

**SOUTHEAST METRO STORMWATER AUTHORITY**  
**FINANCIAL REPORT**  
**FOR THE YEAR ENDED DECEMBER 31, 2009**

SOUTHEAST METRO STORMWATER AUTHORITY  
FINANCIAL REPORT  
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Board of Directors  
Southeast Metro Stormwater Authority  
76 Inverness Drive East, Ste A  
Englewood, Colorado 80112

## INDEPENDENT AUDITORS' REPORT

We have audited the accompanying financial statements of the enterprise activities of the Southeast Metro Stormwater Authority as of and for the year ended December 31, 2009, which collectively comprise Southeast Metro Stormwater Authority's basic financial statements, as listed in the table of contents. These basic financial statements are the responsibility of the District's management. Our responsibility is to express an opinion on these basic financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free of material misstatement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the enterprise activities of Southeast Metro Stormwater Authority as of December 31, 2009, and the results of its operations and the respective budgetary comparison for the year then ended, in conformity with accounting principles generally accepted in the United States of America.

The Management's Discussion and Analysis is not a required part of the basic financial statements but is supplementary information required by the Governmental Accounting Standards Board. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information; however, we did not audit this information and express no opinion on it.

*Johnson, Holscher & Company, P.C.*

Centennial, CO  
July 23, 2010

## **SOUTHEAST METRO STORMWATER AUTHORITY**

### **MANAGEMENT'S DISCUSSION AND ANALYSIS**

**December 31, 2009**

As management of the Southeast Metro Stormwater Authority ("the Authority"), we are providing this narrative overview and analysis of the financial activities of the Authority for the year ended December 31, 2009. Readers should consider the information presented in the Authority's basic financial statements in addition to that presented in this analysis.

#### **Background**

The Southeast Metro Stormwater Authority ("the Authority") was formed pursuant to Section 29-1-204.2, C.R.S. by an intergovernmental agreement dated September 19, 2006, among Arapahoe County ("the County"), the City of Centennial ("the City"), the Arapahoe County Water and Wastewater Authority ("ACWWA"), the East Cherry Creek Valley Water and Sanitation District ("ECCV"), and the Inverness Water and Sanitation District ("IWS"). The purpose of the agreement is to plan, fund, construct, acquire, operate, and maintain drainage and flood control facilities within the Authority's boundaries. By resolution of the Board of Directors, the Authority serves as an enterprise, as such term is defined in Article X, Section 20 of the Colorado Constitution, and in furtherance thereof, to serve as a government-owned business, engaged in water enterprise activities.

#### **Overview of the Financial Statements**

This discussion and analysis is intended to serve as an introduction to the Authority's basic financial statements. The Authority's basic financial statements include the following four components: 1) statement of net assets; 2) statement of revenues, expenses, and changes in net assets; 3) schedule of revenues and expenditures—budget and actual (non-GAAP budgetary basis); and 4) notes to the financial statements.

**Statement of Net Assets:** The Statement of Net Assets presents information on the Authority's assets and liabilities, with the difference between the two reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the Authority is improving or deteriorating.

**Statement of Revenues, Expenses, and Changes in Net Assets:** The Statement of Revenues, Expenses, and Changes in Net Assets presents information showing how the Authority's net assets changed during the period. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (primarily receivables and payables).

**Schedule of Revenues and Expenditures—Budget and Actual (Non-GAAP Budgetary Basis):** The Authority adopted an appropriated budget for the year ended December 31, 2009. The budgetary comparison schedule has been provided to demonstrate compliance with the Local Government Budget Law.

**Notes to the financial statements:** The notes provide additional information that is essential to a full understanding of the data provided in the financial statements.

#### **Financial Analysis**

The following is a condensed statement of net assets for the Authority as of December 31, 2009, along with comparative information as of December 31, 2008.

