

POMPONIO TERRACE METROPOLITAN DISTRICT

www.pomponiodistrict.com

Sara Dieringer, Secretary/Treasurer	Term to May 2023
Vacant	Term to May 2023
Jen Newman, Assistant Secretary	Term to May 2025
Christina Perry, Assistant Secretary	Term to May 2023
Vacant	Term to May 2025

NOTICE OF SPECIAL MEETING

Tuesday, July 19, 2022

3:00 P.M.

Join Zoom Meeting

<https://zoom.us/j/98144136469?pwd=c1VxVExQdk1rL3d3NW54bWkrd3hYUT09>

Call In #: 1-669-900-9128

Meeting ID: 981 4413 6469

Passcode: 338666

AGENDA

1. Call to Order/Declaration of Quorum
2. Conflicts of Interest/Reaffirmation of Disclosures
3. Approval of Agenda
4. Consider Appointment of Directors
5. Election of Officers
6. Public Comment – Members of the public may express their views to the Board on matters that affect the District. Comments will be limited to three (3) minutes per person.
7. Consent Agenda (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 the Consent Agenda and considered in the Regular Agenda) (Enclosures)
 - a. Consider Approval of Minutes from March 23, 2022 meeting (**enclosure**)
8. Operations/Manager Matters
 - a. Manager’s Report (**enclosure**)
 - b. Delinquency status
 - c. Newsletter
 - d. Free Library construction
 - e. Security Signs/Neighborhood watch
 - f. Trash can Storage not governing documents
9. Financial Matters
 - a. Consider Acceptance of financials (*if available*)
 - b. Consider Approval of Payables and Claims (**enclosure**)

- c. Conduct Public Hearing on 2021 Budget Amendment and Consider Adoption of Resolution Amending 2021 Budget (**enclosure**)
- 10. Legal Matters
- 11. Director's Matters
- 12. Other Business
- 13. Adjourn

2022 Regular Meeting Schedule

August 22 nd at 3:00 p.m.
November 28 th at 3:00 p.m.

**MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS
OF
POMPONIO TERRACE METROPOLITAN DISTRICT**

NOTICE OF MEETING Wednesday, March 23, 2022, 3:00 P.M.

Attendance

The special meeting of the Board of Directors of Pomponio Terrace Metropolitan District was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Sara Dieringer
Marc Volland
Jen Newman
Christina Perry

Also present was Zachary P. White, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law; Angela Elliott, Don Cullen, and Cathren Kayce, Teleos Management Group; and Georgia Harland, Simons & Wheeler PC., and members of the public

**Call to
Order/Declaration of
Quorum**

It was noted that a quorum of the Board was present, and the meeting was called to order at 3:06 PM.

**Conflict of Interest
Disclosures**

Mr. White advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. White inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda

Mr. White presented the proposed agenda to the Board for consideration. Following discussion, upon a motion duly made by Director Volland and seconded by Director Newman, the Board unanimously approved agenda.

Public Comment

Public Comment – Members of the public may express their views to the Board on matters that affect the Districts that are not otherwise on the agenda. Comments will be limited to three (3) minutes per person.

Consent Agenda

(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 the Consent Agenda and considered in the Regular Agenda) (Enclosures)

- a. Consider Approval of Minutes from November 21, 2021, special meeting (enclosure).

It was noted that the accounting representative listed was incorrect, approval of the meeting minutes was removed from Consent Agenda items.

Upon motion duly made and seconded, the following item on the consent agenda was unanimously approved.

- b. Consider Adoption of Resolution Designating 24-Hour Posting Location (enclosure)

Approval of November 21, 2021 Meeting Minutes

Following discussion on correct District Accountant from Diane Wheeler to Georgia Harland, upon motion duly made, seconded, upon vote and unanimously carried, the November 21, 2021, minutes were approved as corrected.

Operations/Manager Matters

Ms. Elliott / Mr. Cullen have provided the managers' report in advance for review. Ms. Elliott noted that all statutory reporting from the districts last meeting had been filed, including but not limited to certifying the mill levy, DLG map filing, transparency notice and filing of the Districts 2022 Budget. She further noted the website is in compliance with the new revised statute.

