

**RESOLUTION**  
**TO ADOPT 2024 BUDGET, APPROPRIATE SUMS OF MONEY,**  
**AND AUTHORIZE THE CERTIFICATION OF THE TAX LEVY**  
**HIMALAYA WATER & SANITATION DISTRICT**

A RESOLUTION SUMMARIZING REVENUES AND EXPENDITURES FOR EACH FUND, ADOPTING A BUDGET, LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2024 TO HELP DEFRAY THE COSTS OF GOVERNMENT, AND APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE HIMALAYA WATER & SANITATION DISTRICT, ADAMS COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2024, AND ENDING ON THE LAST DAY OF DECEMBER, 2024,

WHEREAS, the Board of Directors of the HIMALAYA WATER & SANITATION DISTRICT has authorized its consultants to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed budget has been submitted to the Board of Directors of the District for its consideration; and

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was available for inspection by the public at a designated public office, a public hearing was held on November 21, 2023 and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues or planned to be expended from reserves or fund balances so that the budget remains in balance, as required by law; and

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from property tax revenue is \$ 475,412 ; and

WHEREAS, the Board of Directors finds that it is required to temporarily lower the operating mill levy to render a refund for \$ -0- ; and

WHEREAS, the amount of money necessary to balance the budget for voter-approved bonds and interest is \$ 179,425 ; and

WHEREAS, the amount of money necessary to balance the budget for contractual obligation purposes from property tax revenue as approved by voters from property tax revenue is \$ -0- ; and

WHEREAS, the amount of money necessary to balance the budget for capital expenditure purposes from property tax revenue as approved by voters or at public hearing is \$ -0- ; and

WHEREAS, the amount of money necessary to balance the budget for refunds/abatements is \$-0-\_\_\_\_\_ ; and

WHEREAS, the 2023 valuation for assessment for the District as certified by the County Assessor of County of Adams is \$261,934,750, and

WHEREAS, at an election held on November 8, 1994, the District has eliminated the revenue and expenditure limitations imposed on governmental entities by Article X, Section 20 of the Colorado Constitution and Section 29-1-301, C.R.S., as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HIMALAYA WATER & SANITATION DISTRICT OF ADAMS COUNTY, COLORADO:

Section 1. Adoption of Budget. That the budget as submitted, and attached hereto and incorporated herein by this reference, and if amended, then as amended, is hereby approved and adopted as the budget of the Himalaya Water & Sanitation District for calendar year 2024.

Section 2. Budget Revenues. That the estimated revenues for each fund as more specifically set out in the budget attached hereto are accepted and approved.

Section 3. Budget Expenditures. That the estimated expenditures for each fund as more specifically set out in the budget attached hereto are accepted and approved.

Section 4. Levy of General Property Taxes. That the Board of Directors does hereby certify the levy of general property taxes for collection in 2024 as follows:

A. Levy for General Operating and Other Expenses. That for the purposes of meeting all general operating expense of the District during the 2024 budget year, there is hereby levied a tax of 1.815 mills upon each dollar of the total valuation of assessment of all taxable property within the District for the year 2023.

B. Temporary Tax Credit or Rate Reduction. That pursuant to Section 39-1-111.5, C.R.S. for the purposes of effect of a refund for the purposes set forth in Section 20 of Article X of the Colorado Constitution, there is hereby certified a temporary property tax credit or temporary mill levy rate reduction of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the boundaries of the District for the year 2023.

C. Levy for General Obligation Bonds and Interest. That for the purposes of meeting all debt retirement expense of the District during the 2024 budget year, as the funding requirements of the current outstanding general obligation indebtedness is detailed in the following "Certification of Tax Levies," there is hereby levied a tax of 0.685 mills upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2023.

D. Levy for Contractual Obligations. That for the purposes of meeting the contractual obligation expense of the District during the 2024 budget year, as detailed in the

following "Certification of Tax Levies," there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2023.

E. Levy for Capital Expenditures. That for the purposes of meeting all capital expenditures of the District during the 2024 budget year pursuant to Section 29-1-301(1.2) or 29-1-302(1.5), C.R.S., 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 boundaries of the District for the year 2023.

