



ARAPAHOE COUNTY
PUBLIC WORKS & DEVELOPMENT

Colorado Counties Inc. New Commissioner Orientation

- Chapter 8 – County Roads and Bridges
- Highway User Tax Funds (HUTF)
 - Other Funding Sources

January 16, 2024

Public Works & Development
Department
Bryan D. Weimer, PWLF Director



Agenda



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- Powers and Duties of the Board of County Commissioners
- Duties and Rights of Third-Parties Users
- Highway User Tax Funds (HUTF)
- Other Funding Opportunities

Commissioners are urged to confer with their road supervisor/PW Director and county attorney if you have questions about certain terms, Statute Interpretation, or requirements.



APWA Accreditation

Arapahoe County Public Works & Development



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Officially Accredited 2-7-18, Re-Accredited 2022, Working on for 2026

137th Publics Works Agency to Become Accredited in North America

8th Agency in Colorado

Only County in Colorado

594 Practices Documented, 315 Applicable & 100% Compliance

23 Model Practices, 7 Model practices

Benefits

Formal recognition of well-run agencies

A mechanism to evaluate the organization

Improving operations

Instilling pride in personnel, Fostering interaction among personnel

Encouraging documentation of policies & Improvement of procedures





Transportation is the center of the world! It is the glue of our daily lives. When it goes well, we don't see it. When it goes wrong, it negatively colors our day, makes us feel angry and impotent, curtails our possibilities.

Robin Chase

WWW.STOREMYPIC.COM





R&B Maintenance Activities

- ✓ Snow Removal
- ✓ Pothole Patching
- ✓ Paving
- ✓ Concrete Repairs
- ✓ Signs
- ✓ Ice Removal
- ✓ Roto-paving
- ✓ Long Line Markings
- ✓ Durable Markings
- ✓ Cross Walks
- ✓ Bridge Maintenance
- ✓ Chip Seal
- ✓ Major Patching
- ✓ Temporary Patching
- ✓ Crack Sealing
- ✓ Wide Crack Repairs
- ✓ Full Depth Asphalt Crack Patching
- ✓ Erosion Control
- ✓ Screen Millings
- ✓ Traffic Control
- ✓ Training
- ✓ Hauling
- ✓ Culvert Maintenance
- ✓ Gravel Road Blading
- ✓ Re-gravel Roadways
- ✓ Reclaim Millings on Roadways
- ✓ Graffiti Removal
- ✓ Dust Abatement
- ✓ ADA Compliance
- ✓ Concrete Chase Plates
- ✓ ADA Compliance
- ✓ Weed Mitigation
- ✓ Tree Trimming
- ✓ Transportation Requests
- ✓ ROW Mowing
- ✓ Guard Rail Maintenance
- ✓ Sweeping
- ✓ Snow Fence Maintenance and Installation
- ✓ Fence Installation and Repair
- ✓ Shouldering
- ✓ Dust control
- ✓ 24/365 on-call service



Powers and Duties of BOCC



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- **BOCC has Power via CRS 30-11-107 to:**
 - Layout, alter, or discontinue any road running into or through the County
 - Perform such duties regarding roads as required by law
 - Levy taxes and contract loans for the purpose of making or repairing county roads and bridges
 - Requires a vote regarding taxes and loans
 - Make orders concerning County Property
 - Purchase and maintain county road equipment
- **BOCC “MAY” Establish Road Districts (w/i County or Combine With another County (CRS 43-2-111))**
- **BOCC “MAY” Appoint a County Road Supervisor (or engineer) or district supervisor per CRS 43-2-111**
 - Responsible for all road & bridge inspections, road personnel/machinery/tools
 - Commissioner may serve as road supervisor (only Commissioner Salary!)

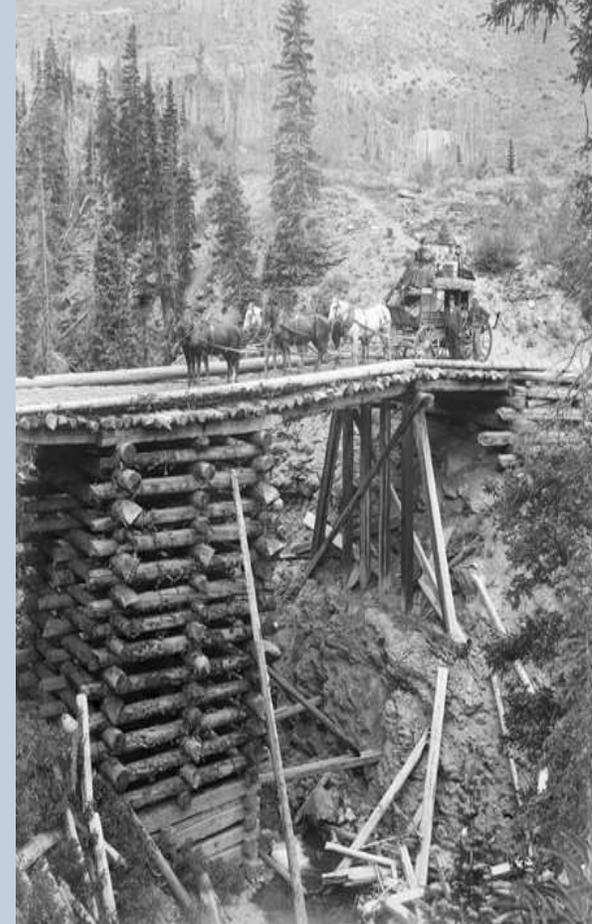


Acquire Right-of-Way & Roads



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- Lease Right-of-Way (CRS 43-2-206)
- Purchase and Donation (CRS 43-2-204)
- Tax Lien Sale (Reserve ROW rights prior to sale - CRS 39-11-143)
- Eminent Domain/Condemnation (CRS 43-2-112, 204, 206, Also title 38)
 - Establish a fair market price
 - Negotiate in good faith (no “arms length” transaction)
 - BOCC Establishes Public Needs
 - With All the Above – Judge will award immediate possession and schedule value determination hearing
- Abandonment/Vacation (CRS 43-2-106, 107, 110, 112, 113 & CRS 43-2-302)
 - Generally speaking, ROW goes back from whence it came
 - County Line Roads – Joint Action Between Counties
 - Can't Create Land Lock Situations



