City Council/Enterprise Boards
SPECIAL MEETING
FOLLOWED BY TOWN HALL MEETING
Tuesday, December 14, 2021
6:30 PM
130 South McKinley Avenue

Zo Stieber, Mayor
Valerie Blackston, Ward 1
Chris Ceretto, Ward 2
Carlos Barron, Ward 3
David Crespin, Ward 1
Claud Hanes, Ward 2
Bruce Fitzgerald, Ward 3

You may join in person or join remotely by registering at:
https://attendee.gotowebinar.com/rt/3902754318356881932

Special Meeting Agenda

Call to Order

Roll Call

Action Memorandum

a. AM 2021-207 Adopting the 2022 Budget and Financial Plan and Setting Appropriations for the Various Funds and Spending Agencies for the Period Beginning the First Day of January 2022 and Ending the Thirty-First Day of December 2022

b. AM 2021-208 Approving a Resolution Levying General Property Taxes for the Assessed Tax Year 2020, to Fund the Cost of Government for the City of Fort Lupton, Colorado for the 2022 Fiscal Year

Adjourn

Town Hall Agenda

Call to Order

Discussion Items

a. Coyote Creek Golf Course Fees

b. Axon Expenditures 2022

c. 305 Wagonwheel Update/Questions

d. Highway 52 Access Control Plan Intergovernmental Agreement

e. 1460 14th Street Sanitary Service in County

f. The Flats at Lupton Village PUD Sketch Plat

g. Oil and Gas Regulations Discussion for the Development Code Update

h. NISP 18th Interim Agreement

i. Water Rate Increases

j. Public Hearing (may not be followed by dicsussion):
- EquipmentShare.com Inc Fort Lupton CO Site Plan and Special Use Permit

Adjourn

CITY OF FORT LUPTON
CITY COUNCIL

AM 2021-207

RESOLUTION NO. 2021RXXX ADOPTING THE 2022 BUDGET AND FINANCIAL PLAN AND SETTING APPROPRIATIONS FOR THE VARIOUS FUNDS AND SPENDING AGENCIES FOR THE PERIOD BEGINNING THE FIRST DAY OF JANUARY, 2022 AND ENDING THE THIRTY-FIRST DAY OF DECEMBER, 2022

I. Agenda Date: Council Meeting - December 14, 2022 (Public Hearing)

II. Attachments: a. Resolution No.2021RXX to Adopt the 2022 Budget and Financial Plan.
b. Link to Budget Document
2021 Financial Plan & 6 Year Capital Improvement Program

III. Summary Statement:

Each year, the City is required to adopt a budget setting the legal appropriations for the following year and establish a mill levy. Not only does the budget set the legal appropriations for each fund and spending agency, it also authorizes the procurement of goods, services and equipment to meet the goals and objectives determined by the City Council and establishes the Personnel Compensation System and Six Year Capital Improvements Program.

IV. Submitted by: ______________________
Leann Perino, Finance Director

V. Finance Reviewed ______________________
Finance Director

VI. Approved for Presentation: ______________________
City Administrator

VII. Attorney Reviewed ______ Approved ______ Pending Approval

VIII. Certification of Council Approval: ______________________ City Clerk ________ Date

IX. Detail of Issue/Request:

Each year the City is required to adopt a budget setting the legal appropriations for the following year. The budget not only establishes the legal appropriations for each fund and spending agency but also authorizes the procurement of goods, services, and equipment to meet the goals and objectives determined by the City Council.

X. Legal/Political Considerations:

Pursuant to Colorado Revised Statutes Title 29, Article 1, "Local Government Budget Law of Colorado", all statutory towns and cities are required to adopt an annual budget by the end of the year (C.R.S.29-1-103). If it fails to adopt a budget by the first day of the new fiscal year, then ninety percent of the amount appropriated in the current fiscal year for operation and maintenance expenses shall be deemed re-appropriated for the budget year (C.R.S.29-1-108(4)).

