Welcome to the City of Aurora

Title 32 Metro Districts

The meeting will begin shortly

Please mute your microphones
Meeting Agenda

November 5, 2020

❖ Welcome and Introductions

❖ Title 32 Metropolitan Districts in Colorado
Scott Olene, Director Local Government Services
Joe McConnell, Special District Program Manager
Colorado Department of Local Affairs (DOLA)

❖ Title 32 Metropolitan Districts within Aurora
❖ History of Metro Districts and Service Plans in Aurora
❖ Types of Service Plans
❖ Proposed Service Plan Changes
❖ Resources
Vinessa Irvin, Office of Development Assistance - City Manager’s Office
Brian Rulla, Assistant City Attorney – City Attorney’s Office

❖ Questions/Discussion
Local Governments

Everyone in Colorado lives within at least 2 local governments:

• A County

• A School District

Most of us live in more than 2 including:

• A Municipality (city or town)

• Any # of Special Districts (RTD, SCFD, Drainage, Fire, Water, Sewer, etc.)
Local Governments

General Types of Local Governments

**General Purpose** - for general provision of community safety, health and welfare ("police powers")

- Counties and Municipalities (towns or cities)

**Special Purpose** - for specific service provision

- School Districts and Special Districts
Colorado’s Local Governments

In addition to Colorado’s Counties, Municipalities, and School Districts there are more than 80 types of local governments.

**Municipal Services Districts**
- Ambulance and Fire
- Capital Improvement
- Cemetery
- Health Service
- Housing
- Library
- Local Business & Marketing
- Parks and Recreation
- Regional Transportation
- Urban Renewal
- Water and Sewer

**Natural Resources Districts**
- Ground Water Management
- Irrigation and Agricultural Drainage
- River Water Conservation
- Soil Conservation
- Urban Drainage and Local Flood Control
- Water Conservancy and Regional Flood Control
- Weed and Pest Control
Powers: Explicit & Enumerated

Each type of local government and its governing body has both specific and general powers granted (listed) in state statute and many of these powers are derived from the Colorado Constitution.

Colorado is considered a “local control” state, where the State Constitution and Statutes have been written to ensure governance is especially empowered at the level closest to those being served—local citizens.
COLORADO LOCAL GOVERNMENTS

4,165 Active Local Governments (11/2/2020)

- 62 Counties
- 2 City & Counties
- 270 Municipalities
- 178 School Districts
- 1,950 Metropolitan Districts (47%)  
- 254 Fire Districts
- 265 Water, Sanitation, or Water & Sanitation Districts
- 57 Library Districts
- 55 Park & Rec Districts
- ~1,000+ other districts of more than 60 different types
New and Dissolved Governments (as of 11/2/20)
METROPOLITAN DISTRICTS

TITLE 32, ARTICLE 1

Two or more of the following services:

- Fire protection
- Mosquito control
- Parks and recreation;
- Safety protection
- Sanitation
- Solid waste disposal/collection/transportation
- Street improvement
- Television relay and translation
- Transportation
- Water
Through an election and by District Court Order, a Special District (political subdivision) is formed which is separate from the city or county.

Independent governmental body elected by the eligible electors of the district with statutory ability to:

- charge rates, tolls, fees and levy taxes
- enter into contracts
- incur debt & construct, operate, and maintain facilities
- according to its “Service Plan”
TITLE 32 ARTICLE 1 SPECIAL DISTRICTS

Special Districts must comply with State requirements including:

• Audits
• Budgets
• Elections and Governing Body (Board of Directors)
• Service Plan
• Open Records and Meetings
• Annual Notice to Electors (a.k.a. Transparency Notice)
• TABOR
TITLE 32 ARTICLE 1 SPECIAL DISTRICTS

Independent entity that exists in perpetuity unless ...

- Dissolution: district board, elector petition, municipal application or petition

- Consolidation with other district(s)

- DLG administrative dissolution for specific statutory failings
DOLA/DLG has limited oversight of Special Districts

- Annual Budgets and Regular Elections
- DLG may administratively dissolve district for missing budgets, elections, audits (as long as no outstanding financial obligations)
- Approving Authority has limited oversight; typically reserved to approval of and requirements in Service Plan
House Bill 14-1164 (2014)
Created Article 13.5 of Title 1 in the Colorado Revised Statutes.
DIVISION OF LOCAL GOVERNMENT

Home > Division of Local Government

Division of Local Government

Created in 1966, DOLAs Division of Local Government (DLG) has been a strong voice for local governments across Colorado for over 50 years, and believes that strong local communities create a strong Colorado. DLG advocates for self-reliance, local empowerment, resilient practices and strong local leadership, which leads visioning, goal setting to strengthen, and economic development. DLG knows the strength of a community relies on strong building blocks to create long lasting stability and an environment in which every resident can thrive.

The Division of Local Government provides strategic expertise, advocacy, and funding to strengthen Colorado. The division promotes local problem solving, informs decision making and invests in communities.

