

Special District Association of Colorado

SDA NEWS

AUGUST/SEPTEMBER 2022

Supporting Community-Based Government



**2022 SDA Annual Conference
Breakout Session Preview Inside!**

September 13-15 | Keystone Conference Center

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Designed by Emmett Jordan

THIS YEAR'S SDA ANNUAL CONFERENCE IS ONE YOU DON'T WANT TO MISS!

We are so excited for the **2022 SDA Annual Conference, September 13-15 at the Keystone Conference Center (don't forget, it's Tuesday, September 13 through Thursday, September 15)!**

We are thrilled to bring back our **hybrid format, with both an in-person and livestreaming option.** The entire Conference will be held in-person at the Keystone Conference Center, and just like last year, all of our keynote presentations and breakout sessions will be livestreamed to a convenient online platform that will provide access for those who would like to join us remotely.

What's more, the sessions will all be recorded, and everyone who registers will have access to the virtual platform and recordings for a year, including everyone who attends in-person! We know this format provides huge ben-

efits for all of our attendees, and we are happy to offer it again this year.

All together we have over 45 sessions planned, which will provide an opportunity for participants to hear from a variety of experts on pertinent issues for special districts. Our lineup of breakout sessions this year is stellar, and **the sessions start early on Tuesday morning.** All three days of Conference are jam-packed, with a wide variety of universally applicable topics for all district types as well as sessions that are more technical in nature.

On top of all of this, **our entertaining and informative keynote speakers** will offer their unique insight and perspective into big picture ideas that apply to all of us (see below for more details!).

We are also bringing back **the outdoor event tent space that will be set up on**

the Conference Center patio. This additional space will be a perfect place to relax during the breaks between sessions or even as a place to **set up your laptop and headphones to tune into any sessions that might fill up.** Since we will be livestreaming the presentations to our virtual platform, if you find a meeting room that's full, but you would still like to listen in, you will be able to access the livestream right on your laptop!

During the registration process, you will be able to choose the in-person option or the livestream only option. Both of these include access to the virtual platform and all the recordings for one year.

As you are making your plans to join us, the following is a general outline of how each day of Conference is shaping up.

TUESDAY, SEPTEMBER 13

- » **Plan to get there early! The Conference begins at 7:30 am** with a welcome breakfast, the singing of the National Anthem, and the Presentation of the Colors.
- » Immediately following our opening activities, we are thrilled to be joined by our **breakfast keynote speaker, Anton Gunn.** Anton is a former Presidential advisor who has been featured in The Wall Street Journal and on Good Morning America, among many others. His thought-provoking presentation, **"The Admired Leader: How to Increase Your Influence and Impact,"** will be a great way to kick off the day.



- » The day will be filled with **educational and timely sessions** for both Board members and managers alike. Whether you are new to your position or have served in your role for years, there will be something for everyone.
- » Our **Awards Luncheon** will be on Tuesday so we have a chance to honor our winners on the first day! Join us as we celebrate these exceptional Board members, Managers, and districts.

- » Tuesday's lunch will also feature **Dr. Jannell MacAulay** as our keynote speaker. Through her enlightening presentation, **"Command Your Mindset,"** Jannell will help you live a more present and connected life.
- » On Tuesday afternoon, take a few minutes to relax and visit with your fellow attendees on the beautiful patio at the Conference Center as our **Opening Night Extravaganza** begins!
- » This year we will have music on the patio with the ever-popular **Randall McKinnon** as well as a lively DJ and **trivia games** in the ballroom! And of course lots of **amazing food!**

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WEDNESDAY, SEPTEMBER 14

- » **Jason Hewlett** will kick off the day with his entertaining and insightful presentation **“The Promise: Discover Your Signature Moves.”** Jason will leave you in awe with his uncanny musical and comedy impressions while at the same time teaching important leadership lessons.
- » Pertinent and informative sessions will take place all morning, with a **goodie break** in between.
- » Our lunchtime keynote speaker, **Laurie Guest**, will have you laughing and learning while she shows you ways to improve communication, teamwork, and connectedness. **“Are We Having Fun Yet? Communication and Teamwork is More than a Game of Chance”** will leave you reenergized!
- » Along with additional educational sessions, the **Colorado Special Districts Property and Liability Pool Annual Membership Meeting** will take place on Wednesday afternoon. This meeting will feature a keynote presentation from **Chris Nunes**, who will discuss the importance of innovation and creativity when facing change.
- » If you missed the first goodie break in the morning, you can catch another one in the afternoon!
- » Back by popular demand is our **Boots and BBQ event on Wednesday evening!** Wear your favorite pair of boots as you enjoy delicious BBQ with all the fixings right on the Conference Center patio. This year we will also feature music from **The Beau Thomas Band!**

THURSDAY, SEPTEMBER 15

- » At Thursday’s keynote breakfast, **JoAnn Groff**, Colorado’s Property Tax Administrator, will walk through the in’s and out’s of everything you need to know about property taxes in Colorado given the changes over the last two years, including the temporary property tax changes resulting from Senate Bill 22-238. This important issue is definitely one you will want to know more about.
- » There will be **two tracks of sessions between breakfast and lunch**. This gives us almost 10 sessions on Thursday morning!
- » We are once again offering our **Grab-and-Go Lunch** that you can stay and enjoy before heading home or take with you in the car. This worked out well last year, and we are pleased to offer this flexible lunch option again.
- » Thursday will be a full day, and we will conclude at the perfect time to get you back on your way!