XI. Alternatives/Options:

The City Council may adopt the budget as is or it may continue making revisions.

XII. Financial Considerations:

The final proposed budget reflects all of the changes in estimated revenues and expenditures that were discussed at the budget retreat.

XIII. Staff Recommendation:

Approve Resolution 2021RXXX adopting the 2022 Budget and Financial plan and setting appropriations for the various funds and spending agencies in the amounts specified, for the City of Fort Lupton, Colorado, for and during the period beginning the first day of January, 2022 and ending the thirty-first day of December, 2022.

RESOLUTION NO. 2021R077

A RESOLUTION OF THE CITY COUNCIL ADOPTING THE 2022 BUDGET AND FINANCIAL PLAN AND SETTING APPROPRIATIONS FOR THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE AMOUNTS SPECIFIED, FOR THE CITY OF FORT LUPTON, COLORADO, FOR AND DURING THE PERIOD BEGINNING THE FIRST DAY OF JANUARY 2022 AND ENDING THE THIRTY-FIRST DAY OF DECEMBER 2022.

WHEREAS, in accordance with Colorado Revised Statues Title 29, the City Council has been presented with a complete Budget and Financial plan of all City funds and activities which covers all proposed expenditures of the City for the fiscal year beginning January 1, 2022, and ending December 31, 2022; and

WHEREAS, said budget shows as definitely as possible each of the various projects and programs for which appropriations are made in the budget, and the estimated amount of money carried in the budget for each such project or program; and

WHEREAS, said budget serves a valid public purpose in that it establishes a financial plan for the 2022 fiscal year, which provides for economic development efforts, social services needs and provide for recreational and culture activities for the benefit of the entire community; and

WHEREAS, said budget has been filed with the City Clerk and available for public inspection; and

WHEREAS, the City of Fort Lupton's 2022 Financial Plan has established and public hearings and meetings have been held after duly published public notices.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO, AS FOLLOWS:

Section 1

REVENUE: That the following sources are available for appropriation in the stated amounts:

General Fund	$ 13,436,699
Contingency Fund	150,867
Street Sales Tax Fund	817,835
Library	2,329,448
Culture, Parks & Recreation Sales Tax Fund	1,097,316
Conservation Trust Fund	72,200
Cemetery and Perpetual Care Fund	158,900
Water Sales Tax Fund	1,570,670
Recreation Center Fund	1,872,768
Utility Enterprise Fund - Water	6,093,454
Utility Enterprise Fund – Waste Water	50,075,579
Storm Drainage Enterprise Fund	169,360
Golf Course Enterprise Fund	1,632,058
TOTAL FUNDS AVAILABLE FOR APPROPRIATION	$79,477,154

Section 2

APPROPRIATION: That out of current and probable sources of the City of Fort Lupton, Colorado, for and during the year beginning the first day of January, 2022, there is hereby appropriated the following sums of money or that portion necessary for the purposes herein named:

General Fund	$ 13,956,937
Contingency Fund	1,283,886
Street Sales Tax Fund	1,373,550
Library	10,183,471
Culture, Parks & Recreation Sales Tax Fund	1,102,621
Conservation Trust Fund	10,000
Cemetery and Perpetual Care Fund	102,100
Water Sales Tax Fund	2,412,439
Recreation Center Fund	1,997,634
Utility Enterprise Fund - Water	6,288,087
Utility Enterprise Fund – Waste Water	50,476,585
Storm Drainage Enterprise Fund	137,000
Golf Course Enterprise Fund	1,830,076
TOTAL FUNDS AVAILABLE FOR APPROPRIATION	$91,154,386

Section 3

That the Budget appropriation herein summarized above does reflect uses exceeding sources by $8,930,665; contained in 1) General Fund, 2) Contingency Fund, 3) Street Sales Tax Fund, 4) Library Fund, 5) Water Sales Tax Fund, 6) Utility Enterprise Fund-Waste Water, 7) Recreation Center Fund, 8) Golf Course Enterprise Fund. The variance is funded through use of Reserves in each fund listed.

