

Date: August 13th, 2021

TO: Town of Rico Board of Trustees
FROM: Kari Distefano, Rico Town Manager
SUBJECT: August Board of Trustee's meeting

Consideration of the approval for a temporary liquor license for the Rico Trail's Alliance Fundraiser.

The Rico Trails alliance is applying for a temporary liquor license for their September fundraiser. The paperwork is in order.

Consideration of Board of Trustee approval of a letter to Brian Johnson regarding the VCUP.

Included in this packet is a letter that staff drafted to Brian Johnson, the project manager for the VCUP. The letter is based on comments from the Board of Trustees. Pending Board approval, it will be sent to Mr. Johnson and copied to the following list of interested parties:

- Mark Rudolph, CDPHE
- Lukas Staks, Colorado Attorney General's Office
- Paul Peronard, U.S. EPA, Region 8
- Amelia Piggott, U.S. EPA, Region 8
- Adam Cohen, Davis Graham & Stubbs LLP
- Lucas Satterlee, Davis Graham & Stubbs LLP
- Nathan Bock, Atlantic Richfield Company
- Steve Ferry, Atlantic Richfield Company
- Thomas Bloomfield, Kaplan Kirsch & Rockwell LLP

Should the Board approve this letter, and should the Board agree, I could begin working with the new manager on an informational web page regarding the VCUP that will be available to the public. As discussed in prior meetings, there will be a public forum in late September or early October.

Consideration of a Resolution of the Town of Rico Trustees submitting to the registered electors of the Town of Rico at the November 2, 2021, coordinated election, ballot questions regarding:

- a. **Increasing the mill levied upon real and personal property located within the Town of Rico by 12.8 mills;**
- b. **Increasing the lodging tax levied on short term rentals (30 days or less) from 1% to 3% of sales tax revenue; and**
- c. **A ban of short-term rentals (STRs) within the residential zone district.**

Given the back and forth regarding the short-term rental situation, Nicole Pieterse suggested that the decision be left up to the voters. Accordingly, the language for a ballot initiative is included in this resolution.

Should the Board decide not to put it on the ballot, I have included in this packet the comments given to me by Barbara Betts and Pat Fallon with Joe Croke's approval and a copy of an email from members of the public. I have also included a copy of the Town of Dolores short-term rental regulations. This ordinance has the following language that the Board might want to consider adding to the Rico ordinance:

- Category 1: Full-Time Use: A dwelling unit that is not owner-occupied and is primarily used or made available for short-term rentals.
- Category 2: Part-Time Use: A dwelling unit that is owner-occupied for more than 180 days per calendar year and that is rented as an entire unit during the time when the owner is not in residence.
- Category 3: Accessory Dwelling Unit Use: A dwelling unit with an ADU where either the primary home or the ADU are owner-occupied and the other unit is made available for short-term rentals on a periodic basis.
- Category 4: Accessory Space Use: A bedroom or other habitable space offered for short-term rental within an owner-occupied dwelling unit.
- Category 5: Residential Unit in Mixed-Use or Commercial District: A residential structure or space located in a mixed-use or commercial district where lodging is a permitted use.

Maximum Number of Permits

(1) Categories 1, 2, and 5: A maximum of number of short-term rental permits equal to 7% of the Town's eligible residential structures and spaces may be issued in Rico for any one-year period. The number of eligible residential structures and spaces for any given year shall be determined by the Building Official within 30 days after adoption of this ordinance and by April 15 of each year thereafter. In any year where the maximum number of permits has been issued, whether new or renewal, no additional permits will be issued.

(2) Categories 3 and 4: Short-term rental permits are required for ADUs and accessory spaces. There is no maximum limit on the number of permits the Town may issue in these categories.

(3) No more than one permit shall be issued per structure.

(4) A short-term rental permit may not be issued for a permanently affordable dwelling unit.

(5) Short-Term Rentals in existence at the time of adoption of this Short-Term Rental Regulation shall be subject to the requirements of this Ordinance. The owners of existing Short-Term Rentals shall apply for and obtain a Short-Term Rental Permit not later than 60 days after the effective date of the ordinance adopting this Short-Term Rental Regulation or shall be deemed to be in violation hereof.

If the Board decides not to put short term rentals on the ballot, I will work with our attorney and the new town manager to incorporate the comments into a final ordinance.

Draft Audit

The draft audit is included in this packet. If you remember, we had filed an extension request so the Board must approve the audit by December 31st.