- a. Manager's Report – discussion followed on the community free library and Manager Cullen will complete coordination with the board. Further discussion followed on trash can storage that was not in the governing documents. This item will be on the next agenda.
- b. Delinquency status - discussion followed on the homeowner's attorney in correspondence without attorney and a payment plan was to be effective February. However, no payments have been received and Management will contact legal counsel for next step.
- c. Newsletter - Director Newman discussed the 1st newsletter had gone out and she and Management will start on the 2nd newsletter.

d. Update regarding the artificial turf installed at 6900 Canosa St
The Homeowners was present at the meeting and stated that they have an email from Adams County stating that no variance is needed for their property. However, Board still requests that a physical document (email or letter) from Adams County be provided to allow the artificial remain in place. Don Cullen (Teleos Services) spoke to David DeBoskey (Planner with Adams County) and recommends that homeowners reach out again to Mr. Deboskey regarding an action plan for current front yard landscape. Board's assumption is that artificial turf is NOT allowed in the front yard and permission is needed from Adams County Planner to consider approval of front yard landscape (artificial turf). Should approval be provided the Pomponio Metro District Design Review Committee would then begin a review of landscape.

e. Concerns/complaint that ATV's are accessing the Little Creek Trail through our community and damaging the native grass/common area.
Manager Cullen noted that homeowners should call Adams County NON-Emergency Line 303-288-1535 when ATV's are onsite.

7. Financial Matters

a. Consider Acceptance of December 31, 2021, financials (if available)
Ms. Harland presented the draft of the Audit for 2021 and walked the Board through the review of the various sections and Notes of the financial statement.

b. Consider Approval of Payables and Claims
Ms. Harland presented the claims, check # 2029 through 2034 in the amount of \$7,161.31 and check # 2035 through 2041 in the amount of \$15,159.09.

Following discussion, upon motion duly made by Director Perry, seconded by Director Volland, upon vote and unanimously carried, the Board approved (or did they ratify) the payment of claims in the amounts \$7161.31 and \$15,159.09 through January 2022.

c. Consider Approval of Audit Fee Engagement Letter
Ms. Harland discussed the audit has been prepared by Hiratsuka and Associates in the amount of \$5,000.

Following discussion, upon a motion duly made by Director Newman, seconded by director Volland, upon vote and unanimously carried, the Board approved the Audit Fee Agreement with Hiratsuka and Associations in the amount of \$5000 for the Audit to be completed by September 2022.

d. Amendment to 2021 Budget
Ms. Harland discussed the Debt Service Fund will need to be amended prior to the Audit. Mr. White recommended Manager Elliott to coordinate with Simmons and Wheeler on the timing and publication of budget hearing meeting to amend the 2021 Debt Service Fund Budget.

Legal Matters

a. Election Update

Mr. White discussed the status of the election for May 3, 2022 has been cancelled, leaving 2 vacancies on the board after the election, one seat for 2023 and the other for 2025.

Director's Matters

a. Jen Newman - Consideration to create Social Committee, coordinate neighborhood events. Committee would likely require a few volunteers and potentially a small expense fund.

Discussion on the creation of Social Committee. Manger Elliott suggested that Social committee be suggested in next newsletter, suggested event ideas like food trucks, holiday events, etc.

Other Business

Director Sara Dieringer provided a construction update. New Amenity Space near completion (concrete ping pong tables and corn hole) however will not officially open until summer.

Completion of the Townhomes (between 70th and 69th Ave) estimated completion date October/November of 2022.

The project to the South isn't expected to be completed until 2024/25.

Board question regarding the open lot (70th and Eliot St) No construction is/has been identified at this time. Lot is currently owned by Diana Adams LLC Director Deringer noted that a plan was in place to seed and landscape (details TBD)

Board also questioned the removal of trailer that currently sits on vacant lot. Mr. White will inquire to timeline and possible removal.

Adjourn

There being no further business to come before the Board and following discussion and upon a motion duly made by Director Volland, seconded by Director Dieringer, upon vote and unanimously carried, the Board determined to adjourn the meeting at 4:36 pm.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Secretary for the Meeting

Pomponio Terrace Metropolitan District - Management Report July 2022

Covenant Enforcement Surveys –

- March 14 2022
- April 19th 2022
- May 6 2022
- May 28 2022
- June 10 2022
- June 24 2022
- June 30 2022
- July 16 2022

Design Review Committee Meetings

- 6849 Canosa St – landscape
- 6920 Clay St – landscape
- 6877 Decatur – Pergola
- 6925 Clay St – Landscape
- 2713 W 68th Ave - two person barrel sauna.
- 6873 Eliot St. - Rooftop Solar

Meeting With Vendors/homeowners onsite

- Schultz Weed Mitigation Broadleaf Spray (scheduled maintenance June 2022)
- Schultz landscape update use link
<https://www.google.com/maps/d/u/0/edit?mid=1xVo8tXv6j3PjSkaTleA02DG8vbn41OY&usp=sharing>

Ongoing Covenant Questions: 6900 Canosa St - Artificial Turf installed front yard.