If your local government is seeking to meet the electronic public notice requirements of HB 19-1087, an official website must be provided: ENTER WEBSITE HERE

Services
Interactive District Filing
Local Government Filing

Programs
Energy and Mineral Impact Assistance Fund (EMIAF)

Data
State Demography Office
Demographic Profiles

https://cdola.colorado.gov/local-government
## Local Government Information System

Your District: Where to find information

dola.colorado.gov/lgis

<table>
<thead>
<tr>
<th>Local Government Information System</th>
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</thead>
<tbody>
<tr>
<td><strong>Conservatory Metropolitan District</strong></td>
</tr>
<tr>
<td>355 S Teller Street, Ste 200</td>
</tr>
<tr>
<td>Lakewood, CO 80226</td>
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<tr>
<td>Special District Directors</td>
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- **View Filings**
Announcements:

Title 32, Article 1 Special Districts began the transition from even-year May elections to odd-year elections starting with the 5/5/20 election. For 2020 and 2022, directors will be elected to 3-year terms, which in those cases will constitute a full-term. Directors appointed to vacant board seats after the 2022 election will only serve until the 2023 election; other than that period, appointments will remain two years or less.

1. The district must have either 5 or 7 directors as determined at the district’s organizational election.
2. The district must have one director listed as chair.
3. Each Elected director’s length of term must be 4 or fewer years.
4. Each Appointed director must have a term that is for two years or less.
5. Each director must have a valid, unexpired term. Please remember director positions should be staggered; a 5 member board has three four year terms up for one election and then two four year terms for the following election. However, due to appointments to vacancies several directors or even the entire board may be required to run for election at the same time for a combination of four year terms and two year terms.
6. Each director must have an oath that is for the current term.
7. Each director must have a current bond filed with the oath.

<table>
<thead>
<tr>
<th>Director</th>
<th>Title</th>
<th>Elected/Appointed</th>
<th>Chairman</th>
<th>Length of Term</th>
<th>Year Term Expires</th>
<th>Oath Date</th>
<th>Oath Document</th>
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<tr>
<td>Altman, Dave</td>
<td>Director</td>
<td>Elected</td>
<td>No</td>
<td>3 years</td>
<td>2023</td>
<td>05/14/2020</td>
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<td>Baldwin, Birgit</td>
<td>President</td>
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<td>Yes</td>
<td>4 years</td>
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<td>05/21/2018</td>
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<td>DeMots, Arleta</td>
<td>Director</td>
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<td>No</td>
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<td>05/14/2020</td>
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<td>Giles, Robert</td>
<td>Director</td>
<td>Elected</td>
<td>No</td>
<td>3 years</td>
<td>2023</td>
<td>05/14/2020</td>
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<tr>
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<td>Assistant Secretary</td>
<td>Elected</td>
<td>No</td>
<td>4 years</td>
<td>2022</td>
<td>05/21/2018</td>
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<td>Service Plan Amendment</td>
<td>04/10/2018</td>
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Transparency - Notice to Electors

Date of Next Regular Election
May 5, 2020

Self-nomination forms to be a candidate for district board member may be obtained from and should be returned to the Designated Election Official (or Board Chair or Secretary if no DEO). [per C.R.S. 1-13-306]

Self-nomination forms for the next regular election must be received by the District by February 28, 2020, no later than 3:00 p.m.

Applications for absentee voting or for permanent absentee voter status are available from and must be returned to the Designated Election Official. [per C.R.S. 1-13.5-1003]

Designated Election Official: Ashley Frisbie
Contact Address: White Bear Aneke Tanaka & Waldron
2154 E Common Avenue, Suite 2000
Centennial, Colorado 80122
Contact Phone: (303) 858-1800

District Election Results will be posted on these websites:
Secretary of State www.sos.state.co.us
Department of Local Affairs
dola.colorado.gov/ligis

CONSERVATORIAL METROPOLITAN DISTRICT
This information must be provided annually to the eligible citizens of the District between November 16, and January 15.

Address and Telephone Number of District’s Principal Business Office:
Special District Management Services, Inc., 140 Union Boulevard, Suite 119, Lakewood, Colorado 80228, Phone: 303-987-0425

Name and Telephone of Manager or Other Primary Contact Person for District:
David Smid 303-987-0425

Email address of primary contact system: must be in accordance with C.C.R. 12-3-418 to District.

dmsi@sdmsinc.com

www.sdmsinc.org

Voting Tabulation and Polling Place Designated for Regular Board Meetings [per C.C.R. 12-3-605]

Printing Place Designated for Meeting Place [per C.C.R. 12-3-604]
Malheets Kiosk #3, located on S. Adel Way, near the clubhouse

District MEI Levy:
$2,114.17, for collections in 2020

Mail all votes to receive on the previous year (or published earlier dates):
$6,494,576.00 received in 2019 (unaudited)

Name and Contact Information of Board Members:

