

SPECIAL DISTRICT LAW PARALEGAL

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ALL OF THE BELOW DUTIES ARE ASSUMED TO, AND MUST BE, UNDER THE DIRECTION AND SUPERVISION OF A LICENSED ATTORNEY.

A. FORMATION

1. Meet with attorney and proponents of organization of special district; maintain oral and written communication with clients throughout process of organization.
2. Advise client of director qualifications and requirements, and assist with qualifying potential directors as necessary.
3. Prepare comprehensive schedule of organizational process and statutory and constitutional deadlines; monitor process to ensure compliance with all deadlines.
4. Ascertain and outline statutory requirements for the types of information and documentation that the service plan must contain as well as county or municipal guidelines and policies on the required content, submittal, review and the approval process for service plans.
5. Prepare, or request and obtain, review with attorney, and timely file documentation for service plan approval with municipality or county, appropriate county clerk and recorder, division of local government and state auditor; maintain oral and written communication with jurisdiction; handle any necessary amendments.
6. Coordinate and ensure compliance with all notification and publication requirements, and deadlines for municipal or county public hearings; check overlapping jurisdictions for coordination requirements.
7. Prepare, review with attorney, coordinate performance/execution with client, and file organization documentation with district court; set hearing before district court; coordinate and ensure compliance with all notification requirements and deadlines for district court hearing; maintain oral and written communication with district court personnel.
8. Coordinate the organizational election (see Section G below).

9. Prepare, review with attorney, and file election results and final organization documentation with district court; upon issuance of final decree creating special district, coordinate and ensure compliance with all notification requirements for organization of a special district. Ensure timely filing of certified copies or order, approved service plan and map with appropriate county clerk and recorder, division of local government, and assessor of appropriate county. If resolution of approval is not secured for the proposed metropolitan district, assist attorney and proponents of organization with the judicial review process.

10. Prepare and review with attorney documents for organizational meeting; ensure compliance with all meeting notice requirements.

11. Obtain appropriate bonds and insurance policies, state tax exemption, federal employer identification, and Public Deposit Protection Act numbers, and corporate seal; prepare and file documentation to establish conservation trust fund through Colorado Division of Local Government, if necessary; and obtain from directors and file conflict of interest disclosures with Secretary of State.

B. STATUTORY COMPLIANCE

1. Coordinate, ensure, and monitor compliance with all annual statutory filings and actions, including preparation and filing of appropriate documentation.

2. Monitor and ensure all documents required by the Fair Campaign Practices Act (reports, affidavits, forms, statements, notices, disclosures, *etc.*) are filed and are public records and open to inspection by the public in accordance with the provisions of the Act.

3. Maintain written and oral communications with special districts to ensure statutory compliance.

C. ADMINISTRATION

1. Board Meetings:

a. Prepare board meeting agendas and meeting packets, and arrange for timely meeting notice postings.

b. If requested, attend board meetings.

c. Prepare or review board meeting minutes.

d. If requested, assist the board with the assembly and maintenance of a book containing a record of proceedings, minutes of meetings, certificates, contracts, bonds, and all acts, ensure such book is open to the inspection of all interested parties.

2. Draft, review with attorney, and/or respond to contracts, agreements, notices, applications, letters, memoranda, and any other documents, as required.
3. Research and resolve current issues, as required.
4. Monitor progress of current projects; maintain tickler system for pending projects.
5. Attend meetings regarding district issues, as necessary.
6. Maintain written and oral communication with special district regarding current issues and activities.
7. Maintain written and oral communication with special district constituents, other governmental entities, regulatory agencies, *etc.*, as required.
8. Coordinate efforts to collect delinquent water and sewer service accounts through certification of delinquent accounts to county treasurer for collection with property taxes (relevant tasks include, but are not limited to: conducting title search, coordinating certification process with county treasurer, preparing and filing appropriate documentation, and monitoring status of collection of delinquent accounts); secure property liens and record, if required.
9. Coordinate and discuss activities with attorney.
10. Prepare and arrange for administration of certificates of appointment and oaths of office for board members; file these documents with the district court and division of local government; ensure statutory and Colorado State Constitutional provisions are complied with in regard to compensation for the services of each director and board member terms limits.
11. Update and ensure payment of premiums for requisite individual, schedule or blanket surety bonds and fidelity bonds; file bonds with the district court and division of local government, as required.
12. Update and ensure payment of premiums of miscellaneous insurance (public entity liability, public official errors & omissions, property, *etc.*) if applicable.
13. Assist Board members in the preparation of and file conflict of interest disclosures with the Secretary of State for board members with potential personal or private pecuniary interests that may conflict with the public interest.
14. Coordinate and ensure compliance with applicable statutory requirements, general laws regarding open meetings and open public records.