Roads and Bridges Specific



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- The BOCC must prepare a map that establishes a "**primary system**" and a "**secondary system**" of county roads (CRS 43-2-108, 109, 110, 114).
 - Primary = Greatest General Importance
 - Secondary = All Other Roads
 - HUTF Report Meets this Requirement (Different Hierarchical Classifications)
- **Underground Utilities & 811 Locates (CRS 9-1.5-103, 104.5)**
 - Any excavation in ROW – must call 811 (Utility Notification Center of Co) for locates
 - Could be fined \$5K for initial damage to utility up to \$70K for additional damage
 - Exception- conduct basic unpaved road maintenance w/o call UNCC (does not alter grade by 6")
- **Contract and Maintain Roads (CRS 43-2-208, 43-2-209, 43-2-210, 43-1-217)**
 - Use County personnel
 - Contract w/State or Fed not to exceed \$100K (residency requirements)
 - Advertise and receive sealed Bids
 - Over \$5K – Awarded to Lowest Responsive Bidder



Roads and Bridges Specific



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- Commercial Driver's License – CDL (CRS 42-2-402 & 49 App U.S.C. sec 2701)
 - Any vehicle weighing more than 26,000 pounds;
 - Any vehicle designed to transport 16 or more people; and
 - Any vehicle transporting hazardous waste.
- CDOT Oversight of Projects (CRS 43-2-122)
 - County undertakes Highway Project w/ State and Federal Funds – CDOT Inspect
- Agreement with Other Governments (CRS 43-2-104, 140.5 and 114)
 - Consider the Multi-year Contract (Non-appropriation clause, pay all at once, etc.)



Roads and Bridges Specific



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- Traffic Regulations (CRS 42-4-1101 thru 1104)
 - State Law generally Governs and Powers of Local Authorities
 - Prohibited – DUI, Vehicle Reg, Driver License
 - Allowed –Setting Speed limits, Parking Restriction, Regulatory Signage, designate truck routes, Traffic Signals, etc.
 - May have additional criteria (Resolution or Ordinance)
 - MUTCD (FHWA) is the “Bible” for all things Traffic Regulations)
 - **Commissioners are strongly urged to consult with their county attorney or an engineer knowledgeable in traffic regulations prior to taking any formal action**
- Regulate Overweight Vehicle Access (CRS42-4-510 &511)
- Bike Ops and Electric Bikes, Electronic Scooters (CRS42-4-1412 & CRS 42-4-221)
 - Rolling Stop w/o Stopping
 - Limit E-Bikes on Bike and Ped Paths
 - May regulate scooters but no more restrictive than electric bikes



Roads and Bridges Specific



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- **Roadside Memorials (CRS 43-2-149)**
 - May Establish a Permitting Process (Cannot Deny/Prohibit absence of a process if meets statute)
- **Remove Abandoned Vehicle (CRS 42-4-1803 thru 2103)**
 - Towing Company may be reimbursed by owner for recovery
 - Resolution or Ordinance to Strengthen
- **Report to the State Transportation Commission (CRS 43-2-137)**
 - Annually submit the priorities for the construction of roads w/i their specific jurisdiction on the state highway system, plus all proposed projects not a part of the state highway system but utilizing federal funding.
- **Utility Re-location in ROW (CRS 38-5-109)**
 - May use a clearance letter process for utility relocations in County ROW for investor-owned utilities
- **Division of Authority over Streets (CRS 43-2-135)**
 - The jurisdiction, control, and duty of the state, cities, cities and counties, and incorporated towns which are a part of the state highway system



3rd Party Users Duties & Rights



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- Construction and Maintenance of Culverts (543-5-305, 37-84-106)
 - Owner of Ditch Construct Crossing
 - County Construct Crossing if Ditch owner Fails to construct
 - \$25 per day penalty until constructed , as well as County costs
 - Once constructed then County responsible for Maintenance
- Livestock on Highways (CRS 35-105)
 - If “Fenced-In” then not allowed on public ROW
 - If animal is killed operator of vehicle is not liable
- PUC Oversight of Rail Crossing ((CRS40-4-106)
 - Public Utilities Commission (PUC) can determine where rail crossings may be located
 - PUC may require county to financial participate in crossing cost
- Railroad Quiet Zones (CRS30-20-512 & 49 U.S.C. sec. 20153)
 - Can establish “railroad quiet zones”
 - County, acting through a PID or LID, to install and pay for safety measures



Entities that May Obtain Easements



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- Conservancy Districts (CRS 37-3-117)
 - Conservancy districts are given superior right of eminent domain over all other governmental entities
- Other Districts (CRS 37-24-103, 32-1-1001, 1004, 1006)
 - Drainage District empowered to cross public roads, Power to Condemn
 - W&S District use of ROW & condemn easement
 - BOCC MAY make rules as necessary and require the payment of reasonable fees to insure proper restoration
 - Metro District MAY Condemn and construct/maintain along or across public roads
- Telecom Providers (CRS 38-5.5-106 & 107)
 - Use of ROW and obtain Easement for use of any public roadway (cannot hinder/obstruct primary use of road)
 - Counties MAY Charge License or construction permit fee for use of public roadways
- Utilities (CRS 38-5-101 thru 106)
 - Public/Private Electric, Gas, Pipeline MAY use ROW or obtain Easement for Construction, Maintenance, Ops (cannot hinder/obstruct primary use of road)





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ROAD AND BRIDGE FUNDING



Possible Sources of Funding



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- Road Bridge Fund
- HUTF (tried to use as stick for Affordability)
- Specific Ownership Taxes
- Fees
 - Impact Fees
 - Street Cut
 - Permits
- Grants