- Pomponio Metro Dist. BOD allowed homeowner to seek permission/approval from Adams County.
- Attached is the application to submit for a PUD Minor Amendment. This was provided to homeowner but not submitted to Adams County
- As part of the request seeking permission from Adams County, Homeowner provided the attached landscape plan. Because DRC was waiting on Adams County and BOD decision This (Front Yard) plan has NOT been officially reviewed DRC.

Pomponio Terrace Metropolitan District
Financial Statements

April 30, 2022

ACCOUNTANT'S COMPILATION REPORT

Board of Directors
Pomponio Terrace Metropolitan District

Management is responsible for the accompanying financial statements of each major fund of Pomponio Terrace Metropolitan District, as of and for the period ended April 30, 2022 which are comprised of the Balance Sheet and the related Statement of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Governmental Funds and account groups for the four months then ended in accordance with accounting principles generally accepted in the United States of America. We have performed a compilation engagement in accordance with the Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements 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 these financial statements.

Management has elected to omit the Statement of Net Position, Statement of Activities, Management Discussion and Analysis and all of the disclosures required by accounting principles generally accepted in the United States of America. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the District's financial position and results of operations. Accordingly, the financial statements are not designed for those who are not informed about such matters.

We are not independent with respect to Pomponio Terrace Metropolitan District because we performed certain accounting services that impaired our independence.

Simmons & Wheeler P.C.

June 21, 2022
Englewood, Colorado

Pomponio Terrace Metropolitan District
Balance Sheet - Governmental Funds and Account Groups
April 30, 2022

See Accountant's Compilation Report

	<u>General</u>	<u>Capital</u>	<u>Debt</u>	<u>Account</u>	<u>Total</u>
<u>Assets</u>	<u>Fund</u>	<u>Fund</u>	<u>Service</u>	<u>Groups</u>	<u>All Funds</u>
Current assets					
Cash in checking	\$ 2,317	\$ -	\$ -	\$ -	\$ 2,317
Cash in checking mgmt (Teleos)	48,825	22,479	29,309	-	100,613
Cash in Csafe	-	-	142,867	-	142,867
Cash with Trustee	-	-	468,779	-	468,779
Taxes Receivable	1,094	-	6,862	-	7,956
Receivable fees	<u>2,429</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>2,429</u>
	<u>54,665</u>	<u>22,479</u>	<u>647,817</u>	<u>-</u>	<u>724,961</u>
Other assets					
Improvements	-	-	-	-	-
Amount available in debt service fund	-	-	-	647,817	647,817
Amount to be provided for retirement of debt	<u>-</u>	<u>-</u>	<u>-</u>	<u>5,993,183</u>	<u>5,993,183</u>
	<u>-</u>	<u>-</u>	<u>-</u>	<u>6,641,000</u>	<u>6,641,000</u>
	<u>\$ 54,665</u>	<u>\$ 22,479</u>	<u>\$ 647,817</u>	<u>\$ 6,641,000</u>	<u>\$ 7,365,961</u>
Liabilities and Equity					
Current liabilities					
Accounts payable	\$ 12,876	\$ -	\$ -	\$ -	\$ 12,876
Accounts payable - Operations	140	-	-	-	140
Prepaid fees	<u>3,919</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>3,919</u>
	<u>16,935</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>16,935</u>
2019 A GO Bonds	-	-	-	5,825,000	5,825,000
2019 B GO Bonds	<u>-</u>	<u>-</u>	<u>-</u>	<u>816,000</u>	<u>816,000</u>
Total liabilities	<u>16,935</u>	<u>-</u>	<u>-</u>	<u>6,641,000</u>	<u>6,657,935</u>
Fund Equity					
Investment in improvements	-	-	-	-	-
Fund balance (deficit)	<u>37,730</u>	<u>22,479</u>	<u>647,817</u>	<u>-</u>	<u>708,026</u>
	<u>37,730</u>	<u>22,479</u>	<u>647,817</u>	<u>-</u>	<u>708,026</u>
	<u>\$ 54,665</u>	<u>\$ 22,479</u>	<u>\$ 647,817</u>	<u>\$ 6,641,000</u>	<u>\$ 7,365,961</u>

Pomponio Terrace Metropolitan District
Statement of Revenues, Expenditures and Changes in Fund Balance
Governmental Funds
Budget and Actual
For the Four Months Ended April 30, 2022
General Fund