Recycling Update

The Town has purchased a used truck and a trailer for the recycling program. We will also purchase containers and organize the volunteers that will oversee the program in the next couple of months.

TOWN OF RICO, COLORADO

FINANCIAL STATEMENTS

December 31, 2020

TOWN OF RICO
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HAMBLIN AND ASSOCIATES, LLC

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INDEPENDENT AUDITOR'S REPORT

Honorable Mayor and Board of Trustees
Town of Rico, Colorado

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Rico, Colorado as of and for the year ended December 31, 2020, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Rico, as of December 31, 2020, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Management has elected to omit the management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Accounting principles generally accepted in the United States of America require that the general and major special revenue fund budgetary comparison information and pension schedules, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Town of Rico's financial statements as a whole. The other supplementary information, as shown in the table of contents, is presented for purposes of additional analysis, and is not a required part of the basic financial statements.

The other supplementary information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the other supplementary information is fairly stated in all material respects in relation to the financial statements as a whole.

Hamblin and Associates

Golden, Colorado
August 9, 2021

Basic Financial Statements

TOWN OF RICO, COLORADO

STATEMENT OF NET POSITION

December 31, 2020

	Governmental Activities	Business - Type Activities	Total
	<u> </u>	<u> </u>	<u> </u>
ASSETS			
CURRENT ASSETS			
Cash and equivalents	\$ 1,073,919	\$ 424,468	\$ 1,498,387
Taxes receivable	88,933	23,750	112,683
Accounts receivable	-	11,728	11,728
TOTAL CURRENT ASSETS	<u>1,162,852</u>	<u>459,946</u>	<u>1,622,798</u>
PROPERTY AND EQUIPMENT			
Total Capital Assets	2,031,371	3,411,066	5,442,437
Less Accumulated Depreciation	(697,007)	(675,851)	(1,372,858)
NET PROPERTY AND EQUIPMENT	<u>1,334,364</u>	<u>2,735,215</u>	<u>4,069,579</u>
 TOTAL ASSETS	 <u>2,497,216</u>	 <u>3,195,161</u>	 <u>5,692,377</u>
 DEFERRED OUTFLOWS OF RESOURCES			
Deferred outflows because of pensions	52,975	-	52,975
 LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND NET POSITION			
CURRENT LIABILITIES			
Accounts payable and other liabilities	-	2,577	2,577
Accrued payroll	3,590	-	3,590
Net pension liability	83,688	-	83,688
TOTAL CURRENT LIABILITIES	<u>87,278</u>	<u>2,577</u>	<u>89,855</u>
 DEFERRED INFLOWS OF RESOURCES			
Unavailable property tax	88,933	23,750	112,683
Deferred inflows because of pensions	71,418	-	71,418
Total Deferred Inflows of Resources	<u>160,351</u>	<u>23,750</u>	<u>184,101</u>
 NET POSITION			
Net Investment in Capital Assets	1,418,052	2,735,215	4,153,267
Restricted for Emergencies	18,059	-	18,059
Restricted, Other	37,357	-	37,357
Unrestricted	829,094	433,619	1,262,713
TOTAL NET POSITION	<u>\$ 2,302,562</u>	<u>\$ 3,168,834</u>	<u>\$ 5,471,396</u>

The accompanying notes are an integral part of the financial statements.

TOWN OF RICO, COLORADO

STATEMENT OF ACTIVITIES

Year Ended December 31, 2020

	PROGRAM REVENUES				NET (EXPENSE) REVENUE AND CHANGES IN NET POSITION		
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	PRIMARY GOVERNMENT		
					Governmental Activities	Business-type Activities	Total
FUNCTIONS/PROGRAMS							
Governmental Activities							
General Government	\$ 210,503	\$ 170,933	\$ -	\$ 17,785	\$ (21,785)	\$ -	\$ (21,785)
Public Safety	22,645	6,317	-	-	(16,328)	-	(16,328)
Public Works	141,894	24,627	-	-	(117,267)	-	(117,267)
Culture and Recreation	59,408	-	2,025	-	(57,383)	-	(57,383)
TOTAL GOVERNMENTAL ACTIVITIES	434,450	201,877	2,025	17,785	(212,763)	-	(212,763)
Business - Type Activities							
Current:							
Water Operations	404,708	134,679	-	52,249	-	(217,780)	(217,780)
Sewer	17,083	-	-	-	-	(17,083)	(17,083)
TOTAL BUSINESS-TYPE ACTIVITIES	421,791	134,679	-	52,249	-	(234,863)	(234,863)
TOTAL PRIMARY GOVERNMENT	\$ 856,241	\$ 336,556	\$ 2,025	\$ 70,034	(212,763)	(234,863)	(447,626)
GENERAL REVENUES							
Taxes:							
Property Taxes					88,567	23,564	112,131
Specific Ownership Taxes					4,660	1,240	5,900
Sales and Use Tax					149,295	-	149,295
Other Taxes					62,147	-	62,147
Miscellaneous					75,013	26	75,039
Interest Income					590	713	1,303
TOTAL GENERAL REVENUES					380,272	25,543	405,815
CHANGE IN NET POSITION					167,509	(209,320)	(41,811)
NET POSITION - Beginning of Year					2,135,053	3,480,053	5,615,107
NET POSITION - End of Year					\$ 2,302,562	\$ 3,168,834	\$ 5,573,296