Transportation Funding



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- **Local Programs**

- Property Taxes
- Sales Taxes
- Specific Ownership Taxes
- Fees (Impact, Permit, Street Cut)
- Regional Transportation Authorities (RTA)
- Districts (Metro, Local, General)
- Developer Contribution/Construction



- **Federal Programs**

- 18.4¢ per gallon – Federal Fuel Tax
- Since 1993
- Federal General Fund
- Allocation Via Specific Formula & Competitive Grants

- **State Programs**

- 22¢ per gallon – State Fuel Tax
- Since 1991
- Vehicle Registration
- Road use, Delivery, Other Fees



Road and Bridge Fund



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- **Created Via CRS 43-2-203 and 43-2-202**
 - BOCC Adopt a Road and Bridge Budget Annually
 - Aggregate Amount Expanded – Construction, Maintenance, Admin, Paid to City
 - **Mill Levy Collected Countywide**
- **CRS 43-2-202**
 - Fund Consist of Revenue Derived from Property Tax CRS 43-2-203
 - For - Construction, Maintenance, Admin w/i County
 - All \$\$ Received from State & Federal Gov for Expenditures on R & B
 - Any Other Moneys that MAY Become Available for such Purposes
- **Each Municipality Located w/i County Receive 50% of Revenue Collected w/i its Boundaries (Paid 15th day of July, Oct, Jan, April)**
- **By Agreement Provide Materials or R&B Work w/i Municipality Equivalent Value (During or Succeeding Year)**



Highway User Tax Fund (HUTF)



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- Statutorily Created in 1953 to account for state highway revenue
- Per CRS 43-4-204 – All moneys in HUTF are Appropriated for:
 - The acquisition of right-of-way for, and the construction, engineering, safety, reconstruction, improvement, repair, maintenance, and administration of, the state highway system, the county highway system, the city street systems, and other public roads and highways of the state...
- Where Does Revenue Come From:
 - Fuel Taxes & Fees
 - Vehicle Registration
 - Traffic Penalty
 - FASTER Legislation
 - SB21-260 Legislation (ie Delivery and Other Fees)



HUTF Revenue Distribution #1



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- Revenues from each source are distributed among the state, counties and municipalities via direct formulas

- Off-the-top – Colorado State Patrol and Department of Revenue

- State Patrol increased annually 6% per year

- **CDOT – State Highway Fund**

- 65% First Stream
- 60% Second Stream*
- 40% Third Stream**

- **County**

- 26% First Stream
- 22% Second Stream*
- 33% Third Stream**

- **City**

- 9% First Stream
- 18% Second Stream*
- 27% Third Stream**

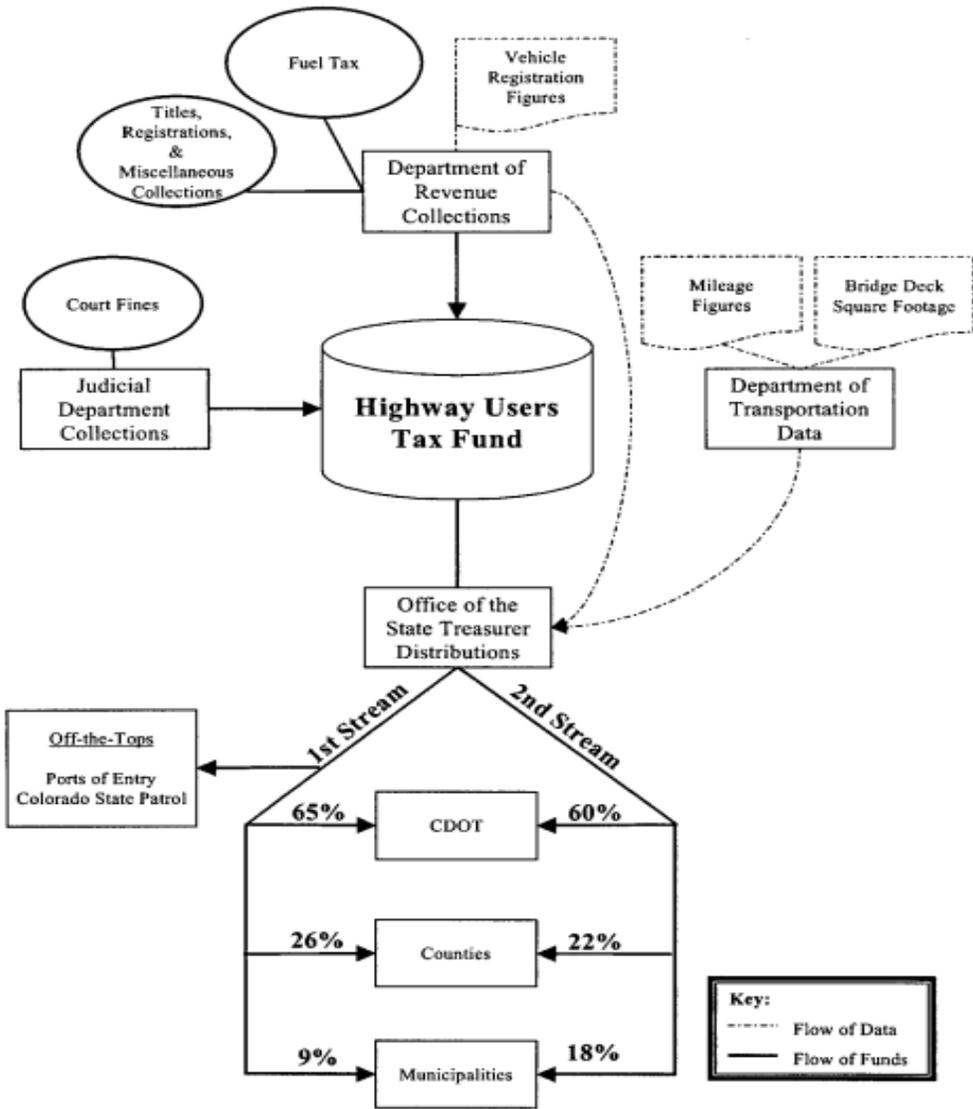


*16% of >7¢ to 18¢ for highway bridge repair (State, county, municipal)