	December 31	
	2009	2008
<b>Assets:</b>		
Current assets	\$ 7,108,556	\$ 6,692,662
Capital assets	146,095,874	90,186,288
Total Assets	<u>\$ 153,204,430</u>	<u>\$ 96,878,950</u>
<b>Liabilities:</b>		
Short-term liabilities	\$ 1,880,391	\$ 1,958,593
Long-term liabilities	2,458	1,523,117
Total Liabilities	<u>1,882,849</u>	<u>3,481,710</u>
<b>Net Assets:</b>		
Invested in capital assets, net of related debt	146,063,880	90,124,758
Unrestricted	5,257,701	3,272,482
Total Net Assets	<u>\$ 151,321,581</u>	<u>\$ 93,397,240</u>

The Authority's principal current asset at December 31, 2009, is cash and cash equivalents of \$6,743,210. In addition, the Authority invested about \$3.2 million of capital assets and acquired capital assets of \$58,791,723 from partners to the intergovernmental agreement during 2009. Capital assets net of accumulated depreciation amount to \$146,095,874 as of December 31, 2009. The Authority's liabilities include an operating loan with a balance of \$764,816 as of December 31, 2009 (short-term liability), as well as accounts payable and accrued expenses of \$606,671, and drainage escrow deposits and collateral held of \$479,368.

The following is a condensed statement of revenues, expenses, and changes in net assets for the Authority for the years ended December 31, 2009 and 2008.

	December 31,	
	2009	2008
<b>Operating Revenues:</b>		
Storm drainage utility fees	\$ 8,301,822	\$ 8,214,910
<b>Operating Expenses:</b>		
Expenses except depreciation	4,667,516	4,630,176
Depreciation	6,100,175	3,699,962
Total Operating Expenses	<u>10,767,691</u>	<u>8,330,138</u>
Operating Income (Loss)	<u>(2,465,869)</u>	<u>(115,228)</u>
<b>Other Nonoperating Revenue (Expenses)</b>		
Net nonoperating revenue (expenses)	1,598,487	937,384
<b>Capital Contributions</b>		
Capital assets	58,791,723	88,155,394
<b>Change in Net Assets</b>	<u>57,924,341</u>	<u>88,977,550</u>
<b>Net Assets - Beginning</b>	<u>93,397,240</u>	<u>4,419,690</u>
<b>Net Assets - Ending</b>	<u>\$ 151,321,581</u>	<u>\$ 93,397,240</u>

As shown above, net assets increased by \$57,924,341 in 2009 and by \$88,977,550 in 2008. The largest increases in both years were due to capital assets contributed to the Authority, pursuant to the Intergovernmental Agreement by the City and ECCV in 2008 and IWS in 2009. Operating revenues in 2009 were \$8,301,822 and \$8,214,910 in 2008. Operating expenses in 2009 included \$2,730,999 of personal services, \$1,647,184 of contractual services, \$135,903 of commodities, and \$153,430 of other. Nonoperating revenues and expenses in 2009 included interest revenue of \$58,400, intergovernmental revenue of \$1,455,801 and interest expense of \$106,196.

The following is a condensed statement of budget and actual revenue and expenditures for 2009. Both the budget and the actual amounts are presented on the modified accrual basis. The modified accrual

basis is not in accordance with generally accepted accounting principles (“GAAP”). The principal departures from GAAP are the inclusion of proceeds from the issuance of debt, expenditures for capital outlay and debt principal reduction, and the recording of revenues when received rather than when earned.

	Original Budget	Final Budget	Actual	Variance With Final Budget Positive (Negative)
<b>Revenues:</b>				
Stormwater utility fees	\$ 8,188,351	\$ 8,188,351	\$ 8,289,806	\$ 101,455
Other	1,490,950	1,490,950	1,708,942	217,992
Total Revenues	9,679,301	9,679,301	9,998,748	319,447
<b>Expenditures:</b>				
Program expenses	5,247,179	5,410,573	4,214,152	1,196,421
Building, capital equipment, and other	435,404	435,404	384,782	50,622
Loan repayments	805,798	1,568,898	1,568,898	-
Capital improvement program	4,032,480	6,785,769	3,250,493	3,535,276
Total Expenditures	10,520,861	14,200,644	9,418,325	4,782,319
<b>Excess of Revenue Over Expenditures</b>	<u>(\$841,560)</u>	<u>(\$4,521,343)</u>	<u>\$580,423</u>	<u>\$5,101,766</u>

The most significant variance between the final budget and actual expenditures was for the capital improvement program with expenditures less than budget by \$3,535,276. This is a normal occurrence since actual expenditures typically lag behind those budgeted.

### Capital Assets

The Authority held \$155,973,460 of capital assets at December 31, 2009. As mentioned above, most of these were acquired from the City, ECCV, and IWS during 2008 and 2009.

### Long-term Debt

The Authority issued \$3.5 million of long-term debt for operating purposes in 2006. The purpose of this loan is to provide operating capital for the Authority during the initial stages of its operations. Principal payments of \$1,415,666 were made on the loan in 2009, including an early payment of \$726,172. The final payment of \$764,816 was made on January 4, 2010.