All of this and much, much more awaits you at the **2022 SDA Annual Conference, September 13-15 at the Keystone Conference Center!**

For more information and to register today, please visit the SDA website at www.sdaco.org.

We look forward to seeing you in September! 🍂



**Registration
is open!**
www.sdaco.org

THE SDA ANNUAL CONFERENCE IS RIGHT AROUND THE CORNER!

HERE'S A PREVIEW OF THE BREAKOUT SESSIONS!

The 2022 SDA Annual Conference will be here before we know it! Here is a preview of the breakout sessions, which start first thing on Tuesday, September 13. You won't want to miss this information-packed, three-day event so make your plans now to join us at the Keystone Conference Center, September 13-15. Find out more and register online at www.sdaco.org. See you there!

Tuesday, September 13

Utility Rate Study Step 1: The Revenue Requirement

Jason Mumm and Melanie Hobart from FCS Group

This session will focus on the concepts, principles, and best practices of utility rate making with a focus on what is commonly referred to as the revenue requirement (financial plan): the first analytical step of three which make up a comprehensive rate study. The presentation will focus on key study components that aid in the calculation of the complete system operations and capital investment strategy. Additionally, prudent financial metrics will provide the foundation for how the revenue requirement is developed. The presentation will also highlight industry best practices in the development of an independent revenue calculation, adequately funding capital needs, and projecting O&M costs, etc.

Organizational Change: Leading the Transition

Chief David Wolf from Estes Valley Fire Protection District

Our communities are constantly undergoing change, and as special districts we must continually evolve and adapt to provide our essential services to our citizens and guests. This course will discuss how districts can recognize the need for change; communicate that need to their internal and external stakeholders; and develop plans or strategies to navigate the change. We owe it to those we employ and serve to remain proactive in responding to changing conditions – and that responsibility lies with our Boards and district leaders.

Employment Gone Awry: How to Navigate Employee Complaints, Grievances, and Investigations

Kathryn Winn from Collins Cole Flynn Winn & Ulmer, PLLC and Ashley Hernandez-Schlagel from Nathan Dumm & Mayer PC

Do you know what to do when an employee submits a complaint? What is the difference between a complaint and a grievance? Come find out what form(s) a complaint can take, what steps to take once one is made, and how and when to conduct an investigation...and then what to do with the findings. Our simple and concise advice is designed to keep you out of trouble and give you a roadmap for navigating some of the trickiest employment matters.

Going to the Voters for Funding: Successful Ballot Measure Best Practices, Strategies, and Stories

David Flaherty from Magellan Strategies

Nearly all special districts in Colorado sooner or later need to place a ballot measure before voters to approve funding increases for their operations, capital projects, or other needs. Asking voters to approve a ballot measure that raises their own taxes is never easy. However, there are ballot measure best practices and fundamentals that can help a special district ballot measure be in the position to achieve voter approval. This session will walk through those fundamentals and share insights from 15 years of successful ballot measure projects.

10 Cybersecurity Practices to Keep Special Districts Safe

Mac Clemmens from Streamline

Special districts are increasingly becoming a target of cyberattacks. With insurance rates skyrocketing and cyber coverage increasingly hard to qualify for, now is the time to be ready and safe. Join us as we walk you through 10 easy steps that will protect you from 99% of threats. We promise to speak plain English and leave you with an easy checklist to protect yourself and the community you serve.

Finding the Right Rate Design for Your Utility

Jason Mumm and Melanie Hobart from FCS Group

Utility rates can be structured in many ways: there can be fixed charges, usage charges, block pricing, usage allowances, low-income discounts, and different ways to group the customer classes. All of these features affect how the rate burden is distributed to your customers. The rate design chosen by your organization can be a function of history, policy choices, and what data is available in your billing system. Sometimes your organization might develop new priorities, such as affordability concerns or conservation goals. When you see some issues in your utility rate structure, how do you address them?

Health, Fitness, and Longevity for the Working Professional

Eric Hassel from Purgatory Metro District

The health and longevity of our districts is important, but what about our health and our longevity? Join us to learn how we as busy professionals can use simple strategies to maintain and improve our health, fitness, and longevity for life. What does it really mean to us to be healthy? Is it enough to simply be well and free from disease? Are the choices we are making leading us towards disease? Health is a long game and it's not about our health at this moment today, but about how today affects our health in the long run.

Infrastructure Funding from Application Through Construction

Dannah Koeniger, PE from GMS, Inc., Consulting Engineers and Lisa Mayers from Spencer Fane LLP

Funding water and wastewater infrastructure projects can be daunting for a small special district. This session will go through the process of obtaining grant and loan funding, from the applications through construction. It will include discussion on available funding, including the Bipartisan Infrastructure Law; the process for grants and loans; execution of the grant/loans; implications of TABOR, including enterprises; legal and bond counsel consultation usually required; and construction requirements set by funding source.

How to Navigate Senate Bill 21-1286: Energy Benchmarking

Oscar Rangel and Tyler Bagdasarian from Veregy

Senate Bill 21-1286 (Energy Benchmarking) passed last year, and it will start being enforced in 2022 for buildings greater than 50k square feet. This applies to ALL facilities for commercial, state, and local government, including special districts. This informative session will discuss options and alternatives as to what you need to do to prepare your district.