**3rd Stream Retail Delivery Fees (71.1% HUTF, 28.9% MMOF)⁹



Highway Users Tax Fund Collection and Distribution Process



Streams

#1

7¢ of State Fuel Tax
+ various fines/fees

65% State
26% Counties
9% Municipalities

FASTER Safety + SB260 Road
Usage, EV fees

60% State
22% Counties
18% Municipalities

11¢ of State Fuel Tax
16% Bridges
50.04% State
18.48% Counties
15.12% Municipalities

#2

0.4¢ of State Fuel Tax
60% State
22% Counties
18% Municipalities

SB260 Retail Delivery Fee

40% State
33% Counties
27% Municipalities



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Allocation to Various Counties



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- Counties Receive – 26% of 1st Stream, 22% of 2nd Stream
- Allocated Between Counties By Tiers (Set in Statutes)
 - **Tier #1** – 1st 69.7M Using FY 1988 Formula (% Allocated in 1988)
 - **Tier #2** – Next \$17M Allocated to 17 Specific Counties (% by CRS 43-4-207)
Adams, 9,5718; Alamosa, 1.1598; Arapahoe, 12.6560; Boulder, 7.3571; Douglas, 3.5148; El Paso, 13.0552; Jefferson, 14.9666; La Plata, 2,0733; Larimer, 7.9978; Lincoln, 1.8866; Logan, 2.0334; Mesa, 4.3285; Morgan, 2.9915; Otero, 1.6843; Pueblo, 4.6096; Rio Grande, 1.3384; and Weld, 8.7753
 - **Tier #3** – Revenue in Excess of \$86.7M Based on 4 Factors
 - 15% Rural Vehicle Registration
 - 15% Countywide Vehicle Registration
 - 10% SF of Bridge Deck
 - 60% Lane-Miles, Adjusted for Terrain Type & Surface Type



Calendar Year 2025 Projected County HUTF Distributions: \$252,474,350

These projections include revenues from SB 09-108 (FASTER)

County	First Tier Distribution	First Tier Distribution Percentage	Second Tier Distribution	Second Tier Distribution Percentage	Third Tier Distribution	Third Tier Distribution Percentage	Total Allocation
Total Distribution	\$69,700,000		\$17,000,000		\$165,774,350		\$252,474,350
ADAMS	\$2,281,769	3.2737%	\$1,627,206	9.5718%	\$7,387,058	4.456092%	\$11,296,032
ALAMOSA	\$720,559	1.0338%	\$197,166	1.1598%	\$1,522,391	0.918351%	\$2,440,115
ARAPAHOE	\$2,342,129	3.3603%	\$2,151,520	12.6560%	\$5,450,360	3.287818%	\$9,944,009
ARCHULETA	\$751,436	1.0781%			\$1,849,736	1.115816%	\$2,601,172
BACA	\$1,082,859	1.5536%			\$1,908,110	1.151028%	\$2,990,969
BENT	\$541,918	0.7775%			\$956,844	0.577196%	\$1,498,761
BOULDER	\$1,493,253	2.1424%	\$1,250,707	7.3571%	\$4,331,499	2.612889%	\$7,075,459
CHAFFEE	\$891,045	1.2784%			\$1,412,289	0.851935%	\$2,303,334
CHEYENNE	\$583,807	0.8376%			\$1,150,960	0.694293%	\$1,734,767
CLEAR CREEK	\$393,108	0.5640%			\$758,838	0.457754%	\$1,151,946
CONEJOS	\$789,422	1.1326%			\$1,414,085	0.853018%	\$2,203,508
COSTILLA	\$1,395,812	2.0026%			\$3,534,002	2.131815%	\$4,929,814
CROWLEY	\$296,643	0.4256%			\$557,965	0.336581%	\$854,608
CUSTER	\$528,047	0.7576%			\$972,314	0.586528%	\$1,500,361
DELTA	\$1,094,011	1.5696%			\$2,428,482	1.464932%	\$3,522,493
DOLORES	\$792,628	1.1372%			\$1,197,937	0.722631%	\$1,990,565
DOUGLAS	\$1,278,995	1.8350%	\$597,516	3.5148%	\$10,024,345	6.046982%	\$11,900,856
EAGLE	\$906,449	1.3005%			\$2,019,312	1.218109%	\$2,925,761
EL PASO	\$2,604,480	3.7367%	\$2,219,384	13.0552%	\$11,525,416	6.952472%	\$16,349,280

Gas Tax Cannot Pay for Our Roads

The Colorado gas tax is not a sustainable source of funding and our transportation system suffers as a result.

- Current gas tax of **22 cents** doesn't go as far as it did in 1991.
- Gas tax would be **44 cents** today if it had kept pace with inflation.
- Colorado has the **10th lowest gas rate** among all 50 states.
- We will purchase **less gas** as fuel efficiency and electric vehicle purchases increase.
- The state fuel tax hasn't changed in **30 years** but the cost of paving the roads we use has gone up 300%.
- State gas tax generated **\$624 million** in 2020.
- If it had kept pace with inflation since 1993, it would have raised double that amount – **\$1.2 billion**:
 - ◆ The loss is nearly \$8 billion over 30 years; and
 - ◆ The purchasing power today is half of what it was 30 years ago.