### Economic Factors and Next Year's Budget

Economic conditions have been factored into the development of the 2010 budget. Billed revenues are expected to be 1.5% higher in 2010 than 2009 and expenditures are budgeted to decrease by 11.0%. Modifications to the budget were made in January 2010 for the carryover of encumbrances and unfinished capital projects.

**Requests for Information**

This report is designed to provide a general overview of the Authority's finances for all interested parties. Questions concerning any of the information provided or requests for additional information should be addressed to the Executive Director, Southeast Metro Stormwater Authority, 76 Inverness Drive East., Ste. A, Englewood, CO 80112.

## SOUTHEAST METRO STORMWATER AUTHORITY

## STATEMENT OF NET ASSETS

December 31, 2009

ASSETS	
Current Assets	
Cash and cash equivalents	\$6,743,210
Accounts receivable	308,823
Interest receivable	3,672
Prepaid expenses	50,851
Other	<u>2,000</u>
Total Current Assets	<u>7,108,556</u>
Capital Assets	
Tenant improvements	379,749
Vehicles and related equipment	398,251
Maintenance equipment	117,064
Office furniture, fixtures and equipment	167,728
Computer software and hardware	205,092
Drainage improvements	2,586,518
Contributed drainage improvements	146,947,117
Construction in progress	<u>5,171,941</u>
	<u>155,973,460</u>
Less accumulated depreciation	<u>(9,877,586)</u>
Net Capital Assets	<u>146,095,874</u>
Total Assets	<u>153,204,430</u>
LIABILITIES	
Current Liabilities	
Accounts payable	348,873
Payroll taxes withheld and accrued	7,217
Accrued interest expense	1,480
Accrued salaries, benefits, and compensated absences	249,101
Drainage escrow deposits and collateral held	479,368
Capital lease obligation	29,536
Loan payable	<u>764,816</u>
Total Current Liabilities	1,880,391
Noncurrent Liabilities	
Capital lease obligation	<u>2,458</u>
Total Liabilities	<u>1,882,849</u>
NET ASSETS	
Invested in capital assets, net of related debt	146,063,880
Unrestricted	<u>5,257,701</u>
Total Net Assets	<u>\$151,321,581</u>

See accompanying notes to financial statements.



SOUTHEAST METRO STORMWATER AUTHORITY

STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET ASSETS

For the Year Ended December 31, 2009

Operating Revenues	
Storm drainage utility fees	<u>\$8,301,822</u>
Operating Expenses	
Personal services	2,730,999
Contractual services	1,647,184
Commodities	135,903
Other	153,430
Depreciation	<u>6,100,175</u>
Total Operating Expenses	<u>10,767,691</u>
Operating Income (Loss)	<u>(2,465,869)</u>
Nonoperating Revenue (Expenses)	
Interest income	58,400
Intergovernmental revenue	1,455,801
Other revenue	190,482
Interest expense	<u>(106,196)</u>
Total Nonoperating Revenue (Expenses)	<u>1,598,487</u>
Income (Loss) Before Capital Contributions	(867,382)
Capital contributions - intergovernmental	<u>58,791,723</u>
Increase in Net Assets	57,924,341
Net Assets--Beginning of Period	<u>93,397,240</u>
Net Assets--End of Period	<u><u>\$151,321,581</u></u>

See accompanying notes to financial statements.

SOUTHEAST METRO STORMWATER AUTHORITY

STATEMENT OF REVENUES AND EXPENDITURES--BUDGET AND ACTUAL  
(NON-GAAP BUDGETARY BASIS)