Preparing for FAMLI

Cher Haavind from the Colorado Department of Labor and Employment; and Tracy Marshall and Evan Grimes from the Family and Medical Leave Insurance Division

With the passage of Prop 118 in November 2020, Colorado voters approved the paid Family and Medical Leave Insurance (FAMLI) initiative. The FAMLI Division will provide a high-level overview of the program, the participation options for local governments, and address what action employers need to take over the next several months before premium collections begin on January 1, 2023 and benefits become accessible in January 2024. Get the answers about contractors and districts with no employees and find out your district's responsibility, how to opt out before the end of this year, and what your obligations are as an employer.

Interactive Forecast Model to Aid in Decision Making

Stephanie Stanley and David Simonson from Highlands Ranch Metro District

Join us to learn about an Excel based interactive forecast tool developed by staff that provides graphics to help elected officials evaluate multiple scenarios with various revenue assumptions and options to add/delete programs and services to determine impact over several years. Find out how this valuable tool has worked in our district and how it might be helpful in your district as well.

Metropolitan Districts: Development that Pays Its Own Way

Tim McCarthy from Schedio Group LLC

"Development that pays its own way" is a phrase often attributed to metropolitan districts. But who is paying for what? Attorneys, accountants, managers, and engineers who specialize in serving Title 32 metropolitan districts work diligently and collaboratively every day to ensure that revenues generated by the issuance of tax-exempt bonds by metropolitan districts are spent only on those constructed improvements that benefit the public. This seminar will focus on methodologies employed to identify soft, indirect, and hard costs associated with the design and construction of public improvements.

A Crash Course in the Public Nature of Running a District: Why and How District Governance Differs from the Private Sector

Katie James from Folkestad Fazekas Barrick & Patoile, PC

This educational session will provide an overview of the public nature of special districts as contrasted to privately run companies or organizations. Most Board members have experience in the private sector, and they are often confused about the inability to just "run the district" or "make decisions" without public involvement. Discussion will include an explanation of several key public components and how they differ from the private sector (in no particular order): 1) public notice of meetings and parameters of attendance and involvement at same; 2) transparency notice and ability to contact elected officials; 3) budgeting process and filings; 4) construction contracts and bidding requirements/process; 5) CORA and public records; 6) public funding sources and TABOR.

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A New Best Practice for Collection System Management

Jonathan Borden from RH Borden and Company

In 2021, the Colorado Special Districts Property and Liability Pool approved a new best practice for sanitation districts. This presentation will describe this new practice which makes it possible to maintain sewer pipes and manholes according to their individual condition. The presentation will also review new technologies including Transmissive Acoustic Assessments, 3D Manhole Scanning, and real-time ultrasonic level monitoring. It will also review new data visualizations in ArcGIS that enable wastewater managers to see the pipe flow condition and even view digital twins of manholes in virtual space leading to more convenient, timely, and efficient asset management decisions. Class participants will come away from this presentation with an understanding of the new condition-based maintenance option available to sanitation districts.

Colorado Fire Commission: Stakeholder Engagement = Success

Pam Feely, Kevin Whelan, and Lisa Pine from the Colorado Fire Commission

The Colorado Fire Commission, established in 2019, is focused on developing stakeholder driven solutions to Colorado's fire problem and its consequences. Over its first three years, the Commission has addressed mutual aid, dispatch, fire funding, data, community risk reduction, and firefighter training and certifications. Many of these efforts have resulted in new legislation that provides funding and resources to support the Colorado Fire Service's efforts to protect Colorado's communities. One big effort underway is working on developing codes for the Wildland Urban Interface (WUI). There was an effort during the 2022 Legislative Session to establish a Wildfire Resiliency Code Board based on a recommendation from the Commission, and we anticipate the work on this Board will continue in the 2023 Legislative Session. In this session you will learn about the work of the Commission, its successes, its future efforts, and how to get involved.

Real-World Lessons: What Should Special Districts Know About Remote Implementations?

Pete Thibideau, PMP from Tyler Technologies, Inc.

The COVID-19 pandemic has sped up the transition to remote software implementations, and special districts, many of whom are launching projects using ARPA funds, are navigating new implementation approaches, realizing benefits, and adapting to challenges. In this discussion, we will look at recent trends and share real-world remote implementation lessons, including tips and best practices for implementation methodology, up-front planning, resource management, user engagement, and optimization of remote benefits. We will look at the commonalities of successful implementations and pitfalls to avoid. Attendees will hear about the benefits of remote implementation for special districts and learn about tools and tips for user knowledge retention; planning and prep work that breeds success; client resource impact and scheduling considerations; and environmental impact and cost savings.

A New Approach to Municipal Debt Financings Using Blockchain (and It's Not Crypto-Currency)

David Ulbricht, Attorney from the Special Districts Association of Oregon; and Manish Dutta and Tammie Arnold from Alpha Ledger

Utilizing private permissioned blockchain infrastructure, in a regulated environment, can reduce costs and improve issuer access to capital in the municipal market. Whether it's a direct loan, private placement, or publicly offered debt obligations, the panelists will discuss how blockchain technology can be integrated into municipal finance; the value proposition for issuers and investors; the long-term benefits to the public finance system; and the practical uses that are being applied today. They will also differentiate the use of blockchain technology for public finance from the crypto market.

Construction Projects: From RFP to Completion

John Chmil from Lyons Gaddis

Whether it is an entirely new facility or the renovation of an existing facility, construction projects are always a significant undertaking both financially and operationally for special districts. This presentation will aim to cover the legal basics of the process as well as the practical considerations as a district moves through each phase of a project. Having a clear understanding of these expectations at the start will assist districts in organizing their next construction project and keep the project moving forward when the unexpected inevitably occurs.

