

PUBLIC IMPROVEMENT DISTRICT CUSTOMER ASSISTANCE PACKET

ENCLOSED INFORMATION:

1. **PURPOSE OF PUBLIC IMPROVEMENT DISTRICTS**
2. **DEFINITIONS**
3. **POLICIES FOR FORMATION AND ADMINISTRATION OF PUBLIC IMPROVEMENT DISTRICTS**
4. **PROCEDURE FOR FORMATION OF A PUBLIC IMPROVEMENT DISTRICT**
5. **FLOW CHART OF EVENTS**
6. **TIMETABLE FOR PROCEEDINGS / METHOD OF COLLECTING MILL LEVIES**
7. **APPLICATION (APPLICATION FEE IS \$100)**

THE INFORMATION IN THIS PACKET IS SUBJECT TO CHANGE WITHOUT NOTICE.

LARIMER COUNTY RESERVES THE RIGHT TO DENY FORMATION OF ANY PROPOSED PUBLIC IMPROVEMENT DISTRICT BASED ON CONSIDERATION OF BENEFIT AND COST AFTER A PUBLIC HEARING.

PURPOSE OF A PUBLIC IMPROVEMENT DISTRICT

A Public Improvement District (PID) can be formed to give property owners a mechanism to collect funds to complete public improvements through an increase in the mill levy tax.

Public improvements may consist of grading, paving, curbing, gutters, or otherwise improving the whole or any part of any street or alley, parking and off-street facilities and surface drainage systems.

WHY SOME NEIGHBORHOODS NEED A PUBLIC IMPROVEMENT DISTRICT

Prior to 1994, Larimer County accepted subdivision roads for surface level maintenance only if the roads were designed to meet County standards and the neighborhood applied to receive maintenance from the Road & Bridge Department. In 1994, Larimer County stopped accepting new public subdivision roads for surface maintenance due to the increase in costs to maintain these roads. Even those pre-1994 roads accepted for County Surface maintenance only received crack seal and chip seal treatments. Anything beyond routine surface maintenance has always been the responsibility of the property owners. Each year more public subdivision roads go without maintenance of any kind.

Local governments cannot always do everything they would like to do for their residents therefore, extra revenue is necessary to meet the needs of residents. Larimer County is a leader in the establishment of small districts. It is our experience that the districts empower people to take responsibility for addressing their needs.



DEFINITIONS

ASSESSED VALUE - The assessed value of a district is the sum of all land values and improvement values within the district boundary. The assessed values for individual properties are determined by the Assessor's office of Larimer County.

PID - Public Improvement District

PID COORDINATOR - A Staff member of the Engineering Department who will assist the Property Owner in making a request for a district.

PRELIMINARY ENGINEERING - Preliminary Engineering is engineering work done at the outset of a project which is conceptual in nature. It may represent the outcome of an evaluation of several options for maintenance and/or repairs/reconstruction.

PRELIMINARY ESTIMATE OF COSTS - This is an estimate of the cost of a project which is made at the time of preliminary engineering. It is based on an estimate of bid quantities and prices for a project using the best information available. Where information is not available, worst-case conditions are assumed.

PROJECT BID PRICE - This is the amount bid for a project by the lowest price, responsible and reliable bidder. It is based on bid prices and design quantities.

PUBLIC FACILITY - A facility such as water system, sewer system or street which is dedicated for public use and accepted by the appropriate governmental or quasi-governmental entity.

PUBLIC MAINTENANCE - A publicly maintained facility is one which is maintained by a governmental or quasi- governmental entity.

QUALIFIED ELECTOR - A person who at the designated time or event, is qualified to vote in general elections in this state per the [qualifications of the elections office](#); and who has been a resident of the district or who, or whose spouse, owns taxable real or personal property within the district whether or not they reside in the district.

STATUTORY LIEN - The Mill levy associated with the Public Improvement District constitutes a general tax lien according to Colorado Revised Statutes 30-20-501 et seq.



LARIMER COUNTY POLICIES FOR FORMATION AND ADMINISTRATION OF PUBLIC IMPROVEMENT DISTRICTS

1. Larimer County reserves the right to deny the formation of any proposed public improvement district based on consideration of benefit and cost after a public hearing.
2. Each application must be accompanied by a \$100.00 processing fee.
3. Review of District proposals will be conducted by the Larimer County Engineering Department prior to a hearing before the Larimer County Commissioners. In preparing its recommendation, the Engineering Department shall consider the following:
 - a) Each district recommended for approval shall be for improvement of existing facilities to a higher standard than currently exists.
 - b) Each project recommended for approval shall include a plan for maintenance of the improvement for a period of at least 15- 20 years following the improvement.
 - c) Each project shall include a plan for funding which is adequate to pay the entire cost of the improvement and the projected cost of maintenance for a 15–20 year period following construction.
4. Larimer County will hold a public hearing to consider forming a public improvement district after a formal legal petition in support of the proposal is filed.
5. The form of the formal legal petition filed in support of a public improvement district project shall be approved by the Larimer County Engineer and the Larimer County Attorney.
6. Larimer County will consider proposals for public improvement districts only for facilities that are dedicated to public use. In the case of street improvements, streets must be within the public right- of-way, by deed of dedication or by dedication on a plat to the satisfaction of Larimer County Engineer and the Larimer County Attorney.
7. Larimer County is not responsible for landscaping within the road rights-of-way unless a written agreement is obtained prior to construction.
8. All goods and purchased services, including consultant selection, bidding for construction, and contracting for construction shall be in accordance with Larimer County Purchasing Policies.
9. All variances from the above policies will require approval from the Larimer County Board of Commissioners.
10. Larimer County Engineering shall charge a 5% annual administrative fee and the Treasurer's Department shall charge a 2% annual collection fee to all districts formed after January 1997.