D. INCLUSION

1. 100% Property Owner Petition:
 - a. Prepare petition for inclusion and coordinate execution by 100% of the owners of subject property.
 - b. Draft and review with attorney the inclusion agreement as required.
 - c. Prepare and publish notice of board's public hearing to consider petition; prepare, and review with attorney, documents for execution at public hearing.
 - d. Prepare, review with attorney, and file inclusion documents with district court; obtain issuance of court order of inclusion; record court order of inclusion and file with appropriate local and state agencies.
2. Inclusion Election:
 - a. Prepare and publish notice of board's public hearing to consider adoption of resolution proposing inclusion; coordinate and ensure compliance with all notification requirements of public hearing.
 - b. Prepare, and review with attorney, resolution for adoption at public hearing.
 - c. Prepare, review with attorney, and file inclusion documents with district court to order inclusion election.
 - d. Coordinate logistics of the inclusion election (see Section G below).
 - e. Prepare, review with attorney, and file election results and final inclusion documents with district court; obtain issuance of court order of inclusion; record court order of inclusion and file with appropriate local and state agencies.
3. Maintain oral and written communication with special district throughout inclusion process.

E. EXCLUSION

1. 100% Property Owner Petition:
 - a. Prepare petition for exclusion and coordinate execution by 100% of the owners of subject property.

b. Prepare and publish notice of board's public hearing to consider petition; prepare, and review with attorney, documents for execution at public hearing.

c. Prepare, review with attorney, and file exclusion documents with district court; obtain issuance of court order of exclusion, obtain recordation of court order of exclusion and file with appropriate local and state agencies.

2. Exclusion Election for Fire Protection Districts:

a. Prepare and publish notice of board's public hearing to consider adoption of resolution proposing exclusion; coordinate and ensure compliance with all notification requirements of public hearing.

b. Prepare, and review with attorney, resolution for adoption at board's public hearing.

c. Prepare, review with attorney, and file exclusion documents with district court to order exclusion election.

d. Coordinate the conduct of the exclusion election (see Section G below).

e. Prepare, review with attorney, and file election results and final exclusion documents with district court; obtain issuance of court order of exclusion; record court order of exclusion and file with appropriate local and state agencies.

3. Maintain oral and written communication with special district throughout exclusion process.

F. BUDGET

1. Assist with preparation, and review with attorney or district accountant, annual budgets and audits or audit exemption requests; monitor compliance with all statutory and constitutional requirements, restrictions, and deadlines.

2. Prepare and publish notice of public hearing to consider budget or budget amendment.

3. Prepare, and review with attorney, all resolutions and certifications for adoption of budget or budget amendment, and certifications of mill levies.

4. Coordinate and ensure filing of certifications of mill levies and budget documentation with local and state agencies prior to statutory deadlines.

5. Maintain written and oral communication with special district throughout process.

6. After adoption, ensure budget is used in conjunction with regular financial reports for comparison to actual revenues and expenditures, records of all expenditures are kept, and changes that affect appropriations are reported.

7. Assist attorney or district accountant with long range planning concerning budgeting and finance with regards to requirements specified in TABOR, Art. X Sec. 20 of the State of Colorado's Constitution.

G. ELECTIONS

1. Prepare comprehensive schedule of election procedure and statutory and constitutional deadlines; monitor process for each special district conducting election; coordinate and ensure compliance with all deadlines and term limitation restriction of elected officials.

2. Coordinate elections with county clerks, as necessary; review intergovernmental agreements (with county clerks) regarding election procedures and/or mailing of constitutional notices.

3. Prepare, review with attorney, publish, mail and post all required notices within statutory and constitutional deadlines.

4. Prepare, and review with attorney, all election documentation (relevant tasks include, but are not limited to: resolutions, ballots, notices, petitions, mail ballot plan, affidavits, oaths, voting instructions, abstracts, certifications, disclosures, *etc*); verify nominee and petition signatures for eligible elector qualifications.

5. Appoint and train election judges. Ensure compliance with applicable statutory provisions re: completion and filing of an acceptance form, master list of election judges and administration of oath or affirmation.

6. If applicable, confirm appointment process of person(s) selected to serve as "watcher(s)": Tasks include, but are not limited to: Confirm number of watchers allowed per statute, confirm qualifications of "watcher" and certification of name(s) of person(s) on official form to be furnished to designated election official, administration of oath, and allowed activities of watcher during election.

7. Order all election supplies, ballots, voting equipment, and voter registration records and property owners lists and supplements; monitor receipt of all supplies ordered; forward these supplies to appropriate election judges.