See Accountant's Compilation Report

	Annual Budget	Actual	Variance Favorable (Unfavorable)
Revenues			
Property taxes	\$ 41,199	\$ 21,432	\$ (19,767)
Specific ownership taxes	3,301	447	(2,854)
Homeowner assessments	67,000	38,779	(28,221)
Transfer from Operations	35,000	-	(35,000)
Interest income	100	1	(99)
	<u>146,600</u>	<u>60,659</u>	<u>(85,941)</u>
Expenditures			
Accounting & Audit	15,000	2,567	12,433
Insurance/SDA Dues	5,360	4,837	523
Legal	20,000	4,215	15,785
Election	2,500	655	1,845
Water sewer	15,000	1,767	13,233
Gas and electric	3,000	604	2,396
Trash removal	13,000	3,642	9,358
Snow removal	20,000	18,635	1,365
Landscape	32,000	1,312	30,688
Landscape enhancements	10,000	-	10,000
Pest control	1,000	-	1,000
Winter water	2,000	-	2,000
Backflow testing	950	-	950
Irrigation repairs	4,000	-	4,000
Mangement fee	17,850	6,924	10,926
Transfer to Capital Fund	12,000	-	12,000
Transfer to Operations	-	-	-
Treasurer's Fees	618	321	297
Miscellaneous	500	300	200
Contingency	3,743	-	3,743
Emergency Reserve	4,883	-	4,883
	<u>183,404</u>	<u>45,779</u>	<u>137,625</u>
Excess (deficiency) of revenues over expenditures	(36,804)	14,880	51,684
Fund balance - beginning	<u>36,804</u>	<u>22,850</u>	<u>(13,954)</u>
Fund balance - ending	<u>\$ -</u>	<u>\$ 37,730</u>	<u>\$ 37,730</u>

Pomponio Terrace Metropolitan District
 Statement of Revenues, Expenditures and Changes in Fund Balance
 Governmental Funds
 Budget and Actual
 For the Four Months Ended April 30, 2022
 Capital Fund

See Accountant's Compilation Report

	Annual <u>Budget</u>	<u>Actual</u>	Variance Favorable (Unfavorable)
Revenues			
Bond Proceeds	\$ -	\$ -	\$ -
Developer Advances	-	-	-
Interest income	-	-	-
	<u>-</u>	<u>-</u>	<u>-</u>
Expenditures			
Bond Issuance Costs	-	-	-
Transfer to Debt Svc	-	-	-
Repay developer advance	-	-	-
Contingency	-	-	-
Capital Projects	<u>22,479</u>	<u>-</u>	<u>22,479</u>
	<u>22,479</u>	<u>-</u>	<u>22,479</u>
Excess (deficiency) of revenues over expenditures	(22,479)	-	22,479
Fund balance - beginning	<u>22,479</u>	<u>22,479</u>	<u>-</u>
Fund balance - ending	<u>\$ -</u>	<u>\$ 22,479</u>	<u>\$ 22,479</u>

Pomponio Terrace Metropolitan District
Statement of Revenues, Expenditures and Changes in Fund Balance
Governmental Funds
Budget and Actual
For the Four Months Ended April 30, 2022
Debt Service Fund

See Accountant's Compilation Report

	Annual Budget	Actual	Variance Favorable (Unfavorable)
Revenues			
Property taxes	\$ 258,449	\$ 134,462	\$ (123,987)
Specific ownership taxes	20,676	2,804	(17,872)
Interest income	<u> -</u>	<u> 375</u>	<u> 375</u>
	<u>279,125</u>	<u>137,641</u>	<u>(141,484)</u>
Expenditures			
Bond Interest Expense	291,250	-	291,250
Treasurer's Fees	3,877	2,017	1,860
Trustee/Paying Agent Fees	<u>6,000</u>	<u>3,500</u>	<u>2,500</u>
	<u>301,127</u>	<u>5,517</u>	<u>295,610</u>
Excess (deficiency) of revenues over expenditures	(22,002)	132,124	154,126
Fund balance - beginning	<u>517,567</u>	<u>515,693</u>	<u>(1,874)</u>
Fund balance - ending	<u>\$ 495,565</u>	<u>\$ 647,817</u>	<u>\$ 152,252</u>

