

**RESOLUTION**  
**ADOPTING BUDGET, APPROPRIATING FUNDS AND CERTIFYING MILL LEVIES**  
**FOR THE CALENDAR YEAR 2023**

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The Board of Directors of Triangle Logistics Center Commercial Metropolitan District (the “**Board**”), City of Commerce City, Adams County, Colorado (the “**District**”), held a regular meeting, via teleconference on October 6, 2022 , at the hour of 2:00 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.

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NOTICE AS TO PROPOSED 2023 BUDGET

# AFFIDAVIT

Invoice #: A40043228  
Account #: A30032496  
Invoice Date: 9/29/2022

**BILL TO:**

WHITE BEAR ANKELE TANAKA & WALDRON  
ALYSSA K. RIOS  
2154 E COMMON AVE STE 2000  
CENTENNIAL, COLORADO 80122

**ADVERTISER:**

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**PUBLICATION:** Denver Daily Journal Legal

STATE OF COLORADO  
COUNTY OF DENVER

I, CYNTHIA SERRANO, OF THE COUNTY OF MERCER, STATE OF NEW JERSEY, HAVING DULY BEEN SWORN, DEPOSES AND SAYS:

I AM NOW AND AT ALL TIMES HEREINAFTER MENTIONED A CITIZEN OF THE UNITED STATES OF AMERICA, OVER TWENTY-ONE YEARS OF AGE, AND COMPETENT TO BE A WITNESS ON THE HEARING OF THE MATTERS MENTIONED IN THE ANNEXED PRINTED COPY NOTICE HEREINAFTER SET FORTH; I HAVE NO INTEREST WHATSOEVER IN ANY OF THE SAID MATTERS; I AM NOW AND DURING ALL TIMES EMBRACED IN THE PUBLICATION HERIN MENTIONED AS THE CHIEF CLERK OF THE NEWSPAPER, A NEWSPAPER OF GENERAL CIRCULATION PRINTED AND PUBLISHED IN SAID COUNTY; AS CLERK DURING ALL TIMES MENTIONED IN THE AFFIDAVIT I HAVE HAD AND STILL HAVE CHARGE OF ALL ADVERTISEMENT AND NOTICES PUBLISHED IN SAID NEWSPAPER; THAT SAID LEGAL NOTICE OF WHICH THE ANNEXED IS A TRUE PRODUCTION COPY OF THE PRINTED PAGE IN WHICH THE ADVERTISEMENT WAS PUBLISHED IN THE ABOVE NAMED NEWSPAPER ON THE FOLLOWING DAYS TO WIT:

09/28/22; NOTICE OF PUBLIC HEARING ON THE AMENDED 2022 BUDGET; TRIANGLE LOGISTICS CENTER COMMERCIAL METROPOLITAN DISTRICT

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

SIGNED,

*Cynthia Serrano*

CLERK

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## FIRST PUBLICATION

480

### NOTICE

On **September 9, 2022**, a business applied for a **Permanent Modification of Premises to the existing Brew Pub Liquor License that has a Standard Cabaret at this location, 3120 Uinta St., Denver, CO 80238**.

The name of the entity is **FCQVR, LLC**, doing business as **FlyteCo Brewing**, at 3120 Uinta St. Denver, CO 80238. The partners, managers, or officers are: Morgan O'Sullivan, Owner; Eric Serani, Owner; Jason Slingsby, Owner.

A **virtual** hearing on this application will be on **October 19, 2022 at 9:00 a.m.** Please contact the Department of Excise and Licenses at (720) 865-2685 for participation information. If you would like to request a night hearing, please do so by **October 12, 2022**. The request must be made in writing at least five days prior to the scheduled hearing date.

A map of the designated area is attached to this notice. Petitions regarding the application will be circulated within this designated area. All petitions must be filed with the Department on **October 11, 2022**.

