

Checklist for Creating a Local PID

The following is a list of things that will facilitate the formation of a Public Utility District (a PID) and to monitor how it's provisions are implemented once it is formed. Note that a Petition to create a PID must be presented to the Boulder County Clerk early in August if you want it to be included on the November ballot. You'll therefore need to start the process to request the formation a PID early in the year if you want your PID put on the ballot that year.

(In the notes below, "C.R.S." refers to the specific page of Colorado statutes governing the formation of PID's. A link to these statutes can be found in the [PID – General Information](#) document.)

1. Find someone willing to drive the process

You'll need appoint someone in your area who is willing to drive the process from beginning to end. It's better to have more than one person involved in this as the more eyes, and the more help, the better.

2. Determine what households will be affected

The next step is to establish the boundaries of your District. A PID can be any size. But it must include 100 eligible electors (registered voters), or one eligible elector for each five acres to be included in the district, or must be approved by 100% of the owners of taxable property within the District (**C.R.S. 30-20-505**). It's beneficial to have plats of the subdivision or subdivisions affected available. You'll need this information in order to communicate to the County what roads you are concerned about and what specific households will be affected.

3. Review your options with the County Transportation Department.

Early in the process, the representatives appointed in Step 1 should schedule a meeting with the Boulder County Transportation Department (BCTD) to determine what options you have for addressing the condition of the roads in your District. Before doing a presentation to the property owners in your District, you may want to get details from BCTD on what work they recommend, when they think it needs to be done, what it's overall cost it will be, and what it will cost each household. BCTD should be able to provide a detailed estimate of the initial work required and as well as the estimated cost of any future work anticipated.

The BCTD contacts can be found in the [PID – Contacts](#) document.

4. Obtain a list of property owners and electors in your District

You will need to know what property owners will be affected by your PID. You'll also need to know what electors are eligible to sign your petition as well as vote in the election if your PID us put on the November ballot. A list of electors can be obtained from the Boulder County Clerk. The Clerk can give you a list of all registered voters in the County. You'll need to filter through this so you can find the ones in your District. There is a small charge to get this list. A list of property owners in your District is available through the County Assessor's website. Contact information for both of these can be found in the [PID – Contacts](#) document.

Note that "electors" and "property owners" are different. A property owner is someone who owns taxable property in your District. An elector is a registered voter who either owns taxable property in your District or whose home of record is in it (**C.R.S. 30-20-503**). If 100% of the owners of taxable property in your District

approve the Petition that requests its formation, then the PID may not have to be voted on in the November election. If this threshold is unachievable, then Petition must be signed by 200 electors in the District or 30% of the electors, whichever is less (**C.R.S. 30-20-505**).

5. Ask the County to create a Petition requesting the formation of your PID

The first official step in forming a PID is to present a Petition to the County Clerk describing the area your PID covers and what you want the PID to accomplish. You should ask BCTD to create this for you so that it meets their requirements as well as the State regulations regarding the formation of PID's. Your request for them to do so should be done early in the process, possibly even before the first meeting with your property owners. The heart of the Petition should describe the work you want accomplished, what it will cost, and any additional conditions you and the County have agreed to.

Some provisions in the Petition are negotiable; if there is something you or your property owners want, it never hurts to ask. What's critical is to make sure that the language of the Petition is not ambiguous; it needs to clearly state the agreement between your property owners and the County, what it's overall cost will be, and what it will cost per household. This is an iterative process. Be prepared to spend some time bouncing the Petition back and forth between you, your property owners, and the County to make sure you "get it right".

In your early meetings with the County Transportation Department, you'll need to confirm the latest you can get the Petition presented to the County Clerk if you want it on the ballot that year. A lot of work will need to be done in the months leading up to this to make sure this deadline is met.

One of the things your Petition will be required state is the names of at least three people who will represent your Petitioners when it is presented to the County and discussed by the County Commissioners.

6. Schedule meetings with your Property Owners

Once you know what the County recommends that you do and have an estimate of its cost, you'll need to schedule a series of meetings with your property owners to present the options they have for addressing the conditions of your roads. It may be beneficial to have a preliminary (non-finalized) version of the Petition available for their review at this time. You should try to determine during these meetings what concerns your property owners have and to try to get these addressed before the Petition is in its final version. An example of the information you can present to property owners at one of your initial meetings with them can be found in the [PID – Sample Presentation](#) document.