If You're Not First, It Doesn't Mean You're Last

Eric Bailey from South Fort Collins Sanitation District; Stan Javernick from Hensel Phelps; and David Oerke from Jacobs Engineering

As a special district we are continuously working to stay ahead of growth and increased regulation while being mindful of the financial impact to our customers. This presentation will show one example of a gamble on a new technology that failed and how our district was willing to continue to look for "new" processes that eventually paid off. These process changes were to address the need for growth while trying to maintain efficient use of our constituents' dollars.

Policy Engagement and Your District

Michael Valdez from SDA and Larry Hudson from The Fulcrum Group

Join us for an insightful discussion on the importance of engaging with legislators (both on the state and federal level) as well as your local county commissioners and city council members. This lively discussion will also include suggestions on how to effectively communicate with the Governor's staff, including cabinet members and their associated state agencies. We'll offer helpful tips on how best to interact and work with these different types of officials not only on policy issues that may affect your district, but also on a more routine basis for the continued success of your district.

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The Five W's of Mandatory (and Voluntary) Child Abuse Reporting

Emily Powell from Ireland Stapleton Pryor & Pascoe, PC

Many special districts, including fire protection districts, ambulance districts, park & recreation districts, and others, have employees and volunteers who are legally mandated reporters of suspected child abuse. Other employees and volunteers may also make voluntary reports of suspected child abuse, even if they are not mandatory reporters. This seminar will help special districts understand their reporting obligations through an examination of who is a mandatory reporter, what is required to be reported, when to make a report, where suspected child abuse is reported, and, most importantly, why to call in a report, including addressing frequent concerns of accuracy, anonymity, and liability.

Optimizing Leadership Function (formerly titled - Overcoming Leadership Dysfunction)

Jeff Arnold from Leading Associations

Being a great Board is hard. So, no one wants to have to deal with distracting personality issues and factional players. Yet, complex organizations dealing with complex issues are bound to have complex relationship challenges. We will learn to identify the four areas of dysfunction and gain tools for addressing each area. Attendees will gain keys to creating a high functioning entity and be able to focus on the most important parts of their position. You will learn specific tools and strategies for overcoming cultural issues, conflicts, and difficult personalities.

Making a Difference for Employees: How Government Employers are Looking for a Great Response to "the Great Resignation"

Representatives from Empower

Through our exclusive interviews, we learned many government agencies are paving the way by: 1) adjusting to COVID and what is next; 2) focusing on financial wellness; 3) prioritizing employee satisfaction; and 4) identifying key roadblocks.

Access to Affordable Financing for Rural Communities, including Special Districts, through USDA Rural Development

Armando Valdez, Tineel Baroz, and Joe Montgomery from USDA Rural Development

Affordable financing is available to help your district! Find out how USDA Rural Development can help with loan and grant funding to develop or improve essential public services and community facilities and water and wastewater systems in rural Colorado. USDA has over 60+ programs available to assist rural communities and special districts with financing.

Building Resilience in Your Water and Wastewater Utilities

Kyra Gregory from Colorado's Water/Wastewater Agency Response Network (COWARN)

We have all learned about the importance of resilience during the pandemic. This presentation will give decision makers special tools to help plan for the future of their water/wastewater utility through asset management, strategic planning, workforce planning, emergency response management, and operations and maintenance programming.

NSDC Federal Updates for Colorado's Special Districts

Cole Karr from the National Special Districts Coalition

The National Special Districts Coalition (NSDC) will provide the latest from Washington, as Congress dives deeper into the election cycle and toward the end of the term. Find out more on what is moving and shaking from the special districts' perspective and hear the latest on priority efforts to federally define special districts, investigate gaps in fire suppression infrastructure, and how NSDC's grant services can help your district identify funding opportunities for projects and programs.

Establishing a Citizens Academy for Citizen Engagement

Sherry Eppers and Courtney Kuhlen from Highlands Ranch Metro District

Learn how Highlands Ranch Metro District staff planned, developed, and launched a Citizens Academy program to involve and engage citizens in the community. With careful planning, collaboration with fellow local organizations, and effective promotions, we have found success involving citizens in our program in a short time. After graduating from the Highlands Ranch Citizens Academy, many citizens in our community have stepped into leadership roles, run for elected office, and have served as volunteers for our organization and other agencies.

There is Nothing Normal About Leadership in Our New Normal

Chief Kris Kazian from Windsor Severance Fire Rescue

We have all experienced one of the greatest leadership challenges of the last 100 years. How do we take what we learned and start to build a solid leadership foundation going forward and beyond? Our new normal is anything but "normal" and unlike anything we have ever seen before. It is time to look forward and start to lead out of this place we have found ourselves in.

The Updated Colorado Water Plan and Recent Legislative and Regulatory Initiatives: How Do These Affect District Water Suppliers?

Evan Ela from Cockrel Ela Glesne Greher & Ruhland, PC (CEGR Law)

A 2023 update of the Colorado Water Plan was recently published in draft form for public comment, due by the end of September 2022. This session will discuss the Water Plan generally, the update, data trends observed since 2014, and potential benefits or detriments to district water suppliers. This session will also discuss the recent legislative activity regarding a lawn replacement program, water rights speculation, water from ponds for wildland fire suppression, and fees on customers to fund water storage projects. We will also describe recent State regulatory efforts against community ponds and how to effectively deal with such regulatory actions.