Section 4

That the budget herein summarized above, by Fund, for the year 2022, and the Six Year Capital Improvements Program, as herein submitted for the years 2022-2027, be approved and adopted as the budget of the City of Fort Lupton, Colorado subject to adjustment of the property tax revenue based upon receipt of the final (December) certification of valuation from the county assessor.

Section 5

No expenditure of the funds of the City shall hereafter be made except in strict compliance with said budget, except that in the case of grave public necessity, emergency expenditures to meet unusual and unforeseen conditions, which could not, by reasonable, diligent thought and attention, have been included in the original budget, may from time to time be authorized by the City Council as amendments to the original budget through a Supplemental Appropriation.

Section 6

The Budget herein approved and adopted shall be signed by the Mayor and attested to by the City Clerk and made a part of the public records of the City.

Section 7

The City Council hereby finds, determines and declares that this Resolution is necessary for the immediate preservation of the public peace, health and safety, and that it serves a valid public purpose.

APPROVED AND PASSED BY THE FORT LUPTON CITY COUNCIL THIS 14th DAY OF DECEMBER 2021.

City of Fort Lupton, Colorado

____
Zo Stieber, Mayor

Attest:

____
Maricela Peña, City Clerk

Approved as to form:

____
Andy Ausmus, City Attorney

CITY OF FORT LUPTON
CITY COUNCIL

AM 2020-208

RESOLUTION NO. 2021RXXX LEVYING GENERAL PROPERTY TAXES FOR THE ASSESSED TAX YEAR 2021, TO FUND THE COST OF GOVERNMENT, FOR THE CITY OF FORT LUPTON, COLORADO FOR THE 2022 FISCAL YEAR

I. Agenda Date: Council Meeting – December 14, 2021

II. Attachments:

a. Resolution No. 2021RXXX
b. Certification of Values dated 11/23/2021 from the Weld County Assessor's Office.
c. Form DLG70 – Certification of Tax Levies for Non-School Governments

III. Summary Statement:

*Each year, the City adopts a property tax mill levy for the following year. The 2021 assessed valuation of **$199,097,193** is expected to bring in approximately **$8,992,564**. This is based on 37.887 mills to be used to support the activities of public works, public safety, and general administration and operations; 2.599 mills used for Recreation Center debt service obligation; 4.68 mills to support the Recreation Center operation & maintenance.*

IV. Submitted by: ______________________
Leann Perino, Finance Director

V. Finance Reviewed ______________________
Finance Director

VI. Approved for Presentation: ______________________
City Administrator

VII. Attorney Reviewed ______ Approved ______ Pending Approval

VIII. Certification of Council Approval: ______________________ __________

IX. Detail of Issue/Request:

Each year the City is required to certify its mill levy to Weld County by December 15th. The 2021 Budget includes both the operating mill levy and the combined recreation center mill levy.

The breakdown, the general operating mill levy, and the recreation center mill levy (as approved by the voters in 2002), is as follows:

Description	2021 Mill Levy	2022 Tax Amount	2020 Mill Levy	2021 Tax Amount
General operating expenses	37.887	7,543,336	28.877	$ 6,989,895
Recreation Center Debt Service	2.599	931,775	2.054	$ 497,186
Recreation Center Operation & Maintenance	4.680	517,453	4.680	$ 1,132,829
Total mill levy	**45.166**	**8,992,564**	**35.611**	**$8,619,910**

Based on the State of Colorado Department of Local Affairs, Division of Local Government's Property Tax Limitations Worksheet, the City may maintain the 5.5% allowable increase per C.R.S. 29-1-301.

