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Designed by Emmett Jordan

? Ask Evan

Q: Can a district move money from one line to another and does that require a budget amendment? What if a district goes over budget in one line for one fiscal year, does that need to be cured for the next fiscal year? And what is a budget amendment?

A: Your accountant or CPA should have ready answers to these questions, but it may be helpful for the Board to know what the CPA is talking about when asked these questions. The answers are generally laid out in Colorado Revised Statutes, Title 29, Article 1, Part 102 thru 115.

Start with the premise that a district's budget, if well done, is one of the best and most helpful planning tools available. It can be helpful in bringing details and reality to the visions, hopes, dreams, and accomplishments of the district's operations on a year-after-year basis.

First, some definitions may be helpful:

- » "Budget" means the complete estimated financial plan of the local government.
- » "Fund" means a fiscal and accounting entity with a self-balancing set of accounts in which cash and other financial resources; all related liabilities and residual equities of balances; and changes therein are recorded and segregated to carry on specific activities or to attain certain objectives in accordance with special regulations, restrictions, or limitations.
- » "Appropriation" means the authorization by ordinance or resolution of a spending limit for expenditures and obligations for specific purposes.

Most district budgets will divide the financial records into funds, representing separate actions or activities, and the budget will be divided into funds matching the separable activities. The adopted budget will segregate the fund balances, and the sum of the revenues and expenditures of all of the funds will make up the total budget.

There are some rules, the most significant ones being:

1. No budget adopted shall provide for expenditures in excess of available revenues and beginning fund balances.
2. The amounts appropriated shall not exceed the budgeted expenditures.
3. No project shall be undertaken without funds appropriated (by ordinance or resolution) authorizing the expenditure to pay for the project.

During the course of the budget year, it may become apparent that not enough spending authority (appropriation) has been budgeted for a particular fund or that the activities within that fund are exceeding the budget estimates. In this case, two choices exist: either cut back the spending in the fund or seek to transfer funding authority from another fund.

However, there is also a third choice: revise the budget to either shift budgeted appropriations from other funds, increase the amount of the fund within the budget, and/or increase the spending authority of the budget overall. **Note:** The revised expenditures cannot exceed available revenue plus last year's yearend fund balance. If the expenditure is to be increased, the revenue must match, so be cautious that an increase in the total budgeted amount does not run afoul of TABOR limitations.

Needless to say, any of these actions will need to be reflected in the district's budget, and before the end of the budget year, adjustments must be made to accurately reflect the revenue and spending for the district. This is done with budget amendments.

A budget amendment, or budget amendments, must be done following the same procedures that were followed in adopting the budget originally. The same notice and public hearings must be held. In addition, the amendment must explain the changes, indicating the reason for the amendment, and the impact on other parts of the bud-



Evan Goulding, Consultant and former SDA Executive Director.

get. The budget amendment must also be accompanied by a revised appropriations resolution, authorizing the new authority to spend more in the revised funds, as well as in the total budget amount, if the transfers among funds result in an increase in the total budget.

It should be apparent that the fund balances at year's end will be a part of the revenue estimates for the following year so they should be brought into balance and be accurate for the budget year. By doing so, budgeting for the following year will reflect accurate fund balances for that next year.

It should also be noted that any project or activity authorized by contract or otherwise will be void if there is not adequate funding authorized by a resolution granting spending authority to the project. And if there are change orders increasing the cost of the project, those changes cannot go forward unless spending authorization is given by resolution. 🍌





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Join Us on June 29 for the 2021 Virtual Annual Workshop!