Securing Your Greatness in the Eyes of the Public

Mac Clemmens and Maria Lara from Streamline

Special districts are often unsung heroes in their communities, yet they provide critical infrastructure the public may not know exists. In this talk, learn how to tell your story and make sure your district's services can be more easily found online.

Don't Let Your Grievance Procedure Let You Down

Adele Reester and Cathy Tallerico from Lyons Gaddis

Whether the grievance process is in an administrative policy or collective bargaining agreement, learn about the top ten mistakes found in the grievance process and what provisions to add or clarify in your grievance process to avoid these costly mistakes.

Managing Metro Districts in a Politically Polarized World

Matt Hopper from Aerotropolis Area Coordinating Metro District; and Matt Urkoski and Anna Jones from CliftonLarsonAllen

As the local political context around metro districts continues to heat up, residents in metro districts are challenging special district taxes with increased frequency. Common issues that arise in public meetings and CORA requests include charges of fiscal mismanagement and lack of transparency and accountability of special district Board members. This session will address some common themes, how to balance truth with fiction, and navigate a changing and complex statutory world while maintaining our collective sanity.

Leading with Ethical Behavior

Dennis Gatlin from Boxelder Sanitation District

Leadership and ethical decision making are dynamically intertwined. The values we bring to the table as leaders and how we express them in decision making define our personal ethics and that of our organizations. Leaders understand that making ethical decisions is challenging and complex. How they navigate these perilous waters is safer if they understand the relationship between leadership, ethics, and values. This interactive session introduces important ethics concepts to help participants make sound ethical decisions. The session is practically framed and "hands-on" so attendees can deal with everyday ethics problems. This session will help leaders recognize important values that shape their responses to ethical dilemmas, gain personal insights into ethics response mechanisms, and build skills for effective ethics responses.

Staff Sourcing Your GIS: How a Rural Water District Utilizes the Entire Staff to Build a GIS that is Useful for Everyone

Joe Robinson from Little Thompson Water District

Little Thompson Water District is a large water district with a limited staff. We have learned ways to utilize all employees to build our Enterprise GIS system into a tool that is useful for everyone. Join us as we discuss workflows, staff training, and equipment needed to boost your GIS system in the office and the field.

The Special District Emergency Communications Playbook: How to Cover Your Digital Bases

Mac Clemmens from Streamline

Wildfires, earthquakes, flooding, and sudden closures can leave district leaders wondering how to best get the word out. In this talk, Streamline will cover the 8 most important communication channels to cover in an emergency: your website, social media, email, text, push notifications to local cell phones (reverse 911), Nextdoor, local media, and public information registries.

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A Collaborative Renewable Water Supply Project for Municipal Water Suppliers While Also Increasing and Preserving Agricultural Uses Along the South Platte River

Ron Redd, PE and Rebecca Tejada, PE from Parker Water and Sanitation District; and Chris Fehn, PE from Lytle Water Solutions, LLC

The overarching objective of this project is to provide new renewable water supplies for Parker Water and Sanitation District (PWSD) and other municipalities and special districts, as well as additional supplemental irrigation water supplies for farming in the lower South Platte River Basin, thereby sustaining rural economies. This collaborative project, which should be a blueprint for future special district water development projects, develops new, currently unused water supplies on the South Platte River that would otherwise be in excess of Compact commitments by Colorado, all without doing any “buy and dry” of existing agricultural lands. This presentation will describe the project components; consensus building between municipal and agricultural entities; engineering to evaluate the optimum project design for both entities; and the infrastructure to store and convey the water for use by both PWSD and the Lower South Platte Water Conservancy District.

Think Big! Innovations and Funding Opportunities for Special Districts

Allison Ulmer from Collins Cole Flynn Winn & Ulmer, PLLC; Cole Karr from the National Special Districts Coalition; Chris Matkins from Ally Utility Consulting; and James McLaughlin from Ute Pass Regional Health Service District

With the right mix of creativity, leadership, and funding, special districts can go above and beyond for their communities in countless ways. We will explore innovative programs that special districts have developed and federal funding opportunities that exist to support innovative and collaborative endeavors. We will learn how Ute Pass Regional Health Service District is filling an unmet need for mental health services through its Community Integrated Health program, and we will learn about the robust programs put in place by various special districts to protect their employees and their infrastructure from cyberattack (listen up, water and sanitation districts!). This panel will push districts to think beyond the basics to identify and fulfill the unique needs of your community.

Leading By Example: Creating Effective Board/Management Relationships Before It is Too Late

Chief TJ Steck from Elizabeth Fire Protection District

Every district has experience when it comes to Board members and management clashing. This presentation will use real experiences to develop tools that help avoid the awkward manager/Board tensions that can sneak up right under your nose. Together, we will identify ways to build confidence and trust from our customers and employees while creating a unified leadership.

Funding Water and Wastewater Infrastructure Improvements with the State Revolving Fund (2021 Bipartisan Infrastructure Law Edition)

Kelly Shen from the Colorado Department of Local Affairs; Austin Reichel from the Colorado Water Resources and Power Development Authority; and Sean Oliver from the Colorado Department of Public Health and Environment

The 2021 Bipartisan Infrastructure Law allocates significant resources into the State Revolving Funds for the next five years for improvements to water and wastewater infrastructure, lead, and emerging contaminants remediation. This session will cover the additional funding, grant opportunities, and the nuts and bolts of the SRF process for communities exploring their funding options for upcoming projects.