For the Year Ended December 31, 2009

	Original Budget	Final Budget	Actual	Variance with Final Budget - Positive (Negative)
Revenue				
Storm drainage utility fees	\$8,188,351	\$8,188,351	\$8,289,806	\$101,455
Interest income	100,000	100,000	58,400	(41,600)
Intergovernmental revenue	991,500	991,500	1,455,801	464,301
Other revenue	399,450	399,450	194,741	(204,709)
Total Revenue	9,679,301	9,679,301	9,998,748	319,447
Expenditures				
Administration	1,432,025	1,519,965	1,211,850	308,115
Floodplain & Master Planning	557,609	560,369	365,663	194,706
Maintenance	1,425,762	1,425,762	1,006,847	418,915
Water Quality & Special Projects	882,055	938,872	811,647	127,225
Land Development	445,961	461,838	360,744	101,094
Building & Space	395,404	395,404	354,607	40,797
Capital Equipment Purchases	40,000	40,000	30,175	9,825
Loan Repayments	805,798	1,568,898	1,568,898	-
CIP Management	503,767	503,767	457,401	46,366
Capital Improvement Program	4,032,480	6,785,769	3,250,493	3,535,276
Total Expenditures	10,520,861	14,200,644	9,418,325	4,782,319
Excess of Revenue over (Under) Expenditures - Budgetary Basis	<u>(\$841,560)</u>	<u>(\$4,521,343)</u>	580,423	<u>\$5,101,766</u>
Reconciliation of actual amounts to GAAP basis:				
Accounts receivable accrual			7,758	
Capital asset expenditures			3,218,037	
Capital lease repayments			29,536	
Loan repayments			1,415,666	
Depreciation			(6,100,175)	
Salary, benefit, and compensated absences accrual			(65,663)	
Interest expense accrual			47,036	
Contribution of capital assets			58,791,723	
Change in Net Assets - GAAP Basis			<u>\$57,924,341</u>	

See accompanying notes to financial statements.

SOUTHEAST METRO STORMWATER AUTHORITY

STATEMENT OF CASH FLOWS

For the Year Ended December 31, 2009

CASH FLOWS FROM OPERATING ACTIVITIES

Receipts from customers	\$8,213,985
Payments to and on behalf of employees	(2,712,828)
Payments to providers and suppliers	(1,949,897)
Other receipts	67,623

Net Cash Flows from Operating Activities	3,618,883
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CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES

Principal payment on long-term loan	(1,415,666)
Interest payment on long-term loan	(153,232)

Net Cash Flows from Noncapital Financing Activities	(1,568,898)
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CASH FLOWS FROM CAPITAL AND RELATED  
FINANCING ACTIVITIES

Intergovernmental contributions received	1,455,801
Payments on capital lease obligation	(29,536)
Acquisition of capital assets	(3,218,038)

Net Cash Flows from Capital and Related Financing Activities	(1,791,773)
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CASH FLOWS FROM INVESTING ACTIVITIES

Interest on short-term investments	60,500
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Net Increase in Cash and Cash Equivalents	318,712
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Cash and Cash Equivalents -- Beginning of Period	6,424,498
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Cash and Cash Equivalents -- End of Period	\$6,743,210
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RECONCILIATION OF OPERATING INCOME TO  
NET CASH PROVIDED BY OPERATING ACTIVITIES

Operating income (loss)	(\$2,465,869)
Adjustments to reconcile operating income to net cash provided by operating activities	
Other nonoperating revenue	190,482
Depreciation	6,100,175
Changes in assets and liabilities	
Accounts receivable	(87,837)
Other current assets	(11,445)
Accounts payable	(1,935)
Accrued expenses and other liabilities	(104,688)

Net Cash Flows From Operating Activities	\$3,618,883
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NONCASH CAPITAL FINANCING ACTIVITY

Contributions of capital assets	\$88,155,394
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See accompanying notes to financial statements.

# SOUTHEAST METRO STORMWATER AUTHORITY

## NOTES TO FINANCIAL STATEMENTS

December 31, 2009

### Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Southeast Metro Stormwater Authority ("the Authority") was formed pursuant to Section 29-1-204.2, C.R.S. by an intergovernmental agreement dated September 19, 2006, among Arapahoe County ("the County"), the City of Centennial ("the City"), the Arapahoe County Water and Wastewater Authority ("ACWWA"), the East Cherry Creek Valley Water and Sanitation District ("ECCV"), and the Inverness Water and Sanitation District ("IWS"). The purpose of the agreement is to plan, fund, construct, acquire, operate, and maintain drainage and flood control facilities within the Authority's boundaries. By resolution of the Board of Directors, the Authority serves as an enterprise, as such term is defined in Article X, Section 20 of the Colorado Constitution, and in furtherance thereof, to serve as a government-owned business, engaged in water enterprise activities.

#### Reporting Entity

The Authority is a separate stand-alone governmental entity. The Authority's Board of Directors consists of 2 voting members appointed by the Arapahoe County Board of County Commissioners, 3 voting members appointed by the City of Centennial City Council, and one ex-officio non-voting member jointly appointed by ACWWA, ECCV, and IWS.