F. Levy for Refunds/Abatements. That for the purposes of recoupment of refunds/abatements of taxes pursuant to Section 39-10-114(1)(a)(I)(B), C.R.S., 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 boundaries of the District for the year 2023.

Section 5. Property Tax and Fiscal Year Spending Limits. That, being fully informed, the Board finds that the foregoing budget and mill levies do not result in a violation of any applicable property tax or fiscal year spending limitation.

Section 6. Certification. That the appropriate officers of the District are hereby authorized and directed to certify by December 15, 2023, to the Board of County Commissioners of Adams County, Colorado, the mill levies for the District herein above determined and set, or be authorized and directed to certify to the Board of County Commissioners of Adams County, Colorado, as herein above determined and set, but as recalculated as needed upon receipt of the final certification of valuation from the County Assessor on or about December 10, 2023 in order to comply with any applicable revenue and other budgetary limits or to implement the intent of the District. That said certification shall be in substantially the form set out and attached hereto and incorporated herein by this reference.

Section 7. Appropriations. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached hereto, are hereby appropriated from the revenue of each fund, to each fund, for the purposes stated and no other.

*[remainder of page intentionally left blank; signature page follows]*

ADOPTED this 21<sup>st</sup> day of November, 2023.

HIMALAYA WATER & SANITATION DISTRICT

*Randall C Hertel*

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President

ATTEST:

*Jack Bailey*

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Secretary



ATTACH COPY OF THE ADOPTED BUDGET AND  
THE CERTIFICATION OF TAX LEVIES

**HIMALAYA WATER AND SANITATION DISTRICT**  
**ANNUAL BUDGET**  
**FOR THE YEAR ENDING DECEMBER 31, 2024**

**HIMALAYA WATER AND SANITATION DISTRICT  
SUMMARY  
2024 BUDGET  
WITH 2022 ACTUAL AND 2023 ESTIMATED  
For the Years Ended and Ending December 31,**

12/21/23

	ACTUAL 2022	ESTIMATED 2023	BUDGET 2024
BEGINNING FUND BALANCES	\$ 90,804	\$ 44,157	\$ 43,654
REVENUES			
Property taxes	417,635	444,655	654,837
Specific ownership taxes	33,291	29,644	45,839
Interest income	6,957	12,700	14,000
Loan issuance (Refunding)	-	-	3,852,000
Total revenues	<u>457,883</u>	<u>486,999</u>	<u>4,566,676</u>
Total funds available	<u>548,687</u>	<u>531,156</u>	<u>4,610,330</u>
EXPENDITURES			
General Fund	299,871	279,977	548,200
Debt Service Fund	204,659	207,525	4,046,130
Total expenditures	<u>504,530</u>	<u>487,502</u>	<u>4,594,330</u>
Total expenditures and transfers out requiring appropriation	<u>504,530</u>	<u>487,502</u>	<u>4,594,330</u>
ENDING FUND BALANCES	<u>\$ 44,157</u>	<u>\$ 43,654</u>	<u>\$ 16,000</u>
EMERGENCY RESERVE	\$ 7,800	\$ 8,300	\$ 16,000
AVAILABLE FOR OPERATIONS	29,355	23,649	-
TOTAL RESERVE	<u>\$ 37,155</u>	<u>\$ 31,949</u>	<u>\$ 16,000</u>

No assurance provided. See summary of significant assumptions.



**HIMALAYA WATER AND SANITATION DISTRICT  
PROPERTY TAX SUMMARY INFORMATION  
2024 BUDGET  
WITH 2022 ACTUAL AND 2023 ESTIMATED  
For the Years Ended and Ending December 31,**

12/21/23

ACTUAL	ESTIMATED	BUDGET
2022	2023	2024

**ASSESSED VALUATION**

Commercial	\$ 121,655,830	\$ 130,761,830	\$ 202,950,070
Industrial	14,502,890	14,502,890	22,801,110
Agricultural	58,940	52,600	14,260
State assessed	66,640	124,770	119,990
Vacant land	2,158,860	2,339,680	6,473,060
Personal property	32,312,450	29,837,170	29,576,260
Certified Assessed Value	\$ 170,755,610	\$ 177,618,940	\$ 261,934,750