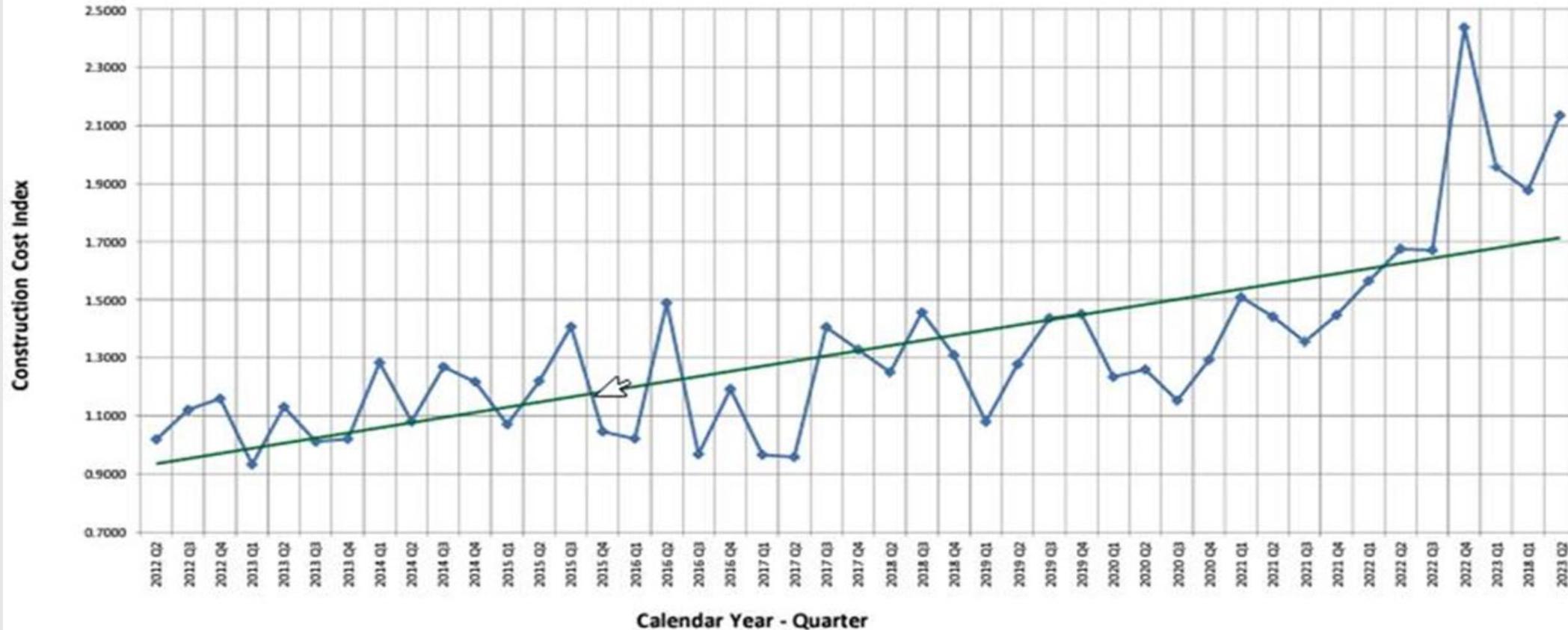
Colorado Construction Index



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Colorado CCI - Quarterly Data, Cumulative Assuming 2012 Q1 = 1.0000

Quarterly Trendline: Annual Percentage = 7.08%



FASTER FUNDS



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Funding Advancements for Surface Transportation and Economic Recovery Act of 2009 (**FASTER**) revenue includes the vehicle registration fees, surcharges, and fine revenues authorized by SB 09-108.

Does Not Expire

Supports – Roadway Safety, Repair Deteriorating Bridges & Roads, Support Expand Transit

Of this revenue, \$15.0 million is set aside for spending on transit projects, and the remaining funding is distributed using the same formula as second stream revenue.

CDOT Programs – FASTER Safety, Bridge Enterprise, FASTER Transit Grant



FASTER Tracking



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HUTF -COUNTIES SB09-108 FASTER COLLECTIONS AND DISTRIBUTIONS		FISCAL YEAR 2025		
prepared by Colorado State Treasury				
	JULY 24	AUGUST	SEPTEMBER	OCTOBER
	=====	=====	=====	=====
UNREGISTERED VEHICLE FINE	0.00	0.00		
DAILY RENTAL FEE	3,615,852.78	4,384,535.27		
ROAD SAFETY SURCHARGE	11,316,329.55	13,447,285.73		
LATE REGISTRATION FEES	3,275,664.16	3,620,232.15		
OVERSIZE OVERWEIGHT	125,955.00	130,815.00		
FASTER COLLECTION	18,333,801.49	21,582,868.15	0.00	0.00
60% STATE HIGHWAY	11,000,281.49	12,949,721.15		
22% COUNTY	4,033,436.00	4,748,231.00		
18% CITY	3,300,084.00	3,884,916.00		
FASTER DISTRIBUTION	18,333,801.49	21,582,868.15	0.00	0.00
22% COUNTY FASTER Distribution	4,033,436.00	4,748,231.00		
Rail & Transit CRS 43-4-811(1)(b)	(229,166.00)	(229,166.00)		
Net FASTER County Distribution	3,804,270.00	4,519,065.00	0.00	0.00

NOTE: The net FASTER County distribution is included in the monthly deposit found on the County payment I

	JULY 24	AUGUST	SEPTEMBER	OCTOBER
	=====	=====	=====	=====
ADAMS	124,540.39	147,940.63		
ALAMOSA	39,328.54	46,718.09		
ARAPAHOE	127,834.88	151,854.14		
ARCHULETA	41,013.83	48,720.04		
BACA	59,103.14	70,208.19		
BENT	29,578.20	35,135.73		
BOULDER	81,502.68	96,816.45		



<https://treasury.colorado.gov/hutf-distributions>



SB21-260



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- The bill will provide around \$5.3 billion in transportation infrastructure investment over the next decade.
- Established
 - Fuel Consumption Fee
 - Retail Delivery Fee
 - EV Registration Fee
 - Rideshare Fee
 - Other Fees (Rental Car, Car Share)
- Allocations to HUTF, MMOF, New Enterprises



SB21-260 Fees



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Fee	Description	Uses
Road usage fee	2¢ per gallon, then increase 1¢ per year until 8¢	HUTF
Clean truck fee	2¢ per gallon, then increase 1¢ per year until 8¢	HUTF
Electric vehicle equalization fee	EV registration fee for battery electric vehicles and plug-in hybrid EVs	HUTF
Transportation network company (TNC) fee	30¢ per ride, 15¢ per ride for carshare or zero emission vehicle ride.	Non-attainment enterprise
Retail delivery fee	27¢ per retail delivery total among variety of fees	HUTF and MMOF and a variety of enterprises
Personal car share fee	\$2 car rental fee	Non-attainment enterprise
Vehicle rental fee	Existing \$2 car rental fee	HUTF