X. Legal/Political Considerations:

XI. Alternatives/Options:

None

XII. Financial Considerations:

*The City's 20221 Financial Plan is dependent upon the **$8,992,564** anticipated to be received for general operating purposes, recreation center debt service, and recreation center operation & maintenance.*

XIII. Staff Recommendation:

Approve Resolution No. 2021RXXX levying general property taxes for the tax year 2021, to fund the cost of government, for the City of Fort Lupton, Colorado for the 2022 fiscal year.

RESOLUTION NO. 2021078

A RESOLUTION OF THE CITY COUNCIL LEVYING GENERAL PROPERTY TAXES FOR THE TAX YEAR 2022, TO FUND THE COST OF GOVERNMENT, FOR THE CITY OF FORT LUPTON, COLORADO FOR THE 2022 FISCAL YEAR.

WHEREAS, the City Council of the City of Fort Lupton has adopted the 2022 Budget and 6 Year Capital Improvement Plan in accordance with Colorado Revised Statutes Title 29; and

WHEREAS, the amount of money necessary to fund the budget for general operating expenses is $7,543,336; and

WHEREAS, the amount of money necessary to cover the debt service of the Recreation Center is $517,453; and

WHEREAS, the amount of money necessary to cover the operation & maintenance of the Recreation Center is $931,775; and

WHEREAS, the 2021 net assessed valuation for the City of Fort Lupton is $199,097,193;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO, AS FOLLOWS:

Section 1

That for the purpose of meeting general expenses of the City of Fort Lupton for the 2022 fiscal year, there is hereby levied a tax of 45.249 mills upon each dollar of the total valuation for the assessment of all taxable property within the City of Fort Lupton for the tax year 2022 as follows:

Description	Mill Levy	Dollar Amount
General Fund operating expenses	37.887	7,543,336
Recreation Center Debt Service	2.599	931,775
Recreation Center Operation & Maintenance	4.680	517,453
Total Mill Levy	**45.166**	**8,992,564**

Section 2

That the City Council of the City of Fort Lupton, Colorado hereby certifies to Weld County, Colorado the mill levy as hereinabove determined and set.

Section 3

The City Council hereby finds, determines and declares that this Resolution is necessary for the immediate preservation of the public peace, health and safety, and that it serves a valid public purpose.

APPROVED AND PASSED BY THE FORT LUPTON CITY COUNCIL THIS 14th DAY OF DECEMBER 2021.

City of Fort Lupton, Colorado

____
Zo Stieber, Mayor

Attest:

____
Maricela Peña, City Clerk

Approved as to form:

____
Andy Ausmus, City Attorney

0407 County Tax Entity Code

New Tax Entity? ☐ YES ☐ NO

CERTIFICATION OF VALUATION BY WELD COUNTY ASSESSOR

DOLA LGID/SID 62014/1

Date 11/23/2021

NAME OF TAX ENTITY: FORT LUPTON CITY

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATION ("5.5%" LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) and 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR 2021:

1.	PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	1.	$ 242,057,526
2.	CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: ‡	2.	$ 203,071,900
3.	LESS TOTAL TIF AREA INCREMENTS, IF ANY:	3.	$ 3,974,707
4.	CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	4.	$ 199,097,193
5.	NEW CONSTRUCTION: *	5.	$ 4,992,160
6.	INCREASED PRODUCTION OF PRODUCING MINE: ≈	6.	$
7.	ANNEXATIONS/INCLUSIONS:	7.	$ 551,470
8.	PREVIOUSLY EXEMPT FEDERAL PROPERTY: ≈	8.	$ 0
9.	NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND (29-1-301(1)(b), C.R.S.): Φ	9.	$ 0
10.	TAXES RECEIVED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1)(a), C.R.S.). Includes all revenue collected on valuation not previously certified:	10.	$ 0.00
11.	TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a), C.R.S.) and (39-10-114(1)(a)(I)(B), C.R.S.):	11.	$ 10,453.50

‡ This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec. 20(8)(b), Colo. Constitution

* New Construction is defined as: Taxable real property structures and the personal property connected with the structure.