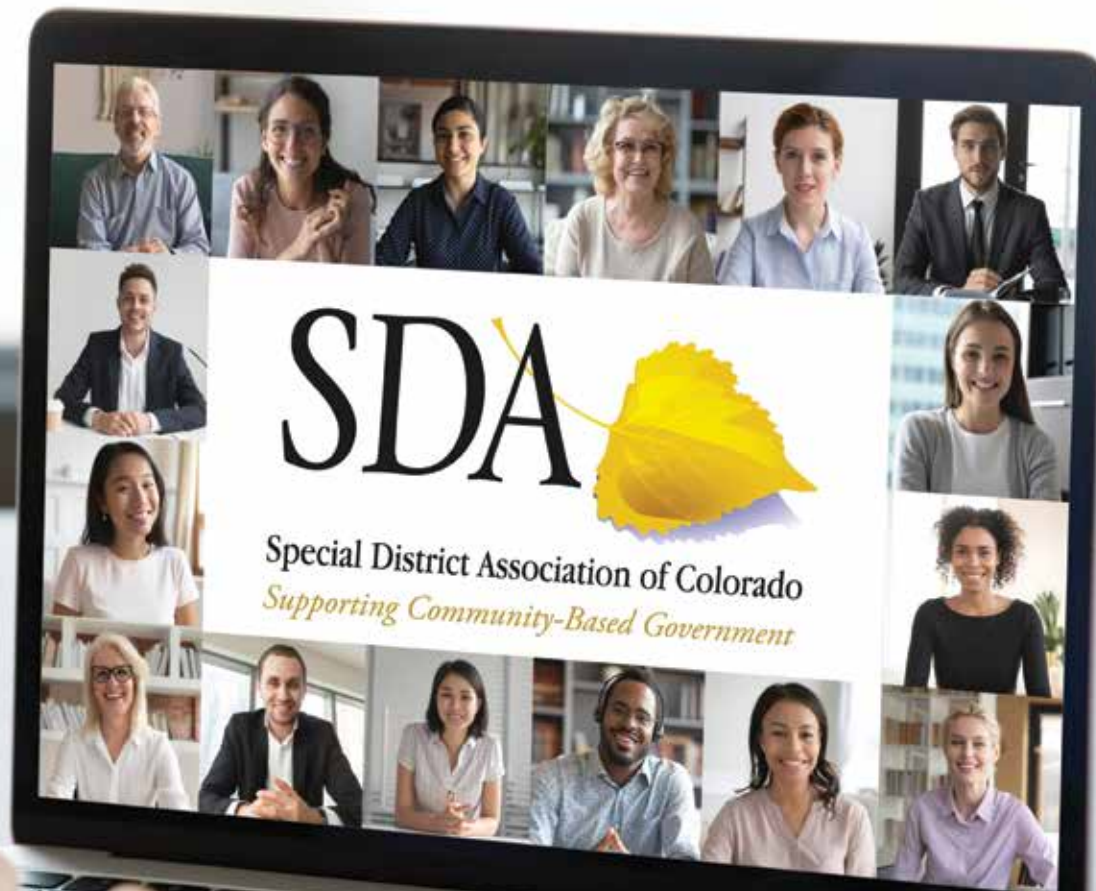
**SDA and the law firm of Collins Cockrel & Cole
are thrilled to be hosting this year's Annual
Workshop via Zoom on Tuesday, June 29!**

The full day training will begin around 8:30 am and conclude around 4:00 pm. The day will be divided into four parts of approximately one hour each, with a break between each segment. We will follow the same format as we have in the past in an outline that follows the Board Member Manual so you'll receive all the same valuable information! Part four of the training will also include the annual legislative update.

On top of all this, there will even be time for a "live" Q&A during each section! We will also record everything so you will be able to go back and refer to the information at any time.

Just like when we are in person, this educational training applies to all types of districts, and Board members and district staff alike are sure to benefit from this valuable material. We will cover a wide variety of important topics such as open meetings, conflicts of interest, civility, TABOR, and public records, just to name a few. Needless to say, there will be something for everyone!

Mark your calendar for June 29, and watch your emails and the SDA website at www.sdaco.org for all the details! (Also watch for information on the 2021 Board Member Manual which will be coming out later this summer after the Legislative Session wraps up at the end of June.) 🍋