**MILL LEVY**

General	1.325	1.325	1.815
Debt Service	1.175	1.175	0.685
Total mill levy	2.500	2.500	2.500

**PROPERTY TAXES**

General	\$ 226,251	\$ 235,345	\$ 475,412
Debt Service	200,638	208,702	179,425
Levied property taxes	426,889	444,047	654,837
Adjustments to actual/rounding	-	1,781	-
Refunds and abatements	(9,254)	(1,173)	-
Budgeted property taxes	\$ 417,635	\$ 444,655	\$ 654,837

**BUDGETED PROPERTY TAXES**

General	\$ 220,957	\$ 235,827	\$ 475,412
Debt Service	196,678	208,828	179,425
	\$ 417,635	\$ 444,655	\$ 654,837

No assurance provided. See summary of significant assumptions.

**HIMALAYA WATER AND SANITATION DISTRICT  
GENERAL FUND  
2024 BUDGET  
WITH 2022 ACTUAL AND 2023 ESTIMATED  
For the Years Ended and Ending December 31,**

12/21/23

	ACTUAL 2022	ESTIMATED 2023	BUDGET 2024
BEGINNING FUND BALANCES	\$ 77,959	\$ 37,155	\$ 31,949
REVENUES			
Property taxes	220,957	235,827	475,412
Specific ownership taxes	33,291	29,644	45,839
Interest income	4,819	9,300	11,000
Total revenues	<u>259,067</u>	<u>274,771</u>	<u>532,251</u>
Total funds available	<u>337,026</u>	<u>311,926</u>	<u>564,200</u>
EXPENDITURES			
General and administrative			
Accounting	16,923	18,000	18,500
Auditing	4,200	-	-
County Treasurer's fee	3,320	3,537	7,131
Directors' fees	500	500	1,000
Dues and membership	548	532	1,000
Insurance	3,706	3,633	4,000
Legal	8,905	7,225	12,500
Miscellaneous	-	-	3,700
Payroll expense	38	50	150
Election	1,731	1,500	-
Contingency	-	-	3,919
Intergovernmental reimbursement - drainage	260,000	245,000	495,000
Donations	-	-	300
Meeting expense	-	-	1,000
Total expenditures	<u>299,871</u>	<u>279,977</u>	<u>548,200</u>
Total expenditures and transfers out requiring appropriation	<u>299,871</u>	<u>279,977</u>	<u>548,200</u>
ENDING FUND BALANCES	<u>\$ 37,155</u>	<u>\$ 31,949</u>	<u>\$ 16,000</u>
EMERGENCY RESERVE	\$ 7,800	\$ 8,300	\$ 16,000
AVAILABLE FOR OPERATIONS	29,355	23,649	-
TOTAL RESERVE	<u>\$ 37,155</u>	<u>\$ 31,949</u>	<u>\$ 16,000</u>

No assurance provided. See summary of significant assumptions.

**HIMALAYA WATER AND SANITATION DISTRICT  
DEBT SERVICE FUND  
2024 BUDGET  
WITH 2022 ACTUAL AND 2023 ESTIMATED  
For the Years Ended and Ending December 31,**

12/21/23

	ACTUAL 2022	ESTIMATED 2023	BUDGET 2024
BEGINNING FUND BALANCES	\$ 12,845	\$ 7,002	\$ 11,705
REVENUES			
Property taxes	196,678	208,828	179,425
Interest income	2,138	3,400	3,000
Loan issuance (Refunding)	-	-	3,852,000
Total revenues	<u>198,816</u>	<u>212,228</u>	<u>4,034,425</u>
Total funds available	<u>211,661</u>	<u>219,230</u>	<u>4,046,130</u>
EXPENDITURES			
General and administrative			
County Treasurer's fee	2,957	3,139	2,691
Paying agent fees	2,750	3,000	3,000
Contingency	-	-	14,821
Debt Service			
Interest expense - Series 2014 Bonds	93,952	91,386	95,618
Principal expense - Series 2014 bonds	105,000	110,000	3,630,000
Cost of issuance	-	-	300,000
Total expenditures	<u>204,659</u>	<u>207,525</u>	<u>4,046,130</u>
Total expenditures and transfers out requiring appropriation	<u>204,659</u>	<u>207,525</u>	<u>4,046,130</u>
ENDING FUND BALANCES	<u>\$ 7,002</u>	<u>\$ 11,705</u>	<u>\$ -</u>

No assurance provided. See summary of significant assumptions.

