ 10</u>	<u>\$ 40</u>	<u>\$ 37</u>
Mill Levy			
General Fund	-	-	-
Total Mill Levy	<u>-</u>	<u>-</u>	<u>-</u>
Tax Revenue Levied			
General Fund	\$ -	\$ -	\$ -
Total Tax Revenue Levied	<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
GENERAL FUND
2025 BUDGET AS ADOPTED
WITH 2023 ACTUAL AND 2024 ESTIMATED
FOR THE YEARS ENDED AND ENDING DECEMBER 31,**

	<u>ACTUAL 2023</u>	<u>ESTIMATED 2024</u>	<u>ADOPTED BUDGET 2025</u>
Beginning Funds Available	\$ -	\$ -	\$ -
Revenue			
Developer Advances	-	-	10,000
Total Revenue	-	-	10,000
Total Available	-	-	10,000
Expenditures			
Intergovernmental transfer to Whispering Waters Irrigation Metropolitan District	-	-	10,000
Total Expenditures requiring appropriation	-	-	10,000
Ending Funds Available	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Emergency Reserve	<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
2025 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 2025 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.