The accompanying notes are an integral part of the financial statements.

TOWN OF RICO, COLORADO
BALANCE SHEET - GOVERNMENTAL FUNDS

December 31, 2020

	<u>GENERAL</u>	<u>STREET</u>	NON-MAJOR <u>GOVERNMENTAL FUNDS</u>	<u>TOTAL</u>
ASSETS				
Cash and equivalents	\$ 888,150	\$ 60,625	125,144	\$ 1,073,919
Property taxes receivable	78,170	10,763	-	88,933
TOTAL ASSETS	<u>\$ 966,320</u>	<u>\$ 71,388</u>	<u>\$ 125,144</u>	<u>\$ 1,162,852</u>
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCE				
LIABILITIES				
Payroll related liabilities	\$ 3,590	\$ -	\$ -	\$ 3,590
TOTAL LIABILITIES	<u>3,590</u>	<u>-</u>	<u>-</u>	<u>3,590</u>
DEFERRED INFLOWS OF RESOURCES				
Unavailable revenue - property taxes	78,170	10,763	-	88,933
FUND BALANCE				
Restricted for TABOR	18,059	-	-	18,059
Restricted, Other	-	-	37,357	37,357
Committed	-	60,625	87,787	148,412
Unassigned	866,501	-	-	866,501
TOTAL FUND BALANCE	<u>884,560</u>	<u>60,625</u>	<u>125,144</u>	<u>1,070,329</u>
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCE	<u>\$ 966,320</u>	<u>\$ 71,388</u>	<u>\$ 125,144</u>	<u>\$ 1,162,852</u>
Total Fund Balance of Governmental Funds				\$ 1,070,329
Net pension liability, deferred inflows and outflows of resources are not current resources and not included in the funds:				
				(83,688)
				52,975
				(71,418)
Capital assets used in governmental activities are not resources and are not reported in the funds:				
				2,031,371
				<u>(697,007)</u>
TOTAL NET POSITION - GOVERNMENTAL ACTIVITIES				<u>\$ 2,302,562</u>

The accompanying notes are an integral part of the financial statements.

TOWN OF RICO, COLORADO

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUNDS

Year Ended December 31, 2020

	<u>GENERAL</u>	<u>STREET</u>	<u>NON-MAJOR GOVERNMENTAL FUNDS</u>	<u>TOTAL</u>
REVENUES				
Taxes:				
Property Tax	\$ 77,889	\$ 10,678	\$ -	\$ 88,567
Sales Tax	123,061	13,117	13,117	149,295
Other	5,442	36,264	3,996	45,702
Intergovernmental	20,757	-	-	20,757
General Government	177,598	-	-	177,598
Local Grants	-	24,627	-	24,627
Lottery Proceeds	-	-	2,025	2,025
Interest	498	48	44	590
Special Projects	17,785	-	-	17,785
Miscellaneous	75,013	-	-	75,013
TOTAL REVENUES	<u>498,043</u>	<u>84,734</u>	<u>19,182</u>	<u>601,959</u>
EXPENDITURES				
General Government	366,470	-	-	366,470
Public Safety	22,645	-	-	22,645
Public Works	-	115,734	-	115,734
Culture and Recreation	36,190	-	22,085	58,275
TOTAL EXPENDITURES	<u>425,305</u>	<u>115,734</u>	<u>22,085</u>	<u>563,124</u>
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	72,738	(31,000)	(2,903)	38,835
FUND BALANCE, Beginning	<u>811,822</u>	<u>91,625</u>	<u>128,047</u>	<u>1,031,494</u>
FUND BALANCE, Ending	<u>\$ 884,560</u>	<u>\$ 60,625</u>	<u>\$ 125,144</u>	<u>\$ 1,070,329</u>

Net Change in Fund Balances - Total Governmental Funds \$ 38,835

Amounts Reported for Governmental Activities in the Statement of Activities are Different Because:

Changes in net pension liability, deferred inflows and outflows because of pensions are long-term.	(25,541)
Other changes for capital assets - capital assets additions are not recorded in governmental funds.	198,685
Depreciation expense is not recorded in governmental funds.	<u>(44,470)</u>
Change in Net Position - Governmental Activities	<u>\$ 167,509</u>

The accompanying notes are an integral part of the financial statements.