**HIMALAYA WATER AND SANITATION DISTRICT  
2024 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Services Provided**

The District is a quasi-municipal corporation and political subdivision of the State formed on March 5, 1980, by order and decree of the District Court. The purpose of the Himalaya Water and Sanitation District is to provide water, sanitation and storm drainage system improvements and related and necessary facilities which are located in the City of Aurora, Adams County, Colorado.

During elections held on November 8, 1994, November 3, 1998, and November 7, 2000, the District's voters authorized total general obligation indebtedness of \$135,035,000 for the above listed facilities and powers. The elections also approved general obligation indebtedness of \$500,000 for operations and maintenance and \$230,000,000 for refunding of District debt. Additionally, the elections approved a property tax increase of \$500,000 annually for operations and maintenance and the authority to collect revenues other than property taxes without regard to any spending limit.

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 that 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**

**Property Taxes**

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April or, if in equal installments, at the taxpayer's election, in February and June. Delinquent taxpayers are notified in August and generally sales of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District.

The calculation of the taxes levied is displayed on the Property Tax Summary page of the budget using the adopted mill levy imposed by the District.

**HIMALAYA WATER AND SANITATION DISTRICT  
2024 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Revenues - (continued)**

**Property Taxes – (continued)**

For property tax collection year 2024, SB22-238 and SB23B-001 set the assessment rates and actual value reductions as follows:

<b>Category</b>	<b>Rate</b>		<b>Category</b>	<b>Rate</b>		<b>Actual Value Reduction</b>	<b>Amount</b>
Single-Family Residential	6.70%		Agricultural Land	26.40%		Single-Family Residential	\$55,000
Multi-Family Residential	6.70%		Renewable Energy Land	26.40%		Multi-Family Residential	\$55,000
Commercial	27.90%		Vacant Land	27.90%		Commercial	\$30,000
Industrial	27.90%		Personal Property	27.90%		Industrial	\$30,000
Lodging	27.90%		State Assessed	27.90%		Lodging	\$30,000
			Oil & Gas Production	87.50%			

**Specific Ownership Taxes**

Specific ownership taxes are set by the State and collected by the County Treasurer, primarily on vehicle licensing within the County as a whole. The specific ownership taxes are allocated by the County Treasurer to all taxing entities within the County. The budget assumes that the District’s share will be equal to approximately 7% of the property taxes collected.

**Net Investment Income**

Interest earned on the District’s available funds has been estimated based on historical interest earnings.

**Loan Issuance**

In 2024, the District plans to refinance the Loan discussed under Debt and Leases below.

**Expenditures**

**Administrative and Operating Expenditures**

Administration expenditures include the services necessary to maintain the District's administrative viability such as legal, accounting, managerial, general engineering, insurance, meeting expense, and other administrative expenses. Administrative expenses have been assumed to be at the same level of services as the prior year.

**HIMALAYA WATER AND SANITATION DISTRICT  
2024 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Expenditures – (continued)**

**Debt Service**

Principal and interest payments on the Series 2014 loan are provided based on the debt amortization schedule from the Series 2014 bonds (discussed under Debts and Leases).

**Capital Improvements**

The capital improvements for 2024 consist of General Fund reimbursements to other local governments for drainage improvements.

**Debt and Leases**

On December 30, 2014, the District issued \$4,465,000 in a General Obligation Tax Exempt Refunding Loan (2014 Loan). The 2014 Loan is a term loan due on December 30, 2024, with a fixed interest rate of 2.41%. Interest is paid semiannually on June 1 and December 1. The 2014 Loan is subject to mandatory sinking redemptions due on December 1 of each year. The 2014 Loan has a balloon payment of the remaining outstanding principal due on December 30, 2024. The District may, at its option, prepay all or any part of the principal of the Loan on a principal payment date, upon payment of par, accrued interest and a prepayment fee for any prepayments made prior to December 1, 2024.

The District has no operating or capital leases.