≈ Jurisdiction must submit to the Division of Local Government respective Certifications of Impact in order for the values to be treated as growth in the limit calculation; use Forms DLG 52 & 52A.

Φ Jurisdiction must apply to the Division of Local Government before the value can be treated as growth in the limit calculation; use Form DLG 52B.

USE FOR TABOR "LOCAL GROWTH" CALCULATION ONLY

IN ACCORDANCE WITH ART.X, SEC.20, COLO. CONSTUTION AND 39-5-121(2)(b), C.R.S., THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2021:

1.	CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: ¶	1.	$ 983,791,788
	ADDITIONS TO TAXABLE REAL PROPERTY		
2.	CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: *	2.	$ 33,990,680
3.	ANNEXATIONS/INCLUSIONS:	3.	$ 2,608,209
4.	INCREASED MINING PRODUCTION: §	4.	$
5.	PREVIOUSLY EXEMPT PROPERTY:	5.	$ 0
6.	OIL OR GAS PRODUCTION FROM A NEW WELL:	6.	$ 0
7.	TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT: (If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.):	7.	$
	DELETIONS FROM TAXABLE REAL PROPERTY		
8.	DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	8.	$ 0
9.	DISCONNECTIONS/EXCLUSIONS:	9.	$ 0
10.	PREVIOUSLY TAXABLE PROPERTY:	10.	$ 1,073

¶ This includes the actual value of all taxable real property plus the actual value of religious, private school, and charitable real property.

* Construction is defined as newly constructed taxable real property structures.

§ Includes production from new mines and increases in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS:

TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY $ 1,183,399,996

IN ACCORDANCE WITH 39-5-128(1.5), C.R.S., THE ASSESSOR PROVIDES:

HB21-1312 ASSESSED VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): ** $ 218,080

** The tax revenue lost due to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119.5(3), C.R.S.

NOTE: ALL LEVIES MUST BE CERTIFIED to the COUNTY COMMISSIONERS NO LATER THAN DECEMBER 15.

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners[1] of WELD COUNTY, Colorado.

On behalf of the FORT LUPTON CITY,
(taxing entity)[A]

the City of Fort Lupton Council
(governing body)[B]

of the FORT LUPTON CITY
(local government)[C]

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS assessed valuation of: $ $203,071,900.00
(GROSS[D] assessed valuation, Line 2 of the Certification of Valuation Form DLG 57[E])

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area[F] 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: $ $199,097,193.00
(NET[G] 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: ____________ for budget/fiscal year 2022.
(no later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)	**LEVY**[2]		**REVENUE**[2]
1. General Operating Expenses[H]	37.887	mills	$ 7543195.35
2. **<Minus>** Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction[I]	< >	mills	$ < 0.00 >
SUBTOTAL FOR GENERAL OPERATING:	37.887	**mills**	**$** 7543195.35
3. General Obligation Bonds and Interest[J]	2.599	mills	$ 517453.60
4. Contractual Obligations[K]		mills	$ 0.00
5. Capital Expenditures[L]		mills	$ 0.00
6. Refunds/Abatements[M]		mills	$ 0.00
7. Other[N] (specify): Rec Center Voter Approved O&M	4.68	mills	$ 931774.86
		mills	$
TOTAL: [Sum of General Operating Subtotal and Lines 3 to 7]	45.166	**mills**	**$** 8992423.82

Contact person: (print) ____________ Daytime phone: ____________

Signed: ____________ Title: ____________

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.

[1] 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.
[2] 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).

<u>THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT</u> (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[J]:

1. Purpose of Issue: **Recreation Center Construction Bond**
   Series: **Series 2011**
   Date of Issue: **10/28/2011**
   Coupon Rate: **3%**
   Maturity Date: **12/1/2022**
   Levy: **2.599**
   Revenue: **517,453**

2. Purpose of Issue: ______
   Series: ______
   Date of Issue: ______
   Coupon Rate: ______
   Maturity Date: ______
   Levy: ______
   Revenue: ______

CONTRACTS[K]:

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.