TOWN OF RICO, COLORADO

STATEMENT OF NET POSITION
ENTERPRISE FUNDS

December 31, 2020

	WATER	SEWER	TOTAL
ASSETS			
CURRENT ASSETS			
Cash	\$ 225,323	\$ 199,145	\$ 424,468
Receivables	11,728	-	11,728
Taxes receivable	-	23,750	23,750
TOTAL CURRENT ASSETS	237,051	222,895	459,946
CAPITAL ASSETS			
Land & Improvement	3,362,553	-	3,362,553
Buildings	48,513	-	48,513
Total Capital Assets	3,411,066	-	3,411,066
Less: accumulated depreciation	(675,851)	-	(675,851)
NET CAPITAL ASSETS	2,735,215	-	2,735,215
TOTAL ASSETS	2,972,266	222,895	3,195,161
 LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND NET POSITION			
CURRENT LIABILITIES			
Accounts payable	2,577	-	2,577
DEFERRED INFLOWS OF RESOURCES			
Unavailable revenue - property taxes	-	23,750	23,750
NET POSITION			
Net investment in capital assets	2,735,215	-	2,735,215
Unrestricted	234,474	199,145	433,619
TOTAL NET POSITION	\$ 2,969,689	\$ 199,145	\$ 3,168,834

The accompanying notes are an integral part of the financial statements.

TOWN OF RICO, COLORADO

**STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION -
ENTERPRISE FUNDS**

Year Ended December 31, 2020

	WATER	SEWER	TOTAL
OPERATING REVENUES			
Charges to customers	\$ 132,691	\$ -	\$ 132,691
Other	1,988	-	1,988
TOTAL OPERATING REVENUES	134,679	-	134,679
OPERATING EXPENSES			
Salaries	99,393	-	99,393
Employee Benefits - Life	92	-	92
Repairs and maintenance	213,985	-	213,985
Insurance	5,285	-	5,285
Supplies	3,969	-	3,969
Water samples	4,507	-	4,507
Electric	5,184	-	5,184
Propane	2,250	-	2,250
Utilities-other	1,962	-	1,962
Dolores Water Conservancy	2,700	-	2,700
Miscellaneous	125	-	125
Capital outlay	154	-	154
Treasurers fees	-	463	463
Other expense	-	16,620	16,620
Depreciation expense	65,102	-	65,102
TOTAL OPERATING EXPENSES	404,708	17,083	421,791
NET INCOME (LOSS) FROM OPERATIONS	(270,029)	(17,083)	(287,112)
NON-OPERATING REVENUE (EXPENSE)			
Interest revenue	614	99	713
Miscellaneous	-	26	26
Property taxes	-	23,564	23,564
Specific ownership taxes	-	1,240	1,240
Grants	52,249	-	52,249
Grant Expenses	(101,899)	-	(101,899)
TOTAL NON-OPERATING REVENUE	(49,036)	24,929	(24,107)
CHANGE IN NET POSITION	(319,065)	7,846	(311,219)
NET POSITION, Beginning	3,288,754	191,299	3,480,053
NET POSITION, Ending	\$ 2,969,689	\$ 199,145	\$ 3,168,834

The accompanying notes are an integral part of the financial statements.