SB21-260 Retail Delivery Fee



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Retail Delivery Fees	FY 2022-23 Fee Rate
State (Highway Users Tax Fund and Multimodal Options Fund)	8.4 cents / delivery
Bridge and Tunnel Enterprise	2.7 cents / delivery
Community Access Enterprise	6.9 cents / delivery
Clean Fleet Enterprise	5.3 cents / delivery
Clean Transit Enterprise	3.0 cents / delivery
Air Pollution Mitigation Enterprise	0.7 cents / delivery
Total of Retail Delivery Fees	27.0 cents / delivery

- These Fees are adjusted for inflation based on Denver-Aurora-Lakewood CPI. The fee adjustment for inflation in future years is based on the sum of the adjustment to all fees results in an increase of at least one cent.
- Once this occurs, then the revenue from the additional one cent goes to HUTF (71.1%) and MMOF (28.9%)



Estimated SB21-260 Fee Revenue



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Row Labels	Sum of FY 23	Sum of FY 24	Sum of FY 25	Sum of FY 26	Sum of FY 27	Sum of FY 28	Sum of FY 29	Sum of FY 30	Sum of FY 31	Sum of FY 32
ADAMS	\$815,900.39	\$1,135,474.71	\$1,453,446.91	\$1,793,076.84	\$2,160,038.41	\$2,550,100.99	\$2,983,748.99	\$3,221,443.21	\$3,490,277.35	\$3,801,382.70
ARAPAHOE	\$806,369.67	\$1,122,210.96	\$1,436,468.86	\$1,772,131.48	\$2,134,806.48	\$2,520,312.66	\$2,948,895.11	\$3,183,812.77	\$3,449,506.59	\$3,756,977.84
ARCHULETA	\$178,153.27	\$247,932.88	\$317,362.67	\$391,521.45	\$471,648.15	\$556,819.00	\$651,506.79	\$703,407.74	\$762,108.14	\$830,038.54
BACA	\$218,781.73	\$304,474.82	\$389,738.30	\$480,809.25	\$579,209.11	\$683,803.46	\$800,085.13	\$863,822.26	\$935,909.49	\$1,019,331.65
BENT	\$109,440.68	\$152,306.73	\$194,957.89	\$240,514.10	\$289,736.43	\$342,057.42	\$400,224.73	\$432,107.81	\$468,167.84	\$509,897.91
CHAFFEE	\$170,198.61	\$236,862.51	\$303,192.21	\$374,039.75	\$450,588.74	\$531,956.65	\$622,416.57	\$672,000.10	\$728,079.49	\$792,976.75
CHEYENNE	\$124,396.64	\$173,120.69	\$221,600.48	\$273,382.32	\$329,331.29	\$388,802.37	\$454,918.72	\$491,158.88	\$532,146.81	\$579,579.63
CLEAR CREEK	\$83,376.84	\$116,034.14	\$148,527.71	\$183,234.49	\$220,734.28	\$260,594.77	\$304,909.25	\$329,199.22	\$356,671.37	\$388,463.22
CONEJOS	\$160,663.57	\$223,592.77	\$286,206.48	\$353,084.93	\$425,345.41	\$502,154.85	\$587,546.94	\$634,352.65	\$687,290.31	\$748,551.83
COSTILLA	\$330,936.68	\$460,558.96	\$589,531.40	\$727,288.41	\$876,131.39	\$1,034,344.36	\$1,210,235.96	\$1,306,646.92	\$1,415,688.51	\$1,541,875.69
CUSTER	\$108,303.90	\$150,724.70	\$192,932.83	\$238,015.84	\$286,726.89	\$338,504.41	\$396,067.53	\$427,619.43	\$463,304.90	\$504,601.51
DOUGLAS	\$675,905.44	\$940,646.11	\$1,204,059.57	\$1,485,414.64	\$1,789,411.70	\$2,112,546.03	\$2,471,787.24	\$2,668,697.08	\$2,891,403.75	\$3,149,128.58
EL PASO	\$1,133,451.71	\$1,577,405.47	\$2,019,133.58	\$2,490,948.67	\$3,000,732.98	\$3,542,609.30	\$4,145,034.63	\$4,475,240.28	\$4,848,705.61	\$5,280,894.26
ELBERT	\$229,530.09	\$319,433.12	\$408,885.45	\$504,430.55	\$607,664.63	\$717,397.51	\$839,391.89	\$906,260.32	\$981,889.06	\$1,069,409.60
FREMONT	\$235,379.91	\$327,574.22	\$419,306.33	\$517,286.50	\$623,151.61	\$735,681.15	\$860,784.69	\$929,357.33	\$1,006,913.55	\$1,096,664.64
GARFIELD	\$296,717.53	\$412,936.75	\$528,573.32	\$652,086.14	\$785,538.62	\$927,392.22	\$1,085,096.47	\$1,171,538.45	\$1,269,305.04	\$1,382,444.36
GILPIN	\$58,219.52	\$81,023.12	\$103,712.40	\$127,947.09	\$154,132.06	\$181,965.43	\$212,908.89	\$229,869.84	\$249,052.81	\$271,252.10
GRAND	\$245,121.33	\$341,131.19	\$436,659.72	\$538,694.90	\$648,941.33	\$766,128.01	\$896,409.08	\$967,819.66	\$1,048,585.62	\$1,142,051.15
HINSDALE	\$68,788.41	\$95,731.67	\$122,539.85	\$151,173.98	\$182,112.45	\$214,998.55	\$251,559.34	\$271,599.29	\$294,264.65	\$320,493.88
HUERFANO	\$152,435.26	\$212,141.57	\$271,548.55	\$335,001.85	\$403,561.55	\$476,437.23	\$557,456.00	\$601,864.58	\$652,091.06	\$710,215.10
JACKSON	\$122,289.00	\$170,187.53	\$217,845.92	\$268,750.42	\$323,751.46	\$382,214.92	\$447,211.07	\$482,837.22	\$523,130.69	\$569,759.86
JEFFERSON	\$1,247,734.67	\$1,736,451.13	\$2,222,717.53	\$2,742,104.49	\$3,303,289.01	\$3,899,801.30	\$4,562,967.60	\$4,926,467.02	\$5,337,587.89	\$5,813,352.98
LA PLATA	\$275,071.01	\$382,811.65	\$490,012.15	\$604,514.30	\$728,230.98	\$859,735.89	\$1,005,935.10	\$1,086,070.84	\$1,176,705.04	\$1,281,590.47
LAKE	\$63,623.53	\$88,543.78	\$113,339.11	\$139,823.29	\$168,438.78	\$198,855.68	\$232,671.34	\$251,206.63	\$272,170.19	\$296,430.04
LARIMER	\$739,049.34	\$1,028,522.40	\$1,316,544.26	\$1,624,183.85	\$1,956,580.68	\$2,309,902.61	\$2,702,704.55	\$2,918,009.95	\$3,161,522.14	\$3,443,323.94