The Authority follows Governmental Accounting Standards Board ("GASB") accounting pronouncements, which provide guidance for determining which governmental activities, organizations, and functions should be included within the financial reporting entity. GASB pronouncements set forth the financial accountability of a government organization's elected governing body as the basic criterion for including a possible component governmental organization in a primary government's reporting entity. Financial accountability includes, but is not limited to, appointment of a majority of the organization's governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens, and fiscal dependency.

The Authority is not financially accountable for any other organization, nor is the Authority a component unit of any other primary governmental entity.

#### Measurement Focus, Basis of Accounting and Financial Statement Presentation

The Authority is accounted for as an enterprise fund. Enterprise funds are used to account for business-type activities that are financed with debt that is secured by a pledge of net revenues from fees and charges. The Authority's financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

The Authority's activities are accounted for, and reported on, in accordance with all Governmental Accounting Standards Board (GASB) pronouncements as well as all Financial Accounting Standards Board (FASB) Statements and interpretations, Accounting Principles Board (APB) Opinions, and Accounting Research Bulletins (ARBs) of the Committee on Accounting Procedure issued on or before November 30, 1989, unless those pronouncements conflict with or contradict GASB pronouncements.

The financial statements present the financial position of the Authority as of December 31, 2009, and the results of its operations and cash flows for the year ended December 31, 2009. The statement of revenues, expenses, and changes in net assets distinguishes *operating* revenues and expenses from *nonoperating* items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with ongoing operations.

#### Stewardship, Compliance and Accountability

An annual budget is established for the Authority. Budgetary comparisons are included in the appropriate financial statements and schedules as required by law. The legal level of budgetary control is at the enterprise level. All appropriations unexpended at the end of the year lapse. Encumbrance accounting is used by the Authority for budgetary control purposes.

The 2009 budget, as revised, was prepared on the modified accrual basis of accounting. The modified accrual basis is not in accordance with generally accepted accounting principles ("GAAP"). The principal departures from GAAP are the inclusion of proceeds from the issuance of debt, expenditures for capital outlay and debt principal reduction, and the recording of revenues when received rather than when earned.

The following is a summary of the procedures used in establishing budgetary data reflected in the financial statements:

1. The Authority's Executive Director submits to the Board of Directors a proposed budget for the next year.
2. A public hearing is conducted to obtain citizen comments.
3. Prior to December 31, the Board adopts the budget and passes the appropriation resolution.
4. After commencement of the fiscal year, the appropriation resolution is irrevocable. However, the Board may adopt supplemental appropriations by resolution due to circumstances which could not be foreseen at the time of adoption of the original budget.

#### Investments

The Authority has stated its investments at fair value in accordance with GASB Statement No. 31. Investments in local government investment pools are at fair value which is determined by the fund trustee using quoted market prices. The fair value of the Authority's position in the pool is the same as the value of the pool shares.

#### Statement of Cash Flows

For purposes of the statement of cash flows, the Authority considers highly liquid investments with a maturity of three months or less when purchased to be cash equivalents.

#### Receivables

Accounts receivable are expressed net of allowances for doubtful accounts, if any.

#### Capital Assets

Capital assets, which include property, plant, equipment, and drainage improvements, are reported in the financial statements. Capital assets are defined by the Authority as assets with an estimated useful life greater than one year. The Authority follows the guidelines set forth in Chapter 9, Section 1.4.1 of the Fiscal Procedures Manual promulgated by the State Controller with regard to dollar thresholds for the capitalization of capital assets. The applicable capitalization guidelines are as follows:

<u>Type of Asset</u>	<u>Capitalization Threshold</u>
Land	All purchases are capitalized, regardless of cost
Land Improvements	\$50,000
Building	\$50,000
Leasehold Improvements	\$50,000
Furniture and Equipment	\$5,000 per item
Software (purchased)	\$5,000
Software (internally developed)	\$50,000

For capitalization purposes, drainage improvements are deemed to be land improvements and, consistent with the State Controller's guidelines, such improvements costing \$50,000 or more are capitalized.

Purchased or constructed capital assets are recorded at cost. Contributed capital assets are recorded at the estimated fair market value on the date contributed.

Property, plant, equipment, and drainage improvements are depreciated using the straight-line method over the following estimated useful lives:

<u>Capital Asset Type</u>	<u>Years</u>
Tenant improvements	7
Vehicles & related equipment	5-7
Office furniture, fixtures & equipment	7
Computer software & hardware	7
Drainage improvements	25-50

### Compensated Absences

The Authority's policy is to accrue as an expense and liability employee vacation, sick leave, and compensatory time when the employee vests in such benefits.