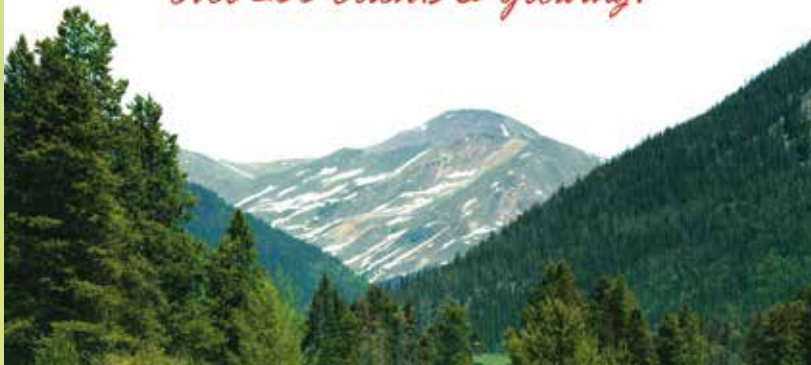
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State and Local Fiscal Aid

Provisions of the American Rescue Plan Act of 2021

On March 10, 2021, Congress approved the final version of the \$1.9 trillion coronavirus relief package, entitled the *American Rescue Plan Act of 2021*. President Biden then signed the legislation into law on March 11.

The National Special Districts Coalition has created a special report summarizing the key provisions of the bill. To read the entire report, please visit our website at www.sdaco.org. Flags have been used throughout the document to note programs of particular interest to special districts. We have included the section on state and local fiscal aid below.



State and Local Fiscal Aid

The bill includes direct aid to state and local governments. It provides \$350 billion to states, territories, tribes, and local governments to be used for responding to COVID-19, as well as \$10 billion for a Critical Infrastructure Projects program to help states, territories, and tribal governments carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to COVID-19. The bill also includes a new \$2 billion Local Assistance and Tribal Consistency Fund to make payments to eligible revenue-sharing counties and tribes. Eligible counties and tribes are those for which the Treasury Secretary determines there is a negative revenue impact owing to implementation of federal programs or changes to those programs.

Counties receive a total of \$65.1 bil-

lion; municipalities with populations over 50,000 receive \$45.57 billion; and municipalities with less than 50,000 people receive \$19.53 billion. Updated funding estimates were calculated by the House Oversight and Reform Committee on March 8, 2021 for all units of government receiving an allocation. Please keep in mind that final formula allocations will be developed by the U.S. Department of the Treasury in the subsequent weeks following the bill's enactment on March 11, 2021.

Several changes were made by the Senate to the allowable "uses of funds." The final four ways local governments are allowed to use the funds are as follows:

- » To respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- » To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
- » For the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county government due to the COVID-19 public emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or
- » To make necessary investments in water, sewer, or broadband infrastructure.

No funds can be used to deposit into pension funds or to offset revenue resulting from a tax cut.

State and local recipients are allowed to transfer funds to private nonprofit groups, public benefit corporations involved in passenger or cargo transportation, and special-purpose units of state or local governments. Local recipients are also allowed to transfer funds back to the state government.

The restriction on the uses of funds based on the need to provide government services was tightened in the final language to stipulate that states, counties, and localities may use the money only to replace the amount of revenue lost during the pandemic compared to the prior full fiscal year; and state, county, and local governments have now gained the ability to use their allotments to provide "premium pay" to essential workers of up to \$13 per hour, capped at a maximum \$25,000. Essential workers are defined as those "needed to maintain continuity of operations of essential critical infrastructure sectors" or others as designated by state and local officials as critical to "health and well-being" of their residents.

The measure sets 60-day deadlines (i.e., May 10, 2021) for the Treasury Department to distribute most funds to state and local recipients. A second tranche of funds will be distributed to localities 12 months after the initial allocation (i.e., April/May 2022). The Treasury Department may also withhold up to half of a state or territory's allocation for as long as 12 months based on its unemployment rate and require an updated certification of its funding needs.

States must distribute funds to smaller cities/towns with populations less than 50,000 within 30 days of receiving a payment from the Treasury Department, with extensions permitted. A city/town cannot receive more than 75 percent of its budget as of January 27, 2020. 🍌

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2020 Colorado Resiliency Framework Helps Lay Groundwork for a More Resilient Future

Early this year, the Colorado Resiliency Office (CRO), within the Colorado Department of Local Affairs, released its newly updated 2020 Colorado Resiliency Framework. According to the CRO, this 80 plus page document is the culmination of months of community meetings, summits, and conversations about how to foster resilience across Colorado.