SB21-260 Tracking



ARAPAHOE COUNTY
PUBLIC WORKS & DEVELOPMENT

RETAIL DELIVERY FEE BREAKDOWN FOR COUNTIES 43-4-205 (6.8)(b)(II) >7					
prepared by Colorado State Treasury					
Note: The Retail Delivery Fee distribution is included in the monthly deposit found on the County payment					
FY 2024	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER
	558,641.00	604,292.00	593,413.00	575,074.00	630,430.00
	558,641.00	604,292.00	593,413.00	575,074.00	630,430.00
ADAMS	18,288.23	19,782.71	19,426.56	43,960.10	32,071.10
ALAMOSA	5,775.23	6,247.17	6,134.70	6,447.95	5,977.34
ARAPAHOE	18,772.01	20,306.02	19,940.46	56,420.68	28,013.15
ARCHULETA	6,022.71	6,514.87	6,397.59	1,897.49	6,166.65
BACA	8,679.05	9,388.28	9,219.26	2,734.38	6,361.26
BENT	4,343.43	4,698.37	4,613.79	1,368.42	3,189.93
BOULDER	11,968.32	12,946.35	12,713.28	33,130.75	20,162.08
CHAFFEE	7,141.67	7,725.27	7,586.19	2,250.02	4,708.29
CHEYENNE	4,679.18	5,061.55	4,970.43	1,474.20	3,837.07
CLEAR CREEK	3,150.74	3,408.21	3,346.85	992.66	2,529.81
CONEJOS	6,327.17	6,844.21	6,721.00	1,993.41	4,714.28
COSTILLA	11,187.34	12,101.55	11,883.69	3,524.63	11,781.66
CROWLEY	2,377.58	2,571.87	2,525.57	749.07	1,860.15
CUSTER	4,232.26	4,578.12	4,495.70	1,333.40	3,241.50
DELTA	8,768.43	9,484.97	9,314.21	2,762.54	8,096.07
DOLORES	6,352.87	6,872.01	6,748.29	2,001.50	3,993.68
DOUGLAS	10,251.06	11,088.76	10,889.13	17,256.21	36,152.68
EAGLE	7,265.13	7,858.82	7,717.34	2,288.92	6,731.98
EL PASO	20,874.74	22,580.58	22,174.06	58,676.25	48,576.64



<https://treasury.colorado.gov/hutf-distributions>

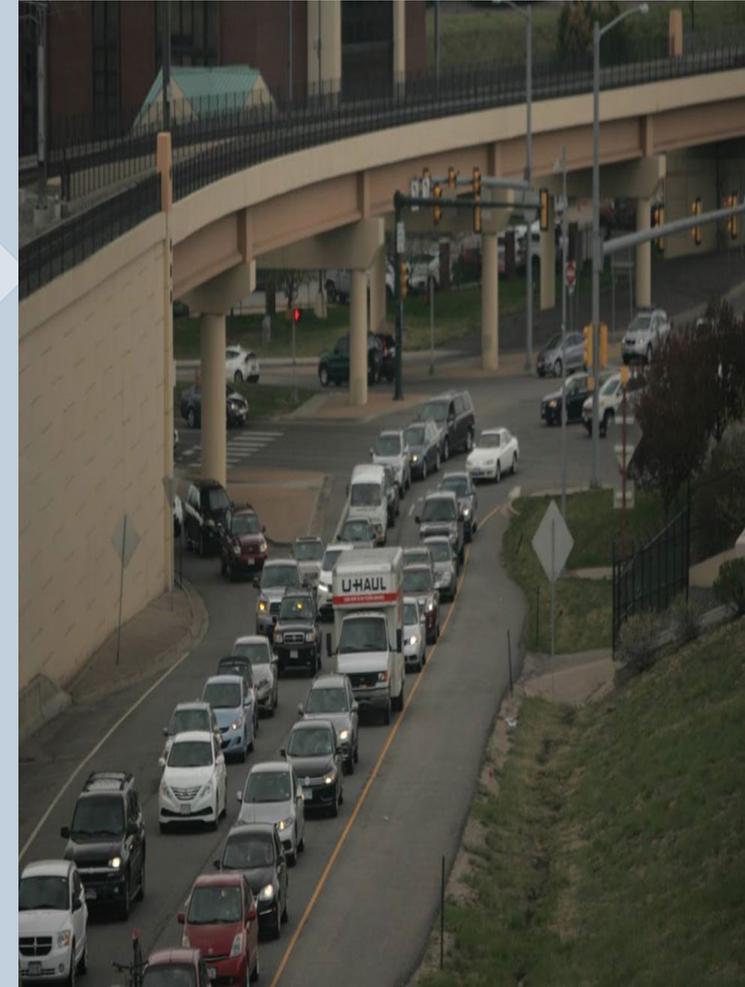


Transportation Impact Fees



ARAPAHOE COUNTY
PUBLIC WORKS & DEVELOPMENT

- **Enable Legislation in 2001 (Sec 29-20-102 thru 204 CRS)**
- **One Time Payment on New Development Solely for Growth-Related Capital Projects**
 - *System Improvements*
 - *Growth Proportionate Share*
 - *Benefits Multiple Development/Service Area*
 - *Useful Life of 5-Years*
- **Must be Legislatively Adopted & Apply to a Broad Class of Properties**
 - *Defray Capital Costs Directly Related to New Development*
 - *CRS Does Not Allow Admin Costs & CIP Prep*
 - *Not Regarded as a Total Solution*