1. Board Chair
Name: Lawrence Martin Palecek
Contact Info: Special District Management Services, Inc., 140 Union Boulevard, Suite 119, Lakewood, Colorado 80228, Phone: 303-987-0425

2. Treasurer
Name: Roger Blank
Contact Info: Special District Management Services, Inc., 140 Union Boulevard, Suite 119, Lakewood, Colorado 80228, Phone: 303-987-0425

3. Secretary
Name: Pablo Mace
Contact Info: Special District Management Services, Inc., 140 Union Boulevard, Suite 119, Lakewood, Colorado 80228, Phone: 303-987-0425

4. Assistant Secretary
Name: Joan Schilling
DLG - Special district elections

https://cdola.colorado.gov/special-district-elections

Special District Elections

Anytime/Annual Filing Documents

- Notice to Electors
- Compliance Calendar
- DLG 30: Annual Report of Non-Bonded
- DLG 32: Notice of Special District Authorization or Issuance of General Obligation Indebtedness
- SD-5: Sample Director's Bond
- SD-5: Date of Office - Special District Director
- SD-2: Notice of Appointment

Election Documents

- Election Preparation Documents (Pre-cancellation date)
  - SD-3: Election Budget Worksheet
  - SD-4: Election Resolution - Polling place or Mail Ballot Election
  - SD-5: Designated Election Official Appointment
  - SD-5: Deputy DEO appointment
  - SD-6: Call for Nominations
  - SD-7: Self Nomination and Acceptance Form
  - SD-8: Write-In Candidate Affidavit

*Click here* to join the webinar at the date and time below.
Self-nomination forms

• Earliest date to submit is January 1 in the year preceding the election.

• Final day to submit a self-nomination form is 67 days prior to the election (March 2, 2022).

• Write-in affidavit may be submitted 64 days prior.

• If there are more candidates than seats, an election is held May 3, 2022.

• If not, the election may be cancelled 63 days prior (the norm).
dola.colorado.gov/sd-elections
Division of Local Government
Scott Olene, Director Local Government Services
Joe McConnell, Special District Program Manager
joe.mcconnell@state.co.us
dola_dlg_helpdesk@state.co.us
City of Aurora
History of Metro Districts

- City Policy – Growth Pays for Itself
- Master Planned Developments with Community Amenities
- Metro Districts as a Financing Tool to Accomplish
City of Aurora
Service Plan Background

- Colorado Statute requires Service Plan
- Establishes powers and guidelines
- 1989 – City adopted its first Model Service Plan
- 2004 – Current Model Service Plan
- City approves the formation but independent unit of government
City of Aurora
Model Service Plans

- Types of Service Plans
  - Single District/Single Service Plan
  - Multiple District/Multiple Service Plan
  - Multiple District/Single Service Plan
Multiple Districts

- Larger, phased projects, multi-year build out
  - Model service plan – 40 year repayment term
  - Identify future inclusion area
    - Establish boundaries of each district
    - Property inclusion or exclusion of the approved inclusion area
      - Resolution of district board and City Council
Model Service Plan Provisions
Current and Proposed for New Districts

- Protection of a max mill levy and repayment term
  - Maximum debt mill levy of 50 mills (Gallagher adjusted)
  - Maximum term for debt repayment of 40 years

- Proposed: Additionally limit O&M mill levy imposed until resident controlled board
Model Service Plan Provisions
Current and Proposed for New Districts

- Total debt issuance limitation
- Limitation on privately placed debt
  - Reasonable current tax-exempt interest rate
  - Reasonable debt structure

- **Proposed:** “Agreed Upon Procedures Examination” for when the board transitions to resident controlled
Model Service Plan Provisions
Current and Proposed for New Districts

- Disclosure to purchasers
  - Federal requirements
  - State requirements
  - COA requirements

- Proposed:
  - Disclosure to purchasers in required format
  - Website for the community required at bond issuance
  - Meetings required to be within the boundaries of the district or city limits
Model Service Plan Provisions
Current and Proposed for New Districts

- **Aurora Regional Improvement (ARI) Mill Levy**
  - Plan for the future

- **Proposed:**
  - Fixed Mill Levy rate for the last 10 years
    (Currently, these last years are an average of the previous 10 years of debt service mill levy)
    - Same rate among districts
    - More certainty in bonding capacity
Resources

➢ COA Metro District webpage
  ➢ www.AuroraGov.org/MetroDistricts

➢ Meeting Notice webpage
  ➢ Metro & Special District Meetings

➢ Interactive mapping tool
  ➢ Metro Districts in Aurora
Questions/Discussion

If you have joined the meeting by computer or smart phone:
- raise your hand or type your question in the chat section
If you have joined the meeting using the conference dial-in:
- wait until we ask for questions from phone participants

City of Aurora

Vinessa Irvin, City Manager’s Office
Brian Rulla, City Attorney’s Office

AuroraGov.org/MetroDistricts

Colorado Department of Local Affairs (DOLA)

Scott Olene, Director Local Government Services
Joe McConnell, Special District Program Manager

cdola.colorado.gov/local-government