More information about the hearing process may be found at [www.denvergov.org](http://www.denvergov.org) or by contacting 311.

**DIRECTOR OF EXCISE AND LICENSES**

Published: September 28, 2022 in The Daily Journal

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### NOTICE OF FINAL SETTLEMENT

CITY OF AURORA, COLORADO

DATE: September 19, 2022

PURCHASE ORDER NO. 22P0314K

PROJECT NO: 5860A

PROJECT TITLE:

Lift Station 7 Demolition

CONTRACTOR:

Glacier Construction

9801 East Easter Avenue

Englewood, Co 80112

Notice is hereby given that the City of Aurora intends to start processing the Final Payment to the above-named Contractor on **October 7th, 2022**, provided no claims are received.

Any person or firm having debts against the Contractor must file a proper written notice with the Contract Coordinator, City of Aurora, Purchasing and Contract Services Division, 15151 East Alameda Parkway Suite 5700, Aurora, Colorado 80012, on or before the above date.

**CITY OF AURORA, COLORADO**

BY: Nathan Jones

Procurement Supervisor

Published: September 28 & 29, 2022 in The Daily Journal

### NOTICE OF PUBLIC HEARING ON THE AMENDED 2022 BUDGET

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### AND NOTICE OF PUBLIC HEARING ON THE PROPOSED 2023 BUDGET

**NOTICE IS HEREBY GIVEN** that the Board of Directors (the "Board") of the TRIANGLE LOGISTICS CENTER COMMERCIAL METROPOLITAN DISTRICT (the "District"), will hold a meeting via teleconference on October 6, 2022 at 2:00 P.M., for the purpose of conducting such business as may come before the Board including a public hearing on the 2023 proposed budget (the "Proposed Budget"). The necessity may also arise for an amendment to the 2022 budget (the "Amended Budget"). This meeting can be joined using the following teleconference information:

Join Zoom Meeting  
<https://us06web.zoom.us/j/89548455924?pwd=QlBHSnVmcmJMSVJvVOM5TFE0eWxtZz09>  
Meeting ID: 895 4845 5924  
Passcode: 869941  
Call-In Number: 720-707-2699

**NOTICE IS FURTHER GIVEN** that the Proposed Budget and Amended Budget (if applicable) have been submitted to the District. A copy of the Proposed Budget and Amended Budget are on file in the office of Clifton Larson Allen LLP, 8390 E Crescent Pkwy #300, Englewood, CO 80111, where the same are open for public inspection.

Any interested elector of the District may file any objections to the Proposed Budget and Amended Budget at any time prior to final adoption of the Proposed Budget or the Amended Budget by the Board. This meeting is open to the public and the agenda for any meeting may be obtained by calling (303) 858-1800.

BY ORDER OF THE BOARD OF DIRECTORS:

**TRIANGLE LOGISTICS CENTER COMMERCIAL METROPOLITAN DISTRICT**, a quasi-municipal corporation and political subdivision of the State of Colorado

By **WHITE BEAR ANKELE TANAKA & WALDRON**  
Attorneys at Law

Published: September 28, 2022 in The Daily Journal

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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 2023. 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 2023 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 2023 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 2023 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 2023 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 Adams 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 THIS OCTOBER 6, 2022.

**DISTRICT:**

**TRIANGLE LOGISTICS CENTER  
COMMERCIAL METROPOLITAN  
DISTRICT** , a quasi-municipal corporation and  
political subdivision of the State of Colorado

By: *Bruce O'Donnell*  
Bruce O'Donnell (Oct 12, 2022 15:49 MDT)  
Officer of the District

Attest:

By: *[Signature]*

**APPROVED AS TO FORM:**

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

*Megan G. Murphy*  
General Counsel to the District

STATE OF COLORADO  
COUNTY OF ADAMS  
TRIANGLE LOGISTICS CENTER COMMERCIAL METROPOLITAN DISTRICT

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 Thursday, October 6, 2022, as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 14 day of  
November, 2022.