### Net Assets

Net assets comprise the various net earnings from operating income, nonoperating revenues and expenses, and capital contributions. Net assets are classified in the following three components:

*Invested in capital assets, net of related debt* – This component of net assets consists of capital assets, net of accumulated depreciation and reduced by the outstanding balances of any borrowings that are attributable to the acquisition, construction or improvement of those assets. If there are significant unspent related debt proceeds at year-end, the portion of the debt attributable to the unspent proceeds is not included in the calculation of net assets invested in capital assets, net of related debt. Rather, that portion of the debt is included in the same net assets component as the unspent proceeds.

*Restricted* – This component of net assets consists of constraints imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments or constraints imposed by law through constitutional provisions or enabling legislation.

*Unrestricted net assets* – This component of net assets consists of net assets that do not meet the definition of "restricted" or "invested in capital assets, net of related debt."

If both restricted and unrestricted resources are available to use for the same purpose, it is the Authority's policy to use restricted resources first, and then unrestricted resources as they are needed.

### Use of Estimates

The preparation of financial statements in accordance with generally accepted accounting principles requires management to make estimates that affect amounts reported in the financial statements during the reporting period. Actual results could differ from such estimates.

### Note 2: CASH

#### Cash Deposits

Colorado statutes require protection of public moneys in banks and savings and loans beyond that provided by federal depository insurance. The Public Deposit Protection Act ("PDPA") in Section 11-10.5-107(5), C.R.S., requires all units of local government to deposit cash in eligible public depositories. Eligible public depositories are required to pledge designated eligible collateral that has a market value equal to at least 102% of the deposits exceeding those amounts insured by federal insurance. Upon liquidation of a defaulting eligible depository, the statute requires the State Banking Board to seize the eligible collateral, liquidate the collateral, and repay the public deposits to the depositing government.

PDPA allows financial institutions to create a single collateral pool for all public funds. The pool for all the uninsured deposits is to be maintained by a third party custodian. The custodian is required to hold the securities in the name of the collateral pool (that is, collectively for the governments secured by the collateral). The eligible collateral is defined by PDPA. The State Division of Banking monitors the naming of eligible public depositories and the reporting of uninsured deposits and assets maintained in the collateral pools. Under PDPA, the local government's responsibility is to ensure that the bank is a PDPA eligible depository, register with the Division of Banking to obtain an Official Custodian Identification Number, and provide the bank with the assigned Number before funds are deposited.

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover collateral securities that are in the possession of a third party. Pursuant to Statement No. 40 of the Governmental Accounting Standards Board, deposits are exposed to custodial credit risk if they are not covered by federal depository insurance and the deposits are: (1) uncollateralized; (2) collateralized with securities held by the pledging financial institution; or (3) collateralized with securities held by the pledging financial institution's trust department or agent but not in the depositor-government's name. If a government has deposits at the end of the fiscal year that are exposed to custodial credit risk, the amount of those deposits must be disclosed.

Since the Authority's deposits are in an eligible public depository and its deposits are recognized by the custodian as one of the governments covered by the financial institution's collateral pool, the Authority's deposits are fully collateralized and there is no custodial credit risk.

At December 31, 2009, the carrying value of the Authority's deposits was \$5,238,199 and the bank balances were \$5,309,940. Of the bank balance, \$250,000 was covered by federal deposit insurance. The remaining \$5,059,940 was collateralized under PDPA.

At the end of every month, the Authority's depository bank performs an analysis of the Authority's checking account to determine the dollar amount of collected balances eligible for an earnings credit. As of December 31, 2009, the Authority's average monthly collected balances were earning interest at the rate of 0.70%.

### Note 3: INVESTMENTS

Investment policies are governed by Colorado statute and the Authority's own investment policies. Investments of the Authority may include the following (certain limitations apply):

- Obligations of the United States and its agencies
- Obligations which are guaranteed by the United States government
- Obligations of the World Bank, Inter-American Development Bank, African Development Bank
- General obligation bonds of any state, District of Columbia, U.S. Territory, or any of their subdivisions
- Revenue bonds of any state, District of Columbia, U.S. Territory, or any of their subdivisions
- Bankers acceptances issued by state or national banks
- Commercial paper
- The Authority's own obligations
- Repurchase agreements in U.S. government and U.S. government agency securities
- Money market funds
- Guaranteed investment contracts
- Designated local government investment pools

#### Custodial Credit Risk

Investments of the Authority are exposed to custodial credit risk if the securities are uninsured, are not registered in the Authority's name, and are held by either the counterparty to the investment purchase or the counterparty's trust department or agent but not in the Authority's name. As of December 31, 2009, none of the Authority's investments are subject to custodial credit risk.