The CRO was first created by then-Governor Hickenlooper in response to the 2013 flooding. At that time, the CRO was tasked with coordinating the State's recovery efforts and creating ways to develop long-term resiliency for future catastrophic events. To accomplish this, the CRO convened the Colorado Resiliency Working Group who, through their work analyzing existing conditions as well as risks and vulnerabilities, developed the first Colorado Resiliency Framework in 2015.

Five years later, the new Framework has been updated based on the success that has been achieved and the lessons that have been learned since 2015. It now addresses four main themes:

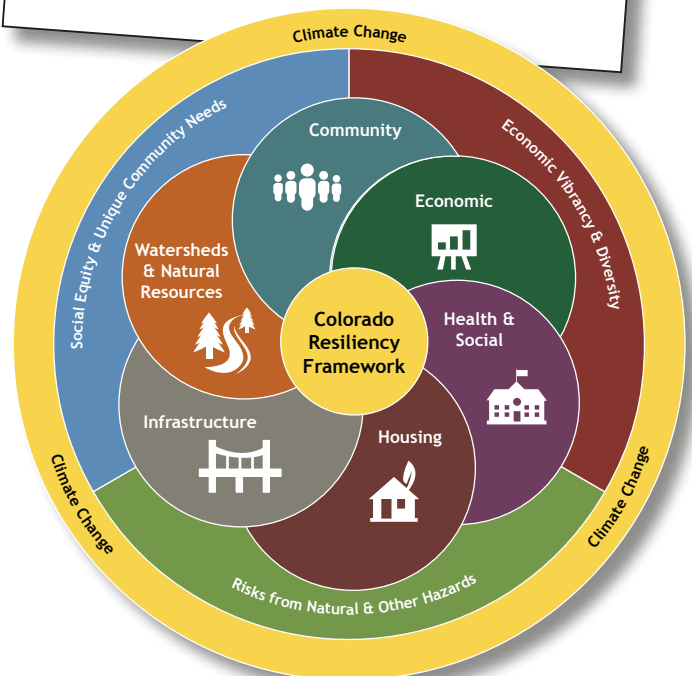
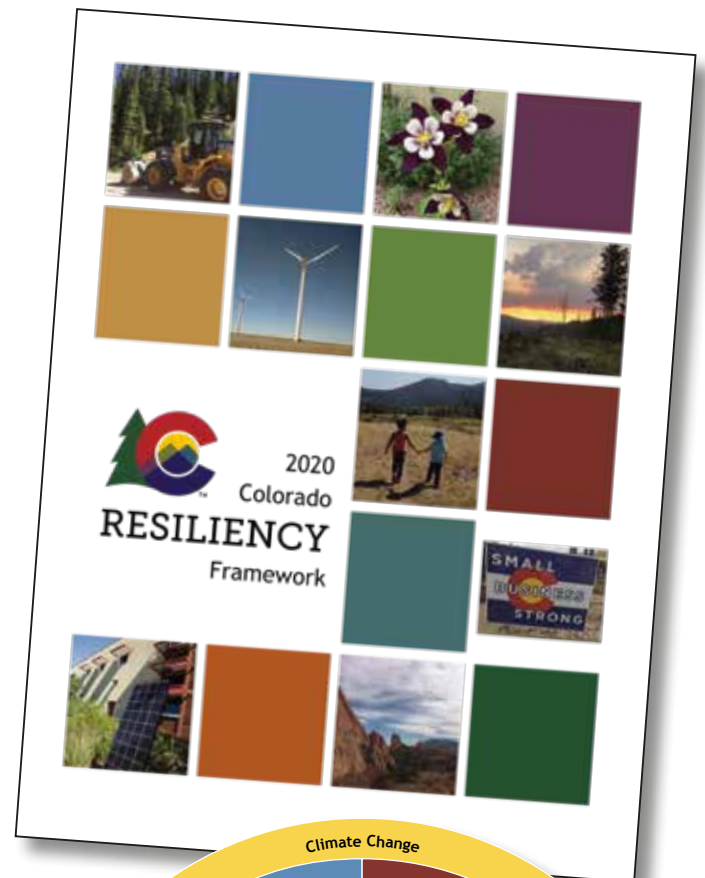
- » Adapting to our changing climate
- » Understanding risks from natural and other hazards
- » Addressing social inequities and unique community needs
- » Pursuing economic diversity and vibrancy