Thursday, September 15

Making Moves in the Right Direction: GIS and How It Can Benefit You

Luke Lovato, EI and Wade Wheatlake, PE from Merrick & Company

In an ever-changing world, computer technology continues to dramatically change the way utilities and special districts operate. From converting old paper maps and records to electronic formats to displaying critical information about a utility's assets, implementing a GIS (Geographic Information System) can be a game changer in the way a utility maintains its assets. There are many variables to consider when establishing a successful GIS such as quality of data, data management, and funding. This presentation will dive into the trials, tribulations, and lessons learned in the development of a successful, accurate GIS for a local water and sanitation district. We will discuss how the district implemented the program and how it has been beneficial.

TABOR Survival Skills: What You Need to Know

Geoff Wilson from Wilson Williams LLP; and Dianne Criswell from the Colorado Special Districts Property and Liability Pool and SDA

Coloradoans, especially local government folks, have a good grasp of the Taxpayer's Bill of Rights (TABOR). However, have you taken a close look at the text recently? This session will refresh you on the basics – and then take you on a trip into the wilderness to explore how to navigate TABOR's provisions as your district looks to address new challenges and trends. Join us for a practical and lively discussion of the provisions of TABOR to keep in mind to avoid pitfalls as your district plans for its future in this dynamic environment.

Continued on page 15

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How to Prepare for and Run Effective Board Meetings

Bob Cole and Bart Miller from Collins Cole Flynn Winn & Ulmer, PLLC; and Chief Mike Dell'Orfano from South Metro Fire Rescue

This program will provide practical tips on how to create Board meeting agendas to facilitate the conduct of Board business, productive Board discussion, and resolution of district issues. Presenters will cover the procedures that Boards are legally required to follow including the Colorado Open Meetings Law, requirements necessary for holding executive sessions, and effective use of study/work sessions to develop issues and inform Board members of information they will need prior to taking action. In addition, presenters will offer suggestions on how to integrate public participation into Board meetings in ways that allow for meaningful public input and avoid the disorder that can hamper productive Board functioning. Attendees will get the benefit of practical information from experienced legal counsel for special district Boards and from district staff experienced in organizing Board meetings for maximum success.

Mind Your P's, Q's, and KPI's: Key Performance Indicators

Chris Nunes, Colorado Special Districts Property and Liability Pool keynote speaker

The overall challenge with Key Performance Indicators (KPI's) used in special districts is that they were created by the accounting and finance departments. Secondly, many of the KPI's used do not measure outcomes but just tabulate use levels. This session will review the concept of KPI's, how to create meaningful KPI's, and how to use data that is already collected and can be easily obtained.

Deciphering Inflation and Understanding Supply Chain Disruption: What Can Local Governments Do to Protect the Budget?

Glenn Scott from Morgan Stanley

Inflation and shortages are impacting both operating budgets and projects. Join CSAFE's portfolio manager, Glenn Scott, for a discussion of supply chain disruption, the nature of inflation, and prospects for the budget. Glenn is a financial advisor and Senior Portfolio Management Director at Morgan Stanley.

Workers' Compensation and the Questions You Didn't Know You Should Ask

Jennifer Alvarado and Paula Lowder from the Colorado Special Districts Property and Liability Pool

What are the critical questions you need to be aware of? In this interactive session, our Workers' Compensation experts will talk through the important issues you need to know about in an ever-changing Workers' Compensation environment. Please come prepared with your own questions that we'll be happy to address.

Preparing for the May 2023 Elections...The Do's and Do Not's for a Successful Election

Micki L. Mills, Sarah Luetjen, and Linda M. Glesne from Cockrel Ela Glesne Greher & Ruhland, PC (CEGR Law)

Here we go again...already! How many of you had a wild and crazy May 2022 election? It is as important to know what NOT to do as much as it is to know what TO do so you do not screw up your election. It will be fun to talk about the May 2022 election nightmare still fresh in our minds.

Crisis Communications: Lessons Learned from the Marshall Fire

Sara Farris from North Metro Fire Rescue District; Jennifer Churchill from the Boulder County Commissioners Office; Carrie Haverfield from the Boulder County Sheriff's Office; and Michelle Kelly from Mountain View Fire Protection District

As the Marshall Fire wreaked havoc across Boulder County, a short-staffed group of PIOs assembled to quickly disseminate messaging to the community. The hours and days that followed would set the tone for a long recovery for residents, businesses, and county staff. Those who led communications during the Marshall Fire will share their experiences and lessons learned from the first week of the incident response, including perspectives from the field, incident management team, and Emergency Operations Center. They'll share tips for overcoming common challenges during large-scale incidents; organizing and utilizing your team (in person and remotely) for better efficiency; and planning ahead to be better prepared for the next crisis.

Deep Dive on Property Tax Issues

JoAnn Groff, Colorado's Property Tax Administrator

Picking up from the keynote presentation on Thursday morning, this continued conversation will take a deeper dive into everything you need to understand about the changes in property taxes and the state backfill.



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Take Action to Plan or Opt-Out of the Colorado Family and Medical Leave Insurance (FAMLI) Program by Fall 2022

Your district will need to choose one of the following three options: participate in the FAMLI Program, opt-out entirely, or opt-out for the employer premium.

Special districts are moving forward with plans to participate or opt-out of the Colorado Family and Medical Leave Insurance (FAMLI) Program. The FAMLI Program generally requires employers and employees to pay payroll premiums, starting January 1, 2023, to provide up to 12 weeks of paid FAMLI leave beginning January 1, 2024. However, local governments, including special districts, may decline to participate (the “opt-out”). The information in this article is provided as a general member service and may not be substituted for the opinion of your district’s legal counsel.