Transportation Impact Fees



ARAPAHOE COUNTY
PUBLIC WORKS & DEVELOPMENT

- **No Operating or Maintenance Costs**
 - *Cannot Be Used to Repair or Correct Existing Deficiencies in Existing Infrastructure*
- **State & Federal Courts Rulings – Legitimate Form of Land Use Regulations**
 - *5th Amendment*
 - *Advance a Legitimate Governmental Interest (Public Health, Welfare, Safety)*
- **Cannot Charge Twice for Same Improvements**
 - *Fee vs Exaction*
- **Accounting Standards Followed (CRS 29-1-801)**



Transportation Impact Fees



ARAPAHOE COUNTY
PUBLIC WORKS & DEVELOPMENT

- **Can't be used for operations, maintenance, or replacement**
- **Not a tax but more like a contractual arrangement to build infrastructure, with three requirements**
 - *Need (system improvements, not project-level improvements)*
 - *Benefit to fee payer (usually not developers/builders)*
- ***Short range expenditures***
- ***Geographic service areas and/or benefit districts***
 - *Proportionate (Traffic Generated, Vehicle Miles of Travel by type and size of development)*



Regional Transportation Authority (RTA)



ARAPAHOE COUNTY
PUBLIC WORKS & DEVELOPMENT

- C.R.S. 43-4-605
- Must submit a copy of contract to CDOT/RTD for Rvw/Cmnt
- Requires 2 Public Hearings to Establish – Local Governments
- Requires Vote to Establish (boundary of RTA)
- RTAs have authority, through a board, to finance, construct, operate, or maintain regional transportation systems within or outside their boundaries.
- Board = at least 5 elected officials
- Current Authorities
 - Gunnison Valley Transportation Authority;
 - Pikes Peak Rural Transportation Authority;
 - Roaring Fork Transportation Authority;
 - San Miguel Authority for Regional Transportation;
 - South Platte Valley Regional Transportation Authority;
 - Aerotropolis Regional Transportation Authority



Regional Transportation Authority (RTA)



ARAPAHOE COUNTY
PUBLIC WORKS & DEVELOPMENT

• Finance Options

- *Sales or Use Tax – 1% Max*
- *Annual Motor Vehicle Reg Fee - \$10 Max*
- *Visitor Benefit Tax – 2% on Rooms*
- *Mill Levy – 5 Mill Max, Set to Repeal 1/1/2029*

• Can Bond and Establish Enterprise

• Requires Vote for All Finance Options (Multi-Year Commit)

• Unless in IGA, may not be used to supplant existing or budgeted CDOT funding for any portion of the state highway system – **Harmless Clause**



\$2 TRILLION INFRASTRUCTURE PLAN



ARAPAHOE COUNTY
PUBLIC WORKS & DEVELOPMENT

Transportation - \$621B

Elec Vehicle & Network - \$174B

Bridges, Highways, Road Repairs - \$115B (18.5%, 5.75%)

Public Transit - \$85B

Amtrak Repair - \$80B

Infrastructure Resiliency (Climate Related) - \$50B

Upgrade Airports - \$25B

Road Safety - \$20B

Connect Neighborhoods - \$20B

Inland Waterways, Ports, Ferries - \$17B

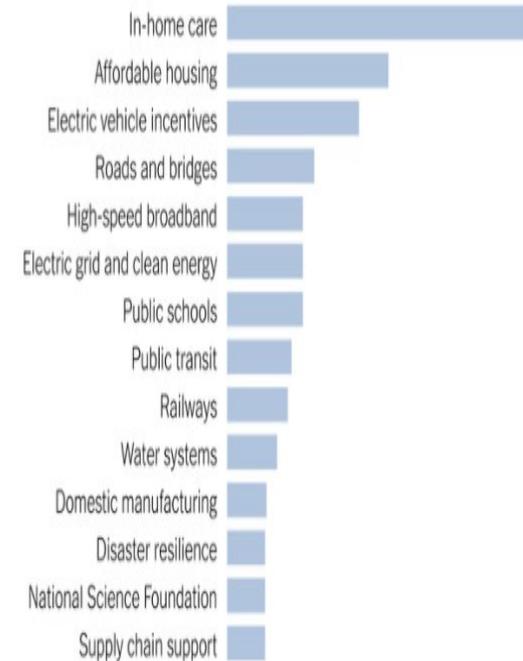
Quality of Life - \$650B

Caregivers for Elderly and Disable - \$400B

Research, Development and Manufacturing - \$300B

What's in Biden's Infrastructure Plan?

How the \$2 trillion in
proposed spending
breaks down.



The State Roadway System -2023



ARAPAHOE COUNTY
PUBLIC WORKS & DEVELOPMENT

Jurisdiction	CL Total	CL Paved	LM Total	LM Paved
State	9,072	9,072?	23,086	23,086?
Counties	58,912	12,688	137,803	33,698
Municipalities	17,373	16,474	37,320	35,576
Total	85,357	38,234	198,209	92,360

- State Info does not include freeway ramps, freeway to freeway connections, frontage roads, auxiliary lanes
- Total Lane-miles do not distinguish between facility classification (interstate, freeways, expressways, principal arterial, collector, local, etc.)
- CDOT OTIS (Online Transportation Information System
<https://dtdapps.coloradodot.info/otis>)





ARAPAHOE COUNTY
PUBLIC WORKS & DEVELOPMENT



Public Works & Development
Department

Bryan D. Weimer, PWLF Director