Notes:

[A] **Taxing Entity—**A jurisdiction authorized by law to impose ad valorem property taxes on taxable property located within its territorial limits (please see notes B, C, and H below). For purposes of the DLG 70 only, a *taxing entity* is also a geographic area formerly located within a *taxing entity's* boundaries for which the county assessor certifies a valuation for assessment and which is responsible for payment of its share until retirement of financial obligations incurred by the *taxing entity* when the area was part of the *taxing entity*. For example: an area of excluded property formerly within a special district with outstanding general obligation debt at the time of the exclusion or the area located within the former boundaries of a dissolved district whose outstanding general obligation debt service is administered by another local government[C].

[B] **Governing Body—**The board of county commissioners, the city council, the board of trustees, the board of directors, or the board of any other entity that is responsible for the certification of the *taxing entity's* mill levy. For example: the board of county commissioners is the governing board ex officio of a county public improvement district (PID); the board of a water and sanitation district constitutes ex officio the board of directors of the water subdistrict.

[C] **Local Government -** For purposes of this line on Page 1of the DLG 70, the *local government* is the political subdivision under whose authority and within whose boundaries the *taxing entity* was created. The *local government* is authorized to levy property taxes on behalf of the *taxing entity*. For example, for the purposes of this form:

1. a municipality is both the *local government* and the *taxing entity* when levying its own levy for its entire jurisdiction;
2. a city is the *local government* when levying a tax on behalf of a business improvement district (BID) *taxing entity* which it created and whose city council is the BID board;
3. a fire district is the *local government* if it created a subdistrict, the *taxing entity*, on whose behalf the fire district levies property taxes.
4. a town is the *local government* when it provides the service for a dissolved water district and the town board serves as the board of a dissolved water district, the *taxing entity*, for the purpose of certifying a levy for the annual debt service on outstanding obligations.

[D] **GROSS Assessed Value -** There will be a difference between gross assessed valuation and net assessed valuation reported by the county assessor only if there is a "tax increment financing" entity (see below), such as a downtown development authority or an urban renewal authority, within the boundaries of the *taxing entity*. The board of county commissioners certifies each *taxing entity's* total mills upon the *taxing entity's Gross Assessed Value* found on Line 2 of Form DLG 57.

[E] **Certification of Valuation by County Assessor, Form DLG 57 -** The county assessor(s) uses this form (or one similar) to provide valuation for assessment information to a *taxing entity*. The county assessor must provide this certification no later than August 25th each year and may amend it, one time, prior to December 10th. Each entity must use the **FINAL** valuation provided by assessor when certifying a tax levy.

[F] **TIF Area—**A downtown development authority (DDA) or urban renewal authority (URA), may form plan areas that use "tax increment financing" to derive revenue from increases in assessed valuation (gross minus net, Form DLG 57 Line 3) attributed to the activities/improvements within the plan area. The DDA or URA receives the differential revenue of each overlapping *taxing entity's* mill levy applied against the *taxing entity's* gross assessed value after subtracting the *taxing entity's* revenues derived from its mill levy applied against the net assessed value.

[G] **NET Assessed Value—**The total taxable assessed valuation from which the *taxing entity* will derive revenues for its uses. It is found on Line 4 of Form DLG 57. **Please Note:** A downtown development authority (DDA) may be both a *taxing entity* and have also created its own *TIF area* and/or have a URA *TIF Area* within the DDA's boundaries. As a result DDAs may both receive operating revenue from their levy applied to their certified *NET assessed value* and also receive TIF revenue generated by any *tax entity* levies overlapping the DDA's *TIF Area*, including the DDA's own operating levy.