Before your first meeting, you should try to be familiar all the information found by accessing the links in the [PID – General Information](#) document. These links will take you to documents the County has posted regarding subdivision paving, the Colorado statutes governing the formation of PID's, and some documents the County has posted that pertain to the Burgundy Park PID that was approved in November, 2017.

7. Circulate the final version of the Petition so it can be signed

One you've ironed out the language of your Petition and it's in its final version, the next step is to get it signed. If you can't get 100% of your property owners to sign it, then you'll need the list of electors in your District that you obtained earlier so that you know who is eligible to sign the Petition. You can print and circulate more than

one copy of your Petition. Just make sure that each person circulating them understands and follows the directions provided by the County on who is eligible to sign your Petition and how it is to be signed.

At least 30% of your electors or a minimum of 200 electors, whichever is less, need to sign the Petition before it will be accepted by the County (**C.R.S. 30-30-505**). Your goal should be to get as many electors as possible to sign your Petition, especially if your District is small.

8. Present your signed Petition to the County Clerk

Once you've gotten the required signatures, you can submit your Petitions to the County Clerk in Boulder.

9. Review the language of the published version of the Petition and the Resolution

After your Petition has been accepted, the County Clerk will create a Resolution that mimics what is described in your Petition. This will be published in the Classified Ads of the Daily Camera and possibly in the Times-Call prior to it being voted on by County Commissioners. Watch for this and when you spot it, make sure its provisions are identical to what you and the County agreed to in your Petition. If not, then contact the County Transportation Department immediately to get the discrepancies addressed.

The Resolution will have a numeric identifier that references the actual document the Commissioners will be presented with. Look for this online after it is posted in the newspaper or ask the County to give you a link to it. It's imperative that the actual Resolution be reviewed prior to it being voted on by the Commissioners to make sure it matches the language and provisions of your Petition.

10. Attend the Commissioners' meeting

The ones you designated to represent your petitioners should plan to attend the meeting where the Commissioners discuss and vote on your Petition. Prior to the meeting, make sure that you've reviewed the final version of the Resolution. Also note that what is actually presented to the Commissioners at the time of the meeting. They can and sometimes do make last minute changes after the Resolution is published. If you don't approve of the changes, let them know. You will be given an opportunity to talk to the Commissioners before they vote on the Resolution and can request additional changes if they made ones that you find objectionable.

11. Prepare pro and possibly con statements for the November ballot

Once your Petition is approved, the County Clerk will ask you to write up a "pro" statement that tells your electors why you would like to have them vote "yes" for the PID on the November ballot. You are typically not required to write a "con" statement but can let those opposed to your PID know that they have an opportunity to write and submit one if they wish.

12. Review the ballot language

If you have an opportunity to do so, see if you can review the ballot language prior to it being published in the Voter's Pamphlet to make sure it matches the provisions of your Petition.

13. Encourage your electors to vote

Encourage your electors to vote. Remind them that it takes a simple majority of “yes” votes to approve the PID. For example, if only 3 electors vote on the PID, it only takes 2 “yes” votes to approve it even if you have dozens or even hundreds of electors in your District.

14. Watch for the formation of your PID

If your PID is approved, the next thing that will happen is that the Commissioners will declare that the PID has been formed. This is a procedural process and probably doesn’t require any oversight on your part.

15. Meet with BCTD to find out what happens next

Once the PID has been formed, you’ll want to meet with the County Transportation Department to find out their schedule for implementing the provisions of your PID. Someone in your District will need to stay on top of this to make sure nothing falls through the cracks and that what the County has agreed to do actually happens.

16. Review the Intergovernmental Agreement (the IGA) prior to its approval.

The Commissioners will serve as the Directors of the PID once it’s established. They will write up an agreement between the PID and County Transportation Department that identifies what work is to be done and how the funds for it will be managed. It should be similar if not identical to the provisions in the Resolution as well as your original Petition. You should ask for an advance copy of this. Review it carefully to make sure everything the County agreed to do is included and is clearly stated. The date the IGA is to approved will show up on the Commissioners’ agenda. If you have any issues with the IGA, let the Transportation Department know well in advance so they can address them.

17. Continue to follow up

Someone in your District will need to monitor what the County does to meet the conditions of the IGA, the Resolution, and the Petition. Hopefully these will all be in agreement. Once the County begins collecting funds for your PID, someone should monitor both the inflow and outflow of revenue in the fund to ensure that it is consistent with your agreement with the County.