TOWN OF RICO, COLORADO

STATEMENT OF CASH FLOWS
ENTERPRISE FUNDS

Year Ended December 31, 2020

	WATER FUND	SEWER FUND	TOTAL
CASH FLOWS FROM OPERATING ACTIVITIES:			
Cash received from customers	\$ 130,811	\$ -	\$ 130,811
Cash paid for expenses and employees	(337,617)	(17,083)	(354,700)
NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES	(206,806)	(17,083)	(223,889)
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:			
Miscellaneous	-	26	26
Grants	52,249	-	52,249
Property Taxes	-	23,564	23,564
Specific Ownership Taxes	-	1,240	1,240
Grant expenditure	(101,899)	-	(101,899)
NET CASH PROVIDED (USED) BY CAPITAL AND RELATED FINANCING ACTIVITIES	(49,650)	24,830	(24,820)
CASH FLOWS FROM INVESTING ACTIVITIES:			
Interest earned	614	99	713
NET CASH PROVIDED (USED) BY INVESTING ACTIVITIES	614	99	713
NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS	(255,842)	7,846	(247,996)
CASH AND CASH EQUIVALENTS, Beginning of Year	481,165	191,299	672,464
CASH AND CASH EQUIVALENTS, End of Year	\$ 225,323	\$ 199,145	\$ 424,468
RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED BY OPERATING ACTIVITIES			
Operating income (loss)	\$ (270,029)	\$ (17,083)	\$ (287,112)
ADJUSTMENTS TO RECONCILE OPERATING INCOME (LOSS) TO NET CASH PROVIDED BY OPERATING ACTIVITIES:			
Depreciation	65,102	-	65,102
Changes in assets and liabilities:			
(Increase) decrease in:			
Accounts receivable	(1,880)	-	(1,880)
(Decrease) increase in:			
Accounts payable	1	-	1
Total adjustments	63,223	-	63,223
NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES	\$ (206,806)	\$ (17,083)	\$ (223,889)

The accompanying notes are an integral part of the financial statements.

TOWN OF RICO

NOTES TO FINANCIAL STATEMENTS

December 31, 2020

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Town of Rico, Colorado (the Town) have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the Town's accounting policies are described below.

A. Definition of the Reporting Entity

The Town of Rico, Colorado was incorporated in October 11, 1897 in Dolores County, and is governed by a seven member elected Board of Trustees. As required by generally accepted accounting principles, these financial statements present the activities of the Town, which is legally separate and financially independent of other state and local governments.

The Town provides general government, public works (road and streets), water, sewer, and parks and recreation for the geographical area organized as the Town of Rico, Colorado. The Town contracts with the County for police protection. The Rico Fire Protection District (not a component unit) provides fire protection.

B. Fund Accounting

The government-wide financial statement (i.e., the statement of net position and the statement of activities) reports information on all of the activities of the Town. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities, which normally are supported by taxes, charges for services, and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on user charges for support.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those clearly identifiable with a specific function or segment. Program revenues include: (1) charges to those who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and (2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

C. Fund Financial Statements

The accounts of the Town are organized on the basis of funds and account groups, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues and expenditures, or expenses, as appropriate. Government resources are allocated to, and accounted for, in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled.

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

C. Fund Financial Statements (Continued)

All governmental funds are accounted for on a flow of current financial resources basis. Balance sheets for these funds generally include only current assets and current liabilities. Reported fund balances are considered a measure of available, spendable resources. Operating statements for these funds present a summary of available, spendable resources and expenditures for the period.

Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

The Town reports two major governmental funds:

- **The General Fund** is the Town's primary operating fund. It accounts for the general operations of the Town, which includes the following departments: Legislative, Judicial, Administration, Public Safety-Police, Community Development and Public Works.
- **The Street Fund** accounts for expenditures designated for streets and infrastructure maintenance. Sources of revenue include 1.785 mills and 10% of Town sales tax.

The Town reports two non-major governmental funds:

- **The Conservation Trust Fund** accounts for State of Colorado lottery funds to be used for acquisition, development, and maintenance of new conservation sites or for capital improvements or maintenance for recreational purposes on any public site.
- **The Parks, Open Space, and Trails Fund** accounts for special revenues and expenditures designated for operating and maintaining parks and recreation programs.

The Town reports the following major business-type activity funds:

- **The Water Fund** accounts for the Town's water distribution system.
- **The Sewer Fund** accounts for revenues collected to establish a solid waste facility.

D. Measurement Focus and Basis of Accounting

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the enterprise fund financial statements. Revenues are recorded when earned, and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

D. Measurement Focus and Basis of Accounting (Continued)

The modified accrual basis of accounting is used by all governmental funds. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e., when they become both measurable and available). “Measurable” means the amount of the transaction can be determined. “Available” means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. Expenditures are recorded when the related fund liability is incurred. Exceptions to this general rule include: (1) principal and interest on general long-term debt which is recognized when due and (2) compensated absences which are recognized when the obligations are expected to be liquidated with expendable available resources.

Those revenues susceptible to accrual are interest revenue and charges for services. Entitlement revenues are not susceptible to accrual because generally they are not measurable until received. Grant revenues are recognized as they are earned.