If your district has not yet started planning or taking action on the FAMLI Program, consider putting this at the top of your district’s immediate to-do list. Your district will need to choose one of the following three options: participate in the FAMLI Program, opt-out entirely, or opt-out for the employer premium.

Below are FAQs that may assist your district in its planning for the FAMLI Program. In addition, the Division provided training at an SDA webinar on June 17, 2022—the recording of which, along with the slide deck, is available on the SDA website. Further, the Division is presenting at the SDA Annual Conference in September (this session is scheduled for Tuesday, September 13; please see page 7 for the session preview information).

If your district elects to opt-out of the FAMLI Program, your District Board **must take action** to notify the Division of Family and Medical Leave Insurance (the “Division”) **before January 1, 2023** to avoid automatic enrollment and premium payment obligation. Even if your district plans on participating in the FAMLI Program, there are significant steps to implement this law, including budgeting for any employer contributions. Please note that if your district chooses to

participate and pay the employer premium, there are no resources, offsets, or other backfill from the State for this unfunded mandate.

General FAQs about the FAMLI Program

Question: What is FAMLI?

Answer: The Colorado Family and Medical Leave Insurance (FAMLI) Program was approved at the 2020 statewide election and generally requires payment of payroll premiums starting *January 1, 2023*, to provide up to twelve (12) weeks of paid FAMLI leave beginning *January 1, 2024*.

Question: What agency is administering this program?

Answer: The Division of Family and Medical Leave Insurance (the “Division”) in the Colorado Department of Labor and Employment is administering the FAMLI Program. The Division has an active website at <https://famli.colorado.gov> with information and training resources.

Question: To which employers does this apply?

Answer: Unlike the federal Family and Medical Leave Act (FMLA), the new Colorado FAMLI requirement applies to employers of any size, public or private.

There are exceptions from participating for:

- » Employers providing leave through a private plan that meets or exceeds the requirements of FAMLI, or
- » Local government employers declining to participate. See *below*.

Question: How are premiums collected and benefits paid?

Answer: In general, employers and employees will both pay premiums, which is similar to unemployment benefits (UI).

- » Employers with 10 or more employees will pay a premium of 0.45% of wages.
- » Employers with fewer than 10 employees will not pay an employer premium.
- » Employees will pay a premium of 0.45% of wages.

Employers will collect and remit employee premiums, unless the employer has been granted a waiver or is a local government employer that has opted-out entirely.

Question: How do employees get paid?

Answer: Similar to UI, employees make a claim to the Division for FAMLI benefits and will be paid through the FAMLI Program during their leave (rather than being paid by the employer).

Question: How does leave under FAMLI differ from other types of paid leave?

Answer: The Division has information and training on this issue. The Division conducted a webinar on this topic on March 31, 2022, and the slides are available at <https://bit.ly/3J0aQkQ>

The FAQs on this issue are also available at <https://bit.ly/3ciydcU>

The Division FAQ document responds to a lot of questions on how leave benefits under FAMLI may differ or interact with federal FMLA and other types of paid sick leave or paid time off.

Materials from the March 31, 2022 webinar indicate that additional information, including a matrix describing how leave programs may interact, will be published in 2023.

FAQs on Local Government Employer FAMLI Program Options and Implementation

The Division has a page on their website dedicated to Local Governments which provides an

overview of timelines, FAQs, a Fact Sheet, and other information. These resources can be found under the Employers section of the Division's website at <https://famli.colorado.gov>.

The Division conducted a "FAMLI and Local Governments" webinar on April 29, 2022. The recording of the webinar can be found at <https://bit.ly/3aQMj4W>

The slides from this webinar are available at <https://bit.ly/3RO77L6>

In addition, the Division guidance document, "Preparing for FAMLI—Local Governments," is available at <https://bit.ly/3PJ6iBu>

Earlier this year, the Division adopted the Local Government Opt-Out rule that provides direction to local government employers, including special districts, that choose to participate or decline to participate in the FAMLI Program.

Question: What options does a local government employer have?

Answer:

1. Participate in FAMLI
2. Decline participation in FAMLI
3. Decline employer participation in FAMLI

See below for more information on each option.

Option 1: How does a local government employer participate?

A local government employer which does not notify the Division by January 1, 2023 will be identified by the Division as participants.

Premiums starting on January 1, 2023 will be due on April 1, 2023, along with wage data reporting.

Option 2: How does a local government employer decline to participate entirely?

- » The Board of Directors of the special district must vote (official action, public meeting) to opt-out; and
- » Before January 1, 2023, notify the Division of the vote by uploading into the Division's online system a letter on special district letterhead, reporting:

If your district elects to opt-out of the FAMLI Program, your District Board must take action to notify the Division of Family and Medical Leave Insurance (the "Division") before January 1, 2023

Continued on page 19



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Graphic courtesy of the Colorado Department of Labor and Employment

- ◇ The date of the vote,
- ◇ The result, and
- ◇ That the special district is opting-out of the employer obligation, including collecting and remitting employee premiums.

The Division's online system will not be available until fall of 2022. If your District chooses to opt-out earlier than the fall, please note the requirement to provide notice to employees within 30 days after the vote, as explained below.

Option 3: How does a local government employer decline to participate by paying the employer premium, but agreeing to collect and remit the employee premium?