[H] **General Operating Expenses (DLG 70 Page 1 Line 1)—**The levy and accompanying revenue reported on Line 1 is for general operations and includes, in aggregate, all levies for and revenues raised by a *taxing entity* for purposes not lawfully exempted and detailed in Lines 3 through 7 on Page 1 of the DLG 70. For example: a fire pension levy is included in general operating expenses, unless the pension is voter-approved, if voter-approved, use Line 7 (Other).

[I] **Temporary Tax Credit for Operations (DLG 70 Page 1 Line 2)—**The Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction of 39-1-111.5, C.R.S. may be applied to the *taxing entity*'s levy for general operations to effect refunds. Temporary Tax Credits (TTCs) are not applicable to other types of levies (non-general operations) certified on this form because these levies are adjusted from year to year as specified by the provisions of any contract or schedule of payments established for the payment of any obligation incurred by the *taxing entity* per 29-1-301(1.7), C.R.S., or they are certified as authorized at election per 29-1-302(2)(b), C.R.S.

[J] **General Obligation Bonds and Interest (DLG 70 Page 1 Line 3)—**Enter on this line the total levy required to pay the annual debt service of all general obligation bonds. Per 29-1-301(1.7) C.R.S., the amount of revenue levied for this purpose cannot be greater than the amount of revenue required for such purpose as specified by the provisions of any contract or schedule of payments. Title 32, Article 1 Special districts and subdistricts must complete Page 2 of the DLG 70.

[K] **Contractual Obligation (DLG 70 Page 1 Line 4)—**If repayment of a contractual obligation with property tax has been approved at election and it is not a general obligation bond (shown on Line 3), the mill levy is entered on this line. Per 29-1-301(1.7) C.R.S., the amount of revenue levied for this purpose cannot be greater than the amount of revenue required for such purpose as specified by the provisions of any contract or schedule of payments.

[L] **Capital Expenditures (DLG 70 Page 1 Line 5)—**These revenues are not subject to the statutory property tax revenue limit <u>if</u> they are approved by counties and municipalities <u>through public hearings</u> pursuant to 29-1-301(1.2) C.R.S. and for special districts <u>through approval from the Division of Local Government</u> pursuant to 29-1-302(1.5) C.R.S. or for any *taxing entity* if <u>approved at election</u>. Only levies approved by these methods should be entered on Line 5.

[M] **Refunds/Abatements (DLG 70 Page 1 Line 6)—**The county assessor reports on the *Certification of Valuation* (DLG 57 Line 11) the amount of revenue from property tax that the local government did not receive in the prior year because taxpayers were given refunds for taxes they had paid or they were given abatements for taxes originally charged to them due to errors made in their property valuation. The local government was due the tax revenue and would have collected it through an adjusted mill levy if the valuation errors had not occurred. Since the government was due the revenue, it may levy, in the subsequent year, a mill to collect the refund/abatement revenue. An abatement/refund mill levy may generate revenues up to, but not exceeding, the refund/abatement amount from Form DLG 57 Line 11.

1. Please Note: Pursuant to Article X, Section 3 of the Colorado Constitution, <u>if the *taxing entity* is in more than one county, as with all levies, the abatement levy must be uniform throughout the entity's boundaries and certified the same to each county.</u> To calculate the abatement/refund levy for a *taxing entity* that is located in more than one county, first total the abatement/refund amounts reported by each county assessor, then divide by the *taxing entity*'s total net assessed value, then multiply by 1,000 and round <u>down</u> to the nearest three decimals to prevent levying for more revenue than was abated/refunded. This results in an abatement/refund mill levy that will be uniformly certified to all of the counties in which the *taxing entity* is located even though the abatement/refund did not occur in all the counties.

[N] **Other (DLG 70 Page 1 Line 7)—**Report other levies and revenue not subject to 29-1-301 C.R.S. that were not reported above. For example: a levy for the purposes of television relay or translator facilities as specified in sections 29-7-101, 29-7-102, and 29-7-105 and 32-1-1005 (1) (a), C.R.S.; a voter-approved fire pension levy; a levy for special purposes such as developmental disabilities, open space, etc.