The accrual basis of accounting is utilized by enterprise funds. Under this method, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred.

E. Cash and Cash Equivalents

For the purposes of the statement of cash flows of the enterprise funds, cash and cash equivalents consist of operating and restricted cash and highly liquid securities with an initial maturity of three months or less.

F. Investments

Investments are stated at fair value based on quoted market values, with the exception of money market funds and external investment pools. These are stated at fair value according to institution reported balances at year-end.

G. Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America required management to make: (1) estimates and assumptions that affect the reported amounts of assets and liabilities and (2) disclosure of contingent assets and liabilities at the date of the financial statements and reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

H. Property Taxes

Property taxes for the current year are levied and attached as a lien on property the following January 1. They are payable in full by April 30, or in two equal installments due February 28 and June 15. Property taxes levied in the current year and collected in the following year are reported as a receivable at December 31. However, since the taxes are not available to pay current liabilities, the receivable is recorded as deferred revenue in the governmental and enterprise funds.

I. Capital Assets

Capital assets are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capitalized assets are defined by the Town as assets that have a useful life of one or more years and for which the initial, individual value equals or exceeds the following dollar amounts:

<u>Assets Class</u>	<u>Dollar Value</u>
Land	No Minimum
Buildings	No Minimum
Building and Other Improvements	\$ 5,000
Furniture and Equipment	\$ 5,000
Infrastructure	\$ 5,000

All purchased assets are valued at cost where historical records are available and at an estimated historical cost where no historical records exist. Donated assets are valued at their estimated fair market value on the date received. The cost of normal maintenance and repairs that does not add to the value of an asset or materially extend asset life is not capitalized.

Depreciation on all assets is provided on the straight-line basis over the following estimated useful lives:

<u>Asset Class</u>	<u>Useful Life</u>
Buildings	25 – 50 years
Building and Other Improvements	20 years
Water and Sewer Systems	25 – 45 years
Furniture and Equipment	5 – 30 years
Infrastructure	15 – 40 years

Public domain assets consisting of roads, bridges, curbs and gutters, streets and sidewalks, drainage systems and lighting systems are examples of infrastructure assets. Infrastructure assets are distinguished from other capitalized assets since their useful life often extends beyond most other capital assets and are stationary in nature. General infrastructure assets are those associated with or arising from governmental activities.

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

J. Long-Term Liabilities

In the government-wide financial statements, and enterprise fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable government activities, business-type activities, or enterprise fund type statement of net position. Bond premium and discounts, are deferred and amortized over the term of the related debt using the straight-line method of amortization. Bond issuance costs are expensed in the period incurred.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources, while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as expenditures. The long-term compensated absences are serviced from revenues of the General Fund from future appropriations.

K. Net Position

In the government-wide financial statements, net position represent the difference between assets and liabilities. Net capital assets consist of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition or construction of improvements on those assets. Net position portion of equity is reported as restricted when there are limitations imposed on use, either through the enabling legislation adopted by the Town or through external restrictions imposed by creditors, grantors, laws or regulations of other governments.

When both restricted and unrestricted resources are available for use, it is the Town's policy to use restricted resources first, then unrestricted resources as they are needed.

L. Fund Balances

In the governmental fund financial statements, the following fund balance classifications describe the relative strength of the spending constraints placed on the purposes for which resources can be used:

Nonspendable fund balance – amounts that are not in spendable form (such as inventory or prepaid expenses) or are required to be maintained intact.

Restricted fund balance – amounts constrained to specific purposes by their providers (such as grantors, bondholders or other debt holders, contributors, and higher levels of government), through constitutional provisions, or by enabling legislation.

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

L. Fund Balances (Continued)

Committed fund balance – amounts constrained to specific purposes by a government itself, using its highest level of decision-making authority through an ordinance or resolution. Committed fund balance can also include contractual obligations to the extent that existing resources in the fund have been specifically committed for use in satisfying those contractual requirements. To be reported as committed, amounts cannot be used for any other purpose unless the government takes the same highest level action to remove or change the constraint. The Town reported no such amounts at December 31, 2020.

Assigned fund balance – amounts a government intends to use for a specific purpose; intent can be expressed by the governing body or an official or body to which the governing body delegates the authority. The Capital Reserve amount reported is also described in the Town’s annual budget document.

Unassigned fund balance – amounts that are available for any purpose; positive amounts are reported only in the general fund.