PROCEDURE FOR FORMATION OF A PUBLIC IMPROVEMENT DISTRICT

1. Public Improvement District formation begins after a public meeting is held within the proposed district and the Engineering Department receives a completed application and application fee.
2. A proposed Improvement plan and a Preliminary Engineering Study will be completed by the Engineering Department.
 - a) The Improvement Plan will state what is being improved, the nature of the improvement, and the extent of the improvement. The plan will include an estimate of the cost of construction, the cost of administration, as well as the cost of maintenance of the improvements for a period of no less than 15- 20 years following construction.
 - b) The full range of choices for construction of each project may be considered through the Engineering Study, including doing nothing, repair of the existing facility, and total reconstruction of the facility. The study will consider how long each choice might last and the cost of each. The least expensive alternative which meets the design requirements will be recommended. For example, an asphalt mat paved street would be designed to last twenty years. The study would determine what type of construction would last twenty years with the least cost for construction.
 - c) At this stage the cost estimate is not based on an investigation of site conditions. For this reason, the Engineering Department will assume worst case conditions for estimation of quantities. Prior to formation of a district property owners may choose to pay for site specific investigations such as soils tests, surveying, etc. to reduce uncertainty in the cost estimate. If property owners elect not to pay for further engineering at this stage, the estimate of cost produced in the preliminary engineering study will be utilized in the formal legal petition requesting the County form the district.
3. A formal legal petition requesting formation of the District will be prepared and circulated. The petition will state the legal description of the proposed district, a description of the proposed improvements, the estimated cost, and the names of three electors who will represent the district during the process of formation. At the request of the property owners, Larimer County will prepare a petition requesting formation of the public improvement district.
 - a) The applicants will be responsible for circulation of the petition among property owners of the proposed district. Once the Larimer County Engineering Department receives and verifies the petition the public hearing process will be initiated.
 - b) Legal notice of a public hearing before the Larimer County Commissioners will be published in a newspaper of general circulation. Notices will be mailed to all property owners of record within the proposed district. At the public hearing the Board of County Commissioners will hear concerns and comments from property owners and interested citizens regarding formation of the proposed district.



4. The Board of County Commissioners will forward the proposed district to an election if it is shown that the proposed improvements:
 - a) must be signed by no less than 30%, or 200 of the eligible electors (whichever is less) who reside or own taxable real or personal property within the proposed district
 - b) benefit the property owners, and
 - c) the cost of the improvements is not excessive as compared with the value of property within the district. If the Board of Commissioners deny the formation of a district the petitioners may resubmit their plan with modifications.
5. An election will be held in November for electors to approve a mill levy on the ballot.
6. The County Commissioners will establish the mill levy to be applied to the assessed value of real property in the district to generate funds for maintenance and district operations.
7. The Treasurer's office will send an annual tax notice showing the additional amount for the mill levy included in the notice.
8. Once a district is formed and has adequate funds saved to commence a project construction can begin.



Application Submitted

- Ownership List & Map of Proposed Boundary Created
- Preliminary Engineering Study & Cost Estimate
- Description of Improvements & Maintenance Plan Created

Neighborhood Meeting

- Applicants Organize Meeting with Neighbors
- Staff Present Information at Neighborhood Meeting

Petition

- Staff Prepare The Petition & Works With Petitioners To Begin The Circulating Process
- Conduct Petition Training with Applicants

Public Hearing

- Hearing with Board of County Commissioners
- Review the 3 Criteria To Make Determination to Approve Petition & Order an Election

General Election

- Neighbors will vote on the Proposed Improvement District in the General Election

Board of County Commissioners Next Steps

- Board of County Commissioners approve resolution setting Mill Levy
- Appoint Road Board Members.
- Construction begins when enough funds are saved to complete a project



May 1 - August 31	Contact Engineering Department
Sept 1 - Jan 1	PID Meeting with Property Owners, Application Filed, Engineering Department Review
Prior to Mar 1	Preliminary Engineering Study, Improvement Plan, and Cost Estimate Completed and Submitted to Applicant
By May 1	Signed Petition Submitted to The Larimer County Engineering Department
Prior to May 10	Notify Treasurer and Assessor of Formation of District
By June 30	Public Hearing to Consider Formation of the District
Prior to Oct 10	Assessor Certifies Total Valuation to Clerk or Secretary of Each Special District
1st Tuesday in November	Election to Approve Increase in Mill Levy
Not later than Dec 15	Clerk or Secretary of Special District Recommends Levy to County Commissioners
Not later than Dec 22	County Commissioners Approve the Mill Levy
Jan-April	Final Engineering Design of the Improvements
May-October	Bid, Contract and Construct Improvements. Actual schedule varies

THIS TIMETABLE IS SUBJECT TO CHANGE WITHOUT NOTICE.

METHOD OF COMPUTING PID MILL LEVIES

The voter approved **MILL LEVY** is applied to the assessed value of real property in the district to generate funds through payment of property taxes. The **MILL LEVY** for a district is calculated by using the requested **REVENUE** and the current year's **ASSESSED VALUATION OF THE DISTRICT**.

$$\text{MILL LEVY} = \frac{\text{TAX (REVENUE)} \times 1,000}{\text{ASSESSED VALUE OF DISTRICT}}$$