#### Credit Quality Risk

Credit quality risk is the risk that the issuer or other counterparty to a debt security will not fulfill its obligations. This risk is assessed by national rating agencies which assign a credit quality rating for many investments. Credit quality ratings for obligations of the U.S. government or obligations explicitly guaranteed by the U.S. government are not reported; however, credit quality ratings are reported for obligations of U.S. government agencies that are not explicitly guaranteed by the U.S. government. Based on these parameters, as of December 31, 2009, none of the Authority's investments are subject to custodial credit risk.

#### Concentration of Credit Risk

More than five percent of the Authority's investments are in ColoTrust which comprises 100% of the Authority's total investments.

#### Interest Rate Risk

The Authority does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates.

As of December 31, 2009, the Authority held the following which are not evidenced by securities that exist in physical or book entry form:

<u>Description</u>	<u>Carrying Value</u>	<u>Market Value</u>
ColoTrust (demand local government investment pool)	<u>\$1,505,011</u>	<u>\$1,505,011</u>

#### Foreign Currency Risk

The Authority's investments were not subject to foreign currency risk.

#### Note 4: CAPITAL ASSETS

Capital asset activity for the year ended December 31, 2009, was as follows:

	<u>Balance 1/1/09</u>	<u>Increases</u>	<u>Decreases</u>	<u>Balance 12/31/09</u>
Capital assets not being depreciated:				
Construction in progress	<u>\$3,434,320</u>	<u>\$3,250,493</u>	<u>\$1,512,872</u>	<u>\$5,171,941</u>
Capital assets being depreciated:				
Tenant improvements	379,749	--	--	379,749
Vehicles and related equipment	361,224	37,027	--	398,251
Maintenance equipment	117,064	--	--	117,064
Office furniture, fixtures & equipment	161,028	6,700	--	167,728
Computer software & hardware	183,424	21,668	--	205,092
Drainage improvements	1,171,496	1,415,022	--	2,586,518
Contributed drainage improvements	<u>88,155,394</u>	<u>58,791,723</u>	--	<u>146,947,117</u>
Total capital assets being depreciated	90,529,379	60,272,140	--	150,801,519
Less accumulated depreciation				
Tenant improvements	(74,220)	(54,468)	--	(128,688)
Vehicles and related equipment	(84,238)	(62,919)	--	(147,157)
Maintenance equipment	(11,603)	(16,723)	--	(28,326)
Office furniture, fixtures, & equipment	(32,300)	(23,682)	--	(55,982)
Computer software & hardware	(36,009)	(26,917)	--	(62,926)
Drainage improvements	(12,825)	(37,581)	--	(50,406)
Contributed drainage improvements	<u>(3,526,216)</u>	<u>(5,877,885)</u>	--	<u>(9,404,101)</u>
Net capital assets being depreciated	<u>86,751,968</u>	<u>54,171,965</u>	--	<u>140,923,933</u>
Net capital assets	<u>\$90,186,288</u>	<u>\$57,422,458</u>	<u>\$1,512,872</u>	<u>\$146,095,874</u>

#### Note 5: LONG-TERM DEBT

On November 3, 2006, the Authority closed on a \$3,500,000 loan with Tatonka Capital Corporation. The loan was subsequently assigned to Colorado Business Bank. The purpose of the loan is to provide operating capital for the Authority during its initial stages of operations. The loan bears interest at 5.34% and is being amortized over a five-year period. The final payment on the loan is due on August 1, 2011. The loan is secured by the Net Pledged Revenues of the Authority's storm drainage system.

In 2009, the Authority's Board of Directors decided to prepay \$726,172 of the loan in December of 2009, and the final \$764,816 of the loan in January of 2010.

The carrying amount of the Authority's loan as of December 31, 2009, consists of \$764,816 current portion, all of which was paid in January 2010. The Authority is in compliance with all requirements of the loan agreement.

#### Classification of Interest Cost

\$106,196 of interest expense was incurred by the Authority in 2009 all of which was charged to expense.



### Capital Lease

In 2009, the Authority acquired maintenance equipment under a capital lease arrangement. Future minimum lease payments are \$29,536 for 2009 and \$2,458 for 2011.