When fund balance resources are available for a specific purpose in more than one classification, it is the Town’s policy to use the most restrictive funds first in the following order: restricted, committed, assigned, and unassigned as they are needed. The Town considers all unassigned fund balances to be “reserves” for future operations or capital replacement as defined within Article X, Section 20 of the Constitution of the State of Colorado (See Note 11).

In the governmental fund financial statements, reservations or restrictions of fund balance represent amounts that are not appropriable, are legally segregated for a specific purpose, or are restricted by grant agreements. Designations of fund balance represent tentative management plans that are subject to change.

M. Interfund Transactions

Interfund receivables and payables arise from interfund transactions and are recorded by all funds affected in the period in which transactions are executed. At year end, outstanding balances between funds are reported as “due to/from other funds”. Nonrecurring or nonroutine permanent transfers of equity and all interfund transfers are reported as transfers in and transfers out. Any residual balances outstanding between the governmental activities and business-type activities are either eliminated or reported in the government-wide financial statements as “internal balances”.

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

NOTE 2: BUDGETARY REQUIREMENTS

Annual budgets are adopted on a basis consistent with generally accepted accounting principles (GAAP) for all governmental funds. The Enterprise funds adopt budgets on the Non-GAAP basis wherein tap fees are recognized as revenue, principal payments on debt and capital expenditures are recognized as expenses, and depreciation expense is not budgeted. All annual appropriations lapse at fiscal year-end.

By October 15, the Town Manager (not an elected official) of the Town submits a proposed operating budget for the fiscal year commencing the following January 1, to the Trustees (elected officials). The operating budget, for all budgeted funds, includes proposed expenditures and the means of financing.

Public hearings are held at the regular Trustee meetings to obtain taxpayer input. Prior to December 15, the budget is legally enacted through passage of a budget ordinance. The Town Treasurer is authorized to transfer budgeted amounts within a department of any fund. The Trustees must approve revisions that change total expenditures of any fund or department within a fund.

Appropriations are controlled and the budget is only amended in conformity with Colorado Revised Statutes, which require a balanced budget. Expenditures in excess of appropriations may violate Colorado Revised Statutes and must be reported to the State Auditor.

The Combined Statements of Revenues, Expenditures and Changes in Fund Balances for all fund types include comparisons to budget. Financial statements of the Enterprise Funds are presented in the accompanying Financial Statements on a Non-GAAP and GAAP basis. Budget amounts, included in the financial statements, are as originally adopted and as amended by Board of Trustees.

NOTE 3: RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS

The governmental funds balance sheet includes reconciliation between fund balances (total governmental funds and net position) and governmental activities, as reported in the government-wide statement of net position. Additionally, the governmental fund statement of revenues, expenditures, and changes in fund balances includes reconciliation between net change in fund balances and changes in net position of governmental activities, as reported in the government-wide statement of activities.

These reconciliations detail items that require adjustment to convert from the current resources measurement and modified accrual basis for government fund statements to the economic resources measurement and full accrual basis used for government-wide statements. However, certain items having no effect on measurement and basis of accounting were eliminated from the government fund statements during the consolidation of governmental activities.

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

NOTE 4: CASH, DEPOSITS AND INVESTMENTS

A. Cash

A summary of the Town's cash and investments at December 31, 2020 follows:

<u>Type</u>	<u>Rating</u>	<u>Carrying Value</u>
Deposits:		
Demand deposits		\$ 1,424,943
Cash with County Treasurer		375
		1,425,317
Investments:		
Colotrust (Fair Value)	AAAm by S & P	73,069
Total deposits and investments		\$ 1,498,387
Reconciliation to Statement of Net Position		
Current:		
Cash and Investments		\$ 1,498,387

B. Deposits

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash only in eligible public depositories. Eligibility is determined by state regulations. Amounts on deposit in excess of federal insurance levels must be collateralized by the financial institution. The eligible collateral is determined by the PDPA.

PDPA allows the financial institution to create a single collateral pool for all public funds. The pool is to be maintained by another institution and held in trust for all the uninsured public deposits as a group. Colorado State Statutes require the market value of the collateral to be at least 102 percent of the aggregate uninsured deposits.

C. Investments

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local government entities may invest. The allowed investments include local government investment pools and obligations of the United States Government.

Interest Rate Risk The Town does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates.

Credit Risk State law limits investments in commercial paper, corporate bonds, and mutual bond funds to the top two ratings issued by nationally recognized statistical rating organizations. The Town has no investment policy that would further limit its investment choices. At December 31, 2020 the Town's investment in the Colorado Government Liquid Assets Trust (COLOTRUST) was rated AAAm by Standard & Poor's.