The Framework also focuses on six priority areas and 29 strategies which emerged through the stakeholder engagement process:

- » Future-Ready Economy and Workforce
- » Climate and Natural Hazard Resiliency
- » Building and Infrastructure Sustainability
- » Agriculture and Food Security
- » Housing Attainability
- » Community Capacity

Now that the new Framework has been developed, the CRO and the Colorado Resiliency Working Group will continue to lead the efforts laid out in the document. They will be forming implementation teams to carry out the strategies, coordinating meetings of stakeholders from across the state, and providing opportunities for the sharing of important information. They are also encouraging communities of all types to become involved in the implementation of the Framework.

To read the full document and find out how you can help, please visit <https://www.coresiliency.com/colorado-resiliency-framework>.



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The Costilla County Conservancy District

Grassroots Effort to Protect Land and Water

By Susan M. Thornton

Cattle grazing on Culebra Peak, located within the Costilla County Conservancy District, may be one of the topic areas examined in the Upper Culebra Watershed Assessment.

The Costilla County Conservancy District has embarked on a long-term watershed assessment project that is already in its fourth year. The assessment is planned to be completed by the end of this year.

The District, formed by a court order in 1976 for flood control, lies in historic south central Colorado where ranching and farming have long been a way of life.

Headquartered in historic San Luis, the District is also where water-related tourism is part of the local economy. Tourists arrive to visit the Great Sand Dunes National Park and Preserve and to view the thousands of sandhill cranes that are attracted by wetlands.

The historic sites of the San Luis Valley include the San Luis Peoples' Ditch, which holds the first water rights in Colorado, dating from 1852, 24 years before Colorado was a state. The gravity-fed irrigation channel was hand-dug by the first settlers into the area to bring water from the Culebra River and its tributaries to crops and farms in the Valley, and it is still in use today.

Planning Began in 2017

Planning for the Upper Culebra Watershed Assessment (UCWA) began in 2017 according to Ronda Lobato, one of the District's three court-appointed Board members (and a current member of the SDA Board of Directors). The District identified stakeholder organizations that then met numerous times in 2018 to talk about community needs.

Among the 20 stakeholder groups involved were the Public Uses Land Rights Council, the Sangre de Cristo Acequia Association, Colorado Parks and Wildlife, Natural Resources Conservation Services, Costilla County Emergency Managers, the Costilla County Fire Department, three ranches (Trinchera, Cielo Vista, and Dos Hermanos ranches), and Colorado Open Lands.

The stakeholder conversations identified wide-ranging needs,

Lobato says, but the Spring Creek Fire that burned from June to September of 2018 led to wildfire and forestry being "hot topics."

By late 2018, the District and its partners had put together a request for proposals for an assessment of grazing, forestry, water quality, riparian habitat, wood-gathering, timbering, wildlife, range-land, emergency management, and more.

Interviews in early 2019 identified a company, Trailwater Limited, to conduct the assessment. Lobato anticipates that the cost of the assessment will be just over \$800,000.

TABOR Adds to the Challenge

With a mill levy of 3.14, an operating budget of \$180,000, and just one employee, members of the District's Board and their partners knew that they would have to write grants to fund the assessment.

But before they could write grants that would bring in revenues over the District's TABOR revenue limit, the District had to go to the voters for a "de-Brucing" vote.

Lobato says that voters approved the measure, and the District began writing grants.

To date, the District has raised more than half the funds needed, with the majority of support coming from the Colorado Water Conservation District. The District was hoping to have full funding available by the end of April of this year, with the assessment to begin soon after.

Challenges Remain Even After the Assessment is Completed

Even when the UCWA itself is finished at the end of the year, challenges will remain.

If improvements are needed in a given topic area, the District will need to write for additional grants to do remediation and conservation work.