*[Signature]*



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

**TRIANGLE LOGISTICS CENTER COMMERCIAL  
METROPOLITAN DISTRICT**

**ANNUAL BUDGET**

**FOR THE YEAR ENDING DECEMBER 31, 2023**

**TRIANGLE LOGISTICS CENTER COMMERCIAL METRO DISTRICT  
PROPERTY TAX SUMMARY INFORMATION  
2023 BUDGET  
WITH 2021 ACTUAL AND 2022 ESTIMATED  
For the Years Ended and Ending December 31,**

1/26/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
<b>ASSESSED VALUATION</b>			
Commercial	\$ -	\$ 102,360	\$ 99,940
State assessed	-	-	10
Vacant land	-	-	30
Personal property	-	-	210
Certified Assessed Value	<u>\$ -</u>	<u>\$ 102,360</u>	<u>\$ 100,190</u>
<b>MILL LEVY</b>			
General	0.000	0.000	0.000
Total mill levy	<u>0.000</u>	<u>0.000</u>	<u>0.000</u>
<b>PROPERTY TAXES</b>			
General Fund	\$ -	\$ -	\$ -
Budgeted property taxes	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<b>BUDGETED PROPERTY TAXES</b>			
General	\$ -	\$ -	\$ -
	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

No assurance provided. See summary of significant assumptions.

**TRIANGLE LOGISTICS CENTER COMMERCIAL METRO DISTRICT  
GENERAL FUND  
2023 BUDGET  
WITH 2021 ACTUAL AND 2022 ESTIMATED  
For the Years Ended and Ending December 31,**

1/26/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCE	\$ -	\$ -	\$ -
REVENUES			
Developer advance	-	13,699	45,000
Total revenues	<u>-</u>	<u>13,699</u>	<u>45,000</u>
Total funds available	<u>-</u>	<u>13,699</u>	<u>45,000</u>
EXPENDITURES			
General and administrative			
Accounting	-	4,000	10,000
Legal	-	8,000	25,000
Election	-	-	2,500
Insurance	-	1,504	2,100
Dues and memberships	-	195	500
Miscellaneous	-	-	2,500
Contingency	-	-	2,400
Total expenditures	<u>-</u>	<u>13,699</u>	<u>45,000</u>
Total expenditures and transfers out requiring appropriation	<u>-</u>	<u>13,699</u>	<u>45,000</u>
ENDING FUND BALANCE	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
EMERGENCY RESERVE	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

No assurance provided. See summary of significant assumptions.

**TRIANGLE LOGISTICS CENTER COMMERCIAL METRO DISTRICT  
2023 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Services Provided**

Triangle Logistics Center Commercial Metro District (District), a quasi-municipal corporation and political subdivision of the State of Colorado, was organized by order and decree of the District Court for Adams County on May 13, 2022, and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The District was established for planning, design, constructing, and financing public improvements for the development.

The District has no employees and all administrative functions are contracted.

The District prepares its budget on the modified accrual basis of accounting in accordance with 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 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**

**Developer Advance**

The District is in the development stage. As such, the Developer is expected to fund a portion of operating expenditures in 2023. Developer advances are recorded as revenue for budget purposes with an obligation for future repayment when the District is financially able to reimburse the Developer.

**Expenditures**

**General and Administrative Expenditures**

General and administrative expenditures include the estimated costs of services necessary to maintain the District's administrative viability such as legal, accounting, district management, insurance, and membership dues.

**Debt and Leases**

The District has no outstanding debt. The District has no operating or capital leases.

**Reserves**

**Emergency Reserve**

The District has provided for an emergency reserve fund equal to at least 3% of fiscal year spending for 2023, as defined under TABOR. The emergency reserve is zero due to the fact that none of the District's revenue sources are subject to the requirements of TABOR.

**This information is an integral part of the accompanying budget.**