- » The Board of Directors of the special district must vote (official action, public meeting) to opt-out; and
- » Notify the Division of the vote by uploading into the Division's online system a letter on special district letterhead, reporting:
 - ◇ The date of the vote,
 - ◇ The result, and
 - ◇ That the special district is

opting-out of the employer obligation, but will be collecting and remitting employee premiums for employees wishing to participate.

The Division's online system will not be available until fall of 2022. If your District chooses to opt-out earlier than the fall, please note the requirement to provide notice to employees within 30 days after the vote, as explained below.

Question: What timeframes apply for local government employers?

Answer: The timeframes are as follows:

- » An official action to exercise opt-out in the near term can occur at **any time in 2022.**
- » A local government employer must provide notice of the Board's decision to opt-out of the FAMLI program to its employees within **30 days** after the official vote. This notice should be posted; however, if the local government employer does not maintain a physical workspace, or an employee teleworks, electronic mail or web-based notification may be substituted.

Written notice must: (1) explain the differences between benefits offered by the FAMLI program and leave plans of the employer; (2) state which employees, if any, are eligible for federal FMLA; (3) provide information regarding the right of employees to voluntarily opt into the FAMLI program with contact information for the Division. See § 2.6 of the *Local Government Opt-Out Rule*.

- » The opt-out action of a local government employer may last for up to **eight years.**
- » A local government that participates must stay in the FAMLI Program for at least **three years.**
- » An opt-out action in 2022 does not require advanced notice to employees. But, after benefits begin in 2024, a local government employer must give **180 days** advance notice to employees before any change.
- » When a local government employer participating in the FAMLI Program (again, minimum three years) decides later to opt-out, it must give the Division **90 days** advance notice. 🟡



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Glen Canyon Dam jet tubes release water into the Colorado River for a high flow experiment. Photo courtesy of USGS.

Water '22 Campaign Going Strong!

As we first told you about at the beginning of the year, Water '22 is a year-long celebration of Colorado's water, dedicated to the idea that "It all starts here."

Spearheaded by Water Education Colorado, the Water '22 campaign was created to educate Coloradans about how the state's water is one of its most important resources and to encourage conservation and protection in order to mitigate the impacts of climate change, which has led to persistent drought conditions. Those conditions helped fuel the most damaging fire in the state's history in late December 2021, as well as the three largest wildfires on record which burned in 2020, causing degradation to forested watersheds where 80% of Colorado's water supply originates. Increased water awareness is a fundamental step in helping Coloradans understand the risks to a sustainable water future and the need to work together innovatively to stretch scarce supplies.

Water '22 encourages Coloradans to learn more about the state's water, starting with knowing where their water comes from, to foster a sense of connection to the source.

Then, Water '22 asks Coloradans to take a pledge to commit to engaging in 22 simple actions that can help conserve and protect water for future generations, resulting in savings of more than 22 gallons of water a day per person. Some examples of these actions include taking a shorter shower; operating dish and clothes washers only when they are full; fixing leaks and drips in faucets and toilets; and practicing smart outdoor watering on landscapes, such as avoiding watering during the heat of the day.

Over the last several months Water '22 has engaged with Coloradans throughout the state with a variety of planned activities, including a social media contest; a statewide book club and author talks; PSAs from Colorado celebrities, athletes, and officials; a student engagement contest; local on-site tours; and much more!

To find out more and to see how you can get involved, please visit www.water22.org. SDA is proud to be a Collaborating Sponsor of this important initiative. 🍷

Source: Water '22

October 15 Budget Deadline Quickly Approaching!

Don't forget that your Board must designate a qualified person to prepare the budget and deliver it to the Board on or before October 15 of each year. §29-1-105, C.R.S. There are no specific criteria for how detailed a budget should be nor how much it is based upon line items, although the district's accounting or financial advisors will likely have some input on the level of line item designation. Generally speaking, expenditures need not be laid out in great detail, but spending should be confined to the line items.

In addition, as part of the adoption of the budget is the adoption of a resolution which adopts the budget and makes appropriations for the budget year. The amounts appropriated shall not exceed the budgeted expenditures, and the district is limited in making expenditures to the amounts that are appropriated. 🍌

Save the Date for the 2022 Small Communities Workshop!

Together with Colorado Communities, Inc.; the Colorado Municipal League; and the Colorado Department of Local Affairs, SDA is proud to present this year's Small Communities Workshop of **October 12!** This year's theme is strategies for strong Colorado communities.

We are finalizing all the details so watch for more information to come! 🍌

Don't Forget to Check Out the New 2022 SDA Board Member Manual!

Just a quick reminder that as part of your membership benefits, complimentary copies of the 2022 SDA Board Member Manual have been sent to districts as well as to management companies to share with their clients!

We were proud to partner with the law firm of Collins Cockrel Cole Flynn Winn & Ulmer, PLLC to produce this year's manual, which has been updated to include the most current information.

In addition to the hard copies that were sent out, a PDF of the manual is also available under the Publications section of the SDA website at www.sdaco.org (you do need to be logged into our website to access this section so please call our office if you need assistance). This is an easy and convenient way to download a copy

of the manual and/or to reference it electronically.

If you have any questions or need any additional assistance, please feel free to call the SDA office at 303-863-1733. (We have a limited number of additional hard copies available; if you are in need of one as a last resort, please give us a call.)

We hope you will consider this convenient guide a valuable resource! 🍌

Editor's note: The Board Member Manual is intended to be a general survey of statutory responsibilities for Board members of Colorado special districts, and it is not meant to replace a district's general counsel. The reader is strongly encouraged to seek the advice and assistance of legal counsel experienced in special district matters with any legal issues that may arise.



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