Continued on page 13

Historic Attempts to Export San Luis Valley Water

Over the years there have been several attempts to transport water out of the San Luis Valley. Local water districts and various citizens' groups have banded together time and again to stop water exports.

» In the 1980s, American Water Development, Inc. proposed selling 200,000 acre-feet of deep groundwater from its Baca Ranch to the Denver metro area. In 1994, the Colorado Supreme Court ended that transbasin water diversion attempt when it ruled that pumping water out of the Valley would have a negative effect on the Valley's shallow aquifer and surface water rights.

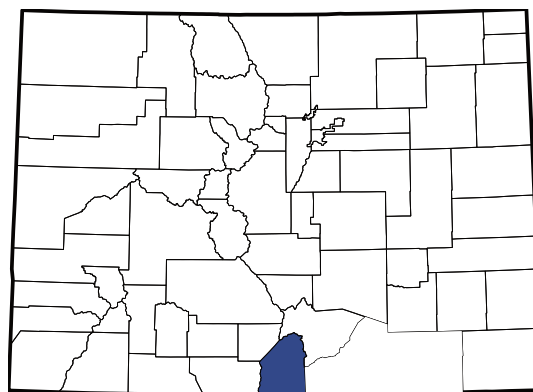
» In 1995, a group of investors headed by Gary Boyce of Stockman's Water purchased the Baca Ranch, hoping to pipe 150,000 acre-feet of water per year to Denver. When that proposal was denied by the courts, in 2002, the Nature Conservancy bought the ranch. Stockman Water's interests were sold to the federal government to establish the Baca National Wildlife Refuge and the Great Sand Dunes National Park and Preserve. After Boyce's death, his estate sold another property, Rancho Rosado, located north of the Great Sand Dunes, to Renewable Water Resources (RWR).

» In the 2000s, RWR began proposing to buy water rights from ranchers and farmers. It planned to pump 22,000 acre-feet of water each year from the deep aquifer that underlies the Valley and send it to the Front Range. In return, RWR has proposed to establish a \$50 million Community Fund to help the Valley develop. There is widespread opposition to this proposal in the Valley, including from every conservancy district; the City of Alamosa and Adams State University; and long-time Valley resident Ken Salazar, former U.S. Secretary of the Interior.

A Brief History of the San Luis Valley

- » The San Luis Valley, which was originally home to the Ute people, was ceded to the United States by Mexico after the Mexican-American War.
- » San Luis is the oldest settlement in Colorado, having been established on April 9, 1851 in what was then Northern New Mexico territory.
- » The Valley, at an average elevation of 7,664 feet, receives less than seven inches of precipitation each year from rain and snowpack, and with global warming, that amount is declining.
- » In 1900, a water court ruled that the rivers and streams in the San Luis Valley were over-appropriated. Then in 2006, the courts ruled that both the deep and shallow aquifers underlying the Valley were also over-appropriated.
- » As a result, the Valley is under a "one-for-one" law, meaning that for every acre-foot of water that is removed from its aquifers, an equal amount must be retired. No new wells may be drilled.
- » There are approximately 500,000 irrigated acres of farmland in the Valley, with farming and ranching a way of life for many who have lived there for generations.

Colorado County Map



Costilla County

For example, Lobato mentions that Culebra Peak in the District is privately owned, but local people have historically grazed cattle on it. “We want to protect the quality of that grazing,” Lobato says, so “we may have to seek funds from the U.S. Department of Agriculture to prevent overgrazing.”

Dedication to Historic Land and Water

Lobato says that the UCWA is a grassroots effort resulting from the passion of local residents to preserve and protect the land and water of the San Luis Valley.

“This is a very historic area,” Lobato says. “My ancestors and my husband’s ancestors were among the first settlers in this area. We are teaching our children how valuable the land and the water are, and that they need to care for it.”

To view a short video featuring Lobato and her daughter, Josephina, as they talk about the importance of preserving their historic way of life, please see *If We Take Care of the Land and Water, It Takes Care of Us*, at <https://youtu.be/tPFr2AJKVSA>

Praise for SDA

Lobato says that SDA is an “incredible resource” for conservancy districts like hers.