8. File all necessary documentation with proper local and state agencies.

9. Coordinate the independent mail ballot elections (relevant tasks include: ascertaining which electors are eligible to receive mail ballot packets, ensure contents of

mail ballot packet are complete and in compliance with procedures for conducting a mail ballot election).

10. Assist with and coordinate absentee voting.
11. Coordinate election day procedures or events.
12. Prepare, file, and monitor compliance with filing requirements of local and state agencies involving certification of election results, bonds, oaths of office, reports, and committee records retention periods, and election records retention.
13. Maintain written and oral communication with special district throughout election process.
14. If required under fair campaign practices:
 - a. File candidate affidavit form or candidate's self-nomination and acceptance with appropriate authority.
 - b. Register candidacy of candidate and committees (such as political committee, issue committee, *etc.*)

and make periodic disclosures of contributions received, expenditures made, and obligations entered into with appropriate county clerk and recorder.

- c. Throughout election process, monitor and ensure compliance with registration, reporting, contribution requirements, procedural requirements and regulations of the Colorado Election Code, Amendment 27 (Article XXVIII of the Colorado Constitution), the Colorado Fair Campaign Practices Act (Colorado Revised Statutes, Title 1, Article 45), regulations of the Secretary of State and home rule or municipality ordinances or charter provisions.

15. If requested, assist with procedure to cancel election, survey of returns, board of canvassers, abstract of votes, challenges, recounts, contested elections, recalls, and provisional balloting.

16. Assist with applicable TABOR related issues: Ensure elections, including TABOR related spending and revenue issues, are to be conducted at appropriate time and adherence to various provisions to include notice preparation, form and mailing requirements; and, procedure for written comments for or against a TABOR ballot issue).

H. REAL ESTATE

1. Property Transactions:

a. Prepare, and review with attorney, documentation necessary for the purchase and sale of real property (relevant documents include but are not limited to: contracts, agreements, deeds, affidavits, and settlement statements).

b. Order title searches; review abstracts of title, title commitments, and other pertinent title documents; identify potential title flaws; maintain oral and written communication with title company.

c. Obtain tax payoff figures from county assessors and county treasurers; review tax certificates; calculate tax prorations.

d. Coordinate, prepare for, assist at, or conduct real estate closings.

e. Monitor finalization of transaction (relevant tasks include, but are not limited to: recordation of deeds, payment of taxes, and issuance of title insurance policy).

f. Maintain oral and written communication with special district.

2. Easements:

a. Order title search for ownership and encumbrance information.

b. Prepare, and review with attorney, easement document(s); arrange for execution; record fully executed easement document.

3. Investigate and research (in county public records archives) property ownership, chains of title, encumbrances, easements, liens, boundary lines, taxes, *etc.*

I. CONSOLIDATION

1. Prepare comprehensive schedule of consolidation process and all statutory and constitutional deadlines; monitor process to ensure compliance with all deadlines.

2. Prepare, and review with attorney, consolidation resolutions and other documents for filing with district court.

3. Prepare, review with attorney, and file documentation for service plan approval with municipality or county; maintain oral and written communication with jurisdiction; assist in service plan approval as outlined in Section A above.

4. File consolidation documentation with district court; set hearing before district court; coordinate and ensure compliance with all notification requirements and deadlines for district court hearing; maintain oral and written communication with district court personnel.

5. Coordinate the consolidation election (see Section G above).
6. Prepare, review with attorney, and file election results and final consolidation documentation with district court; upon issuance of final order consolidating the special districts, coordinate and ensure compliance with all notification requirements for consolidation.
7. Prepare, review with attorney, file and/or record appropriate documentation finalizing consolidation actions (relevant documents include but are not limited to: order or decree, property conveyance documents, assignments, oaths of office, bonds).
8. Maintain written and oral communication with special districts throughout consolidation process.

J. DISSOLUTION

1. Prepare comprehensive schedule of dissolution process and all statutory and constitutional deadlines, review service plan for sunset clause which may address dissolution of special district; monitor process to ensure compliance with all deadlines.
2. Prepare, review with attorney, and file dissolution documentation with district court; set hearing before district court, coordinate and ensure compliance with all notification requirements and deadlines for district court hearing; maintain oral and written communication with district court personnel.
3. Coordinate the conduct of the dissolution election (see Section G above).
4. Prepare, review with attorney, and file election results and final dissolution documentation with district court; upon issuance of final order dissolving the special district, coordinate and ensure compliance with all notification requirements for the dissolution.
5. Prepare, review with attorney, file and/or record appropriate documentation finalizing dissolution actions (relevant documents include but are not limited to: property conveyance documents and assignments).
6. Maintain written and oral communication with special district throughout dissolution process.