Account	PO/Cont	Check #	Invoice	Date	Date Paid	Description	Amount
01-000-09050	0	2042	32607	02/28/2022	03/23/2022	02 Accounting	1,095.50
	**** TOTAL ****			Simmons & Wheeler, P.C.			1,095.50
01-000-09300	0	2043	20887	02/28/2022	03/23/2022	02 Legal	1,379.28
	**** TOTAL ****			White Bear Ankele Tanaka			1,379.28
01-000-09100	0	2044	3/1/2022	02/28/2022	03/23/2022	03 District Mgmt	1,583.80
	**** TOTAL ****			Teleos, LLC			1,583.80
01-000-06412	0	2045	111672	02/28/2022	03/23/2022	02.17-24 Snow removal	4,657.50
	**** TOTAL ****			Schultz Industries Inc.			4,657.50
01-000-09050	0	2046	32797	03/31/2022	05/18/2022	03 Accounting	1,030.50
	**** TOTAL ****			Simmons & Wheeler, P.C.			1,030.50
01-000-09300	0	2047	21426	03/31/2022	05/18/2022	03 Legal	1,077.79
01-000-06510	0	2047	21426	03/31/2022	05/18/2022	03 Elections	439.21
01-000-09300	0	2047	21859	04/30/2022	05/18/2022	04 Legal	618.30
01-000-06510	0	2047	21859	04/30/2022	05/18/2022	04 Elections	215.25
	**** TOTAL ****			White Bear Ankele Tanaka			2,350.55
01-000-09100	0	2048	04.01.22	03/31/2022	05/18/2022	04 District Mgmt	1,583.80
	**** TOTAL ****			Teleos, LLC			1,583.80
01-000-09450	0	2049	3177	04/01/2022	05/18/2022	2022 Website Mgmt	150.00
	**** TOTAL ****			Pueblo Web Design			150.00
01-000-06412	0	2050	112065	03/31/2022	05/18/2022	04 Landscape Mgmt	4,815.00
01-000-06412	0	2050	112116	03/31/2022	05/18/2022	03.17 Snow removal	552.50
	**** TOTAL ****			Schultz Industries Inc.			5,367.50
01-000-06420	0	2051	916384108	03/15/2022	05/18/2022	3.14 Deep Root watering	656.00
	**** TOTAL ****			Davey Tree Company			656.00
01-000-09050	0	2052	33215	05/31/2022	07/08/2022	05 Accounting	549.75
	**** TOTAL ****			Simmons & Wheeler, P.C.			549.75
01-000-09300	0	2053	22345	05/31/2022	07/08/2022	05 Legal	960.43
01-000-06510	0	2053	22345	05/31/2022	07/08/2022	05 Elections	141.45
	**** TOTAL ****			White Bear Ankele Tanaka			1,101.88
01-000-09100	0	2054	05 31 22	05/31/2022	07/08/2022	05 District Mgmt	1,844.47
01-000-09100	0	2054	06 30 22	06/30/2022	07/08/2022	06 District Mgmt	2,011.77
01-000-06430	0	2054	06 30 22	06/30/2022	07/08/2022	Dog Stations & Installati	523.68
	**** TOTAL ****			Teleos, LLC			4,379.92
01-000-06420	0	2055	112283	04/30/2022	07/08/2022	05 Landscape Maint	4,815.00
01-000-06422	0	2055	112360	04/30/2022	07/08/2022	04.21 Irrigation Repair	538.76
01-000-06420	0	2055	112666	05/31/2022	07/08/2022	06 Landscape Maint	4,815.00
01-000-06422	0	2055	112718	05/31/2022	07/08/2022	05.24 Irrigation Repairs	52.75

Account	PO/Cont	Check #	Invoice	Date	Date Paid	Description	Amount
01-000-06422	0	2055	112892	06/15/2022	07/08/2022	06.15 Irrigation Repairs	52.75
**** TOTAL **** Schultz Industries Inc.							10,274.26
01-000-06420	0	2056	916443246	04/05/2022	07/08/2022	04.04 Deep Root Watering	656.00
**** TOTAL **** Davey Tree Company							656.00
*** GRAND TOTAL ***							36,816.24

Pomponio Terrace Metropolitan District

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - **DEBT SERVICE FUND**

For the Year Ended December 31, 2021

	Original & Final		Variance
	Budget	Actual	Favorable (Unfavorable)
REVENUES			
Property taxes	\$ 199,781	\$ 198,477	\$ (1,304)
Specific ownership taxes	15,982	12,451	(3,531)
Interest income	-	405	405
Total Revenues	215,763	211,333	(4,430)
EXPENDITURES			
Bond interest expense	291,250	291,250	-
Trustee fees	6,000	7,000	(1,000)
Treasurer's fees	2,997	2,980	17
Total Expenditures	300,247	301,230	(983)
NET CHANGE IN FUND BALANCE	(84,484)	(89,897)	(5,413)
FUND BALANCE:			
BEGINNING OF YEAR	610,032	605,589	(4,443)
END OF YEAR	\$ 525,548	\$ 515,692	\$ (9,856)

The notes to the financial statements are an integral part of these statements.