**Reserve Funds**

**Emergency Reserve**

The District has provided for an Emergency Reserve equal to at least 3% of the fiscal year spending for 2024, as defined under TABOR.

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

**HIMALAYA WATER AND SANITATION DISTRICT  
SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY**

	<b>\$4,465,000</b>		
	<b>General Obligation</b>		
	<b>Tax Exempt Refunding Loan</b>		
	<b>Series 2014</b>		
	<b>Dated December 30, 2014</b>		
	<b>Interest Rate of 2.41%</b>		
	<b>Due June 1 and December 1</b>		
	<b>Principal Due December 1</b>		
<b>Bonds/Principal and Interest Maturing in the Year Ending December 31,</b>	<b>Balloon Payment Due December 30, 2024</b>		<b>Total General Obligation Debt</b>
	<b>Principal</b>	<b>Interest</b>	
2024	\$ 115,000	\$ 88,699	\$ 203,699
12/30/2024	3,515,000	6,919	3,521,919
	<u>\$ 3,630,000</u>	<u>\$ 95,618</u>	<u>\$ 3,725,618</u>

No assurance provided. See summary of significant assumptions.

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners<sup>1</sup> of Adams County, Colorado.

On behalf of the Himalaya Water and San (taxing entity)<sup>A</sup>, the Board of Directors (governing body)<sup>B</sup> of the Himalaya Water and Sanitation District (local government)<sup>C</sup>

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ 261,934,750 assessed valuation of: (GROSS<sup>D</sup> assessed valuation, Line 2 of the Certification of Valuation Form DLG 57<sup>E</sup>)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area<sup>F</sup> the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ 261,934,750 (NET<sup>G</sup> assessed valuation, Line 4 of the Certification of Valuation Form DLG 57) USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10

Submitted: 12/17/2023 for budget/fiscal year 2024 (no later than Dec. 15) (mm/dd/yyyy) (yyyy)

Table with 3 columns: PURPOSE (see end notes for definitions and examples), LEVY<sup>2</sup>, REVENUE<sup>2</sup>. Rows include General Operating Expenses<sup>H</sup>, Temporary General Property Tax Credit/Temporary Mill Levy Rate Reduction<sup>I</sup>, SUBTOTAL FOR GENERAL OPERATING: (1.815 mills, \$475,412), General Obligation Bonds and Interest<sup>J</sup>, Contractual Obligations<sup>K</sup>, Capital Expenditures<sup>L</sup>, Refunds/Abatements<sup>M</sup>, Other<sup>N</sup> (specify):, and TOTAL: (2.500 mills, \$654,837).

Contact person: Paul Niedermuller Phone: (303) 779-5710 Signed: [Signature] Title: Accountant for the District

Survey Question: Does the taxing entity have voter approval to adjust the general operating levy to account for changes to assessment rates? [ ] Yes [ ] No

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.

<sup>1</sup> If the taxing entity's boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution. <sup>2</sup> Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's FINAL certification of valuation).



**CERTIFICATION OF TAX LEVIES, continued**

**THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.)**. Taxing entities that are Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

**CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:**

**BONDS<sup>J</sup>:**

- 1. Purpose of Issue: General Obligation Tax-Exempt Refunding Loan  
Series: 2014  
Date of Issue: 12/30/2014  
Coupon Rate: 2.41%  
Maturity Date: 12/30/2024  
Levy: 0.685  
Revenue: \$179,425
  
- 2. Purpose of Issue: \_\_\_\_\_  
Series: \_\_\_\_\_  
Date of Issue: \_\_\_\_\_  
Coupon Rate: \_\_\_\_\_  
Maturity Date: \_\_\_\_\_  
Levy: \_\_\_\_\_  
Revenue: \_\_\_\_\_

**CONTRACTS<sup>K</sup>:**

- 3. Purpose of Contract: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_  
Principal Amount: \_\_\_\_\_  
Maturity Date: \_\_\_\_\_  
Levy: \_\_\_\_\_  
Revenue: \_\_\_\_\_
  
- 4. Purpose of Contract: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_  
Principal Amount: \_\_\_\_\_  
Maturity Date: \_\_\_\_\_  
Levy: \_\_\_\_\_  
Revenue: \_\_\_\_\_

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.