SDA “provides excellent guidance for operations” as well as education about other issues, Lobato says. She especially likes the Annual Conference for the contacts and connections she makes there. 🍌



Northern Water’s Water Efficiency Program Aims to Do More with Less

Guest article by Northern Water

For many newcomers to Colorado’s Front Range, the first indication of this region’s unique relationship with precious water comes when they receive their first water bill in the heat of summer. Tiered rates that increase costs as more water is used can cause sticker shock for those who apply landscaping methods brought with them from elsewhere. Drought conditions can cause non-native plants to wither in the dry air and struggle to find moisture in dry soils.

Northern Water can help water managers, both newcomers and natives, to learn more about efficient water use and landscapes that can thrive and look attractive in the semiarid climate it serves. Northern Water offers tools, training, and technology to help make that happen.

Committed to efficient water use throughout the region, Northern Water encourages residents to be good stewards of water resources. The organization built its Water Efficiency Program based on input from the organization’s water users, and it provides resources to water users so they can get the best value and use of the supplemental water delivered by Northern Water to more than 1 million

people in Northeastern Colorado.

The program provides information and support to the public, green industry professionals, special districts, municipalities, and others to plan and manage climate-appropriate landscapes for new and existing residential, commercial, and municipal developments. This not only conserves water but can also lead to significant cost savings, and those landscapes can be used to educate industry professionals and individual homeowners about climate-friendly plants and water-saving irrigation methods.

Northern Water offers a variety of conservation services only for commercial services and seeks to assist more users in Eastern counties.

Consultations and Audits

Designed for Northern Water commercial customers, landscape consultations are conducted by expert staff who are knowledgeable in water efficiency within Front Range landscapes. Consultations are 90 minutes and address issues of concern, including water usage; landscape management and design; irrigation system performance; and ideas, provided free of charge.

Irrigation audits provide a foundation

for assessing water use. Thanks to a new partnership with Resource Central, commercial users and HOAs within Northern Water’s boundaries will have access to Resource Central’s Slow the Flow landscape irrigation audits. Advanced irrigation audits are available for landscapes like parks, schools, golf courses, and municipal uses. These may include water use benchmarks, ROI, and savings, and report reviews are required.

New this year are indoor audits, restricted to schools, hotels, and municipal buildings. A limited number are available. Learn more about the consultations and audits online at www.northernwater.org/consultationsaudits and contact us to determine eligibility.

Grant Program

In 2018, Northern Water launched its Collaborative Water-Efficient Landscape Grant Program to promote water-efficient, Colorado climate-friendly landscapes. Since then, more than \$250,000 has been awarded to local grant projects that have helped expand Northern Water’s education and outreach efforts into the communities it serves. Grants help fund new or redevelop landscapes based on the principles and

Continued on page 15



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Consultations and audits are two of the services offered by Northern Water's Water Efficiency Program.

As Northern Water expands its Water Efficiency Program offerings, the organization is leveraging resources with other entities to provide educational opportunities for special district employees and Boards

best practices displayed in the organization's Conservation Campus and Gardens. Grants are up to \$20,000 with matching amounts required.

The program is open to new or redeveloping landscapes at public or private facilities, including cities, enterprises, nonprofits, businesses, schools, multifamily complexes, and HOA-managed landscapes. Applications are accepted each fall and consultations are required. Now is a great time to learn more about the program steps at www.northernwater.org/grants.

Training

As Northern Water expands its Water Efficiency Program offerings, the organization is leveraging resources with other entities to provide educational opportunities for special district employees and Boards; municipal employees and Boards; property and facility managers; landscape professionals; those who oversee commercial landscapes; and the general public. These classes and training aim to give attendees a deeper un-

derstanding of many topics, including the plant-soil-water relationship, plant water requirements, landscape water budgeting, and irrigation management, among others.

In addition, as part of a current partnership with the Associated Landscaper Contractors of Colorado, Northern Water is reducing the cost of a new Sustainable Landscape Management Certificate. The training for this certificate is a great opportunity for public and private employees that will provide sustainable solutions, demonstrate how maintenance is part of water conservation, provide education, and more. Learn more about this certificate at www.alcc.com/SLM.