The requirements to amortize the long-term lease obligation to maturity are as follows:

	<u>Principal</u>	<u>Interest</u>	<u>Total Requirement</u>
2010	\$29,536	\$--	29,536
2011	<u>2,458</u>	<u>--</u>	<u>2,458</u>
Totals	<u>\$31,994</u>	<u>\$ --</u>	<u>\$31,994</u>

### Long-term Debt Activity

Long-term debt activity for the year ended December 31, 2009, was as follows:

	<u>Balance 1/1/09</u>	<u>Additions</u>	<u>Reductions</u>	<u>Balance 12/31/09</u>
Loan payable	\$2,180,482	\$--	\$1,415,666	\$764,816
Capital lease obligation	61,530	--	29,536	31,994

### NOTE 6: RISK MANAGEMENT

The Authority is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. In order to manage these risks, the Authority is a member of the Colorado Special Districts Property and Liability Pool ("the Pool"). The Pool is an organization created by intergovernmental agreement to provide property, casualty, and workers compensation coverage to its members.

### Note 7: PENSION PLAN

The Authority contributes to the Colorado County Officials and Employees Retirement Association (CCOERA) pension plan of behalf of all full-time employees. Employees are required to participate in the plan beginning on the first day of employment.

The plan is a defined contribution plan through which contributions of employers are combined with contributions of employees and invested in income earning instruments for the benefit of plan participants. Any county, municipality or special district of the State of Colorado may, with the consent of the Association become a member and participate in the plan by adopting it for its officers and employees. During 2009, the Authority and participating employees each contributed amounts equal to 6% of compensation to the plan. The dollar amount of contributions was \$118,866 each for employer and employee. Employee contributions must match employer contributions. Participants are immediately vested 100% in their own contributions and earnings. Vesting in employer contributions and earnings occurs at the rate of 25% per year. Copies of the Plan's financial statements may be obtained from CCOERA.

### NOTE 8: DEFERRED COMPENSATION PLAN

The Authority offers its employees a deferred compensation plan created in accordance with Internal Revenue Code Section 457. The assets under this plan are no longer considered property of the Authority and are held by the Authority's third-party administrator for the exclusive benefit of the plan participants and their beneficiaries. The Authority's plan is administered by CCOERA. The Authority has little administrative involvement and does not perform the investing function for this plan. The assets of the plan are not considered assets of the Authority and are not included in the financial statements.

### NOTE 9: TAX, SPENDING, AND DEBT LIMITATIONS

Colorado voters passed an amendment to the State Constitution, Article X, Section 20, also known as the TABOR Amendment, which has several limitations, including those for revenue, expenditures, property taxes, and issuance of debt. TABOR is complex and subject to judicial interpretation. Enterprises, defined as government-owned businesses authorized to issue revenue bonds and receiving less than 10% of annual revenue in grants from all state and local governments combined, are excluded from the provisions of TABOR.

Section 37-45.1-101, C.R.S., *et seq.* authorizes governmental entities such as the Authority to establish water activity enterprises. On September 28, 2006, the Board of Directors passed a resolution creating the Southeast Metro Stormwater Authority ("SEMSWA") Water Activity Enterprise. Therefore, TABOR is not applicable to the Authority.

#### NOTE 10: INTERGOVERNMENTAL AGREEMENT FOR THE COLLECTION OF STORMWATER FEES

In 2006, the Authority entered into an intergovernmental agreement with the County for the billing and collection of stormwater fees. Under the agreement, the Authority's stormwater utility fees are billed with the County's property tax bills. Beginning in 2009, tax-exempt organizations were billed directly by the Authority.

#### NOTE 11: OPERATING LEASE

The Authority leases its office space under an operating lease. Operating leases do not give rise to property rights or meet other capital lease criteria and, therefore, the related assets and liabilities are not recorded in the financial statements. For 2009, total rent expense for the office space (including common area costs) was \$192,478. Future minimum lease payments for the lease for the next four years are 2010—\$141,214, 2011—\$146,862, 2012—\$152,737, 2013—\$158,846, and 2014—\$80,980.

#### NOTE 12: COMMITMENTS

The Authority had commitments of \$697,968 for capital projects at December 31, 2009. Future expenditures for these commitments are expected to be financed through available resources and future revenues.

The financial statements do not include encumbrances. However, encumbrances are recorded for budgetary control purposes. Outstanding encumbrance commitments at December 31, 2009 (excluding those relating to capital projects) amounted to \$187,061.