Northern Water also promotes the Growing Water Smart workshops in partnership with the Sonoran Institute. These workshops introduce communities to the full range of tools, planning, and policy implementation to integrate land use and water efficiency along with community resiliency goals. Learn more at www.sonoraninstitute.org/resource/growing-water-smart-rfp/.

Looking Ahead and Taking the Next Steps

Northern Water's award-winning Conservation Gardens span several acres of the Berthoud headquarters campus to provide public education on various plants, turf, and conservation techniques that can achieve water savings in landscapes. Overall, guests to the gardens will discover efficient irrigation methods and see more than 700 plants and 60 turf grasses that thrive in Colorado's semi-arid climate. Learn more by visiting <https://www.northernwater.org/conservationgardens> and visit daily during daylight hours.

As Northern Water continues to enhance its Water Efficiency Program, the goal is clear: use water as efficiently as possible to secure this valuable resource for existing and future generations.

Please reach out to Northern Water's efficiency team at waterefficiency@northernwater.org to begin the process. 🌱



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wateredco.org/programs-events/water-fluency



Registration for the **2021 Water Fluency Program** is Now Open!

This summer, immerse yourself in the language and concepts of water and get certified for water fluency!

Water Education Colorado's ever-popular Water Fluency Program, now in its 7th year, will be hosted virtually this year. Registration opened on April 15 and spots will fill up fast so don't delay!

On top of this, SDA has once again partnered with Water Education Colorado to provide up to eight 75% off scholarships to existing SDA members. Districts continue to see the benefits of their Board and staff members completing this program and bringing their knowledge back to their local communities. We are excited to extend this opportunity to our members again this year!

This comprehensive program is designed to help Colorado professionals facing important water decisions gain water fluency and develop tools to navigate water management and policy issues. Participants have included local and state elected officials; special district staff and Board members; local government and business leaders; agency and utility staff; agricultural and nonprofit leaders; university professors; and more. The topics covered include Colorado water legal and institutional frameworks; water resource planning and protection; and Colorado's water for the future.

Program content will include a combination of statewide water information and local case studies about current water projects. This year the local case studies will be highlighting

the Yampa/White River Basin, and participants from all over Colorado will benefit from the curriculum.

Anyone looking to familiarize themselves with Colorado water law, administration, policy, and planning is encouraged to attend!

The format includes four virtual sessions, reading assignments, and online coursework. Below are the scheduled session dates:

- » July 27
- » September 1 and 2
- » September 29

Through the program, class members are exposed to top leaders in the water community, build their peer network, and apply their new knowledge in developing real-world solutions through small- and large-group discussions.

Please visit <https://www.watereducationcolorado.org/programs-events/water-fluency/2021-water-fluency-program/> for additional details about the program and to register. You will be able to apply for an SDA scholarship on the Water Fluency Program registration page.

Class size is limited to 35 and scholarships are limited so register early!

Don't miss this opportunity to lead your organizations and communities with new confidence! 🍷

It's Time to Submit Your Nominations for the 2021 SDA Annual Awards!

Do you know a District Manager or Board member who has made an extraordinary contribution in his or her role? If so, now is your chance to nominate an exceptional person for a 2021 SDA Annual Award!

Each year at the SDA Annual Conference, we have the pleasure of honoring outstanding individuals with awards and recognitions in the following categories:

- » Manager of the Year
- » Board Member of the Year

This year the awards will be presented at the Annual Awards Luncheon on Tuesday, September 14 during the SDA Annual Conference in Keystone.

If you would like to submit a nomination for either of these awards, please visit our website at www.sdaco.org and complete the easy online form.

The Conference will be here before we know it so please take a few minutes to share the amazing accomplishments of these Board members and Managers with us. **Completed nomination forms are due no later than Wednesday, June 2.**

If you have any questions about the awards, please contact Anthony Sandoval at 303-863-1733 or anthoney@sdaco.org.

SDA is pleased for the opportunity to recognize the people who demonstrate remarkable dedication to serving the citizens of our state. We look forward to receiving your nominations! 🍷

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