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

NOTE 4: CASH, DEPOSITS AND INVESTMENTS (Continued)

Concentration of Credit Risk The Town places no limit on the amount the Town may invest in any one issuer.

The Town invests in one investment pool, the Colorado Liquid Assets Trust (COLOTRUST). The investment is not categorized because the investment is not evidenced by securities that exist in physical book entry form. At December 31, 2020, the Town had an investment of \$73,069 fair and carrying value.

NOTE 5: PROPERTY TAXES

Property taxes are collected on behalf of the Town by Dolores County and then remitted to the Town. The property tax is levied and certified in November of the year prior to the year the taxes are collected. Property taxes become an enforceable lien on January 1 of each year.

Secured property taxes are: (1) due in two equal installments on February 28 and June 15 and (2) delinquent after February 28 and June 15, respectively. The entire balance can be paid by April 30 without penalty. Property taxes levied are recorded as deferred revenues in the year levied, since they are not due until the following year. Property tax revenue is recognized when it is collected by Dolores County.

NOTE 6: CAPITAL ASSETS

Summary of changes in Capital Assets:

	Balance January 1, 2020	Additions	Deletions/ Corrections	Balance December 31, 2020
GOVERNMENTAL ACTIVITIES				
Capital Assets not being depreciated:				
Land	\$ 453,760	\$ -		\$ 453,760
Capital Assets being depreciated:				
Improvements	7,230	-	-	7,230
Buildings	908,366	-	-	908,366
Equipment	59,058	-	-	59,058
Vehicles	385,564	-	-	385,564
Streets	217,394	-	-	217,394
	<u>1,577,611</u>	<u>-</u>	<u>-</u>	<u>1,577,611</u>
Less accumulated depreciation:				
Improvements	(7,230)	-	-	(7,230)
Buildings	(324,546)	(17,071)	-	(341,617)
Equipment	(43,323)	(1,239)	-	(44,562)
Vehicles	(187,248)	(22,346)	-	(209,594)
Streets	(90,191)	(3,814)	-	(94,005)
Total accumulated depreciation	<u>(652,537)</u>	<u>(44,470)</u>	<u>-</u>	<u>(697,007)</u>
Capital assets being depreciated, net	<u>925,074</u>	<u>(44,470)</u>	<u>-</u>	<u>880,604</u>
Total Governmental Activities Capital Assets	<u>\$ 1,378,834</u>	<u>\$ (44,470)</u>	<u>\$ -</u>	<u>\$ 1,334,364</u>

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

NOTE 6: CAPITAL ASSETS (Continued)

	Balance January 1, 2020	Additions	Deletions	Balance December 31, 2020
BUSINESS-TYPE ACTIVITIES				
Capital Assets being depreciated:				
Buildings	\$ 48,513	\$ -	\$ -	\$ 48,513
Water System	3,362,552	-	-	3,362,552
	<u>3,411,065</u>	<u>-</u>	<u>-</u>	<u>3,411,065</u>
Less accumulated depreciation:				
Buildings	(36,362)	(1,627)	-	(37,989)
Water System	(574,388)	(63,475)	-	(637,863)
Total accumulated depreciation	<u>(610,749)</u>	<u>(65,102)</u>	<u>-</u>	<u>(675,851)</u>
Capital assets being depreciated, net	<u>2,800,316</u>	<u>(65,102)</u>	<u>-</u>	<u>2,735,214</u>
Total Business-type Activities Capital Assets	<u>\$ 2,800,316</u>	<u>\$ (65,102)</u>	<u>\$ -</u>	<u>\$ 2,735,214</u>

Depreciation expense was charged to functions of the Town as follows:

General Government	\$ 17,177
Public Works	26,160
Culture and Recreation	1,133
Total	<u>\$ 44,470</u>

NOTE 7: LONG-TERM LIABILITIES

Changes in long-term liabilities for the year ended December 31, 2020 were:

	Balance January 1, 2020	Additions	Reductions	Balance December 31, 2020	Due Within One Year
Governmental Activities					
Loader Lease Purchase	<u>\$ 144,275</u>	<u>\$ -</u>	<u>\$ 22,705</u>	<u>\$ 121,570</u>	<u>\$ 22,705</u>

Governmental Activities

The Town entered into a lease agreement with Deere Credit, Inc. The lease is for a 4WD Loader and Angle Plow, with 5 annual payments of \$23,259 beginning January 2018, with last lease payment January 2022, and \$119,091 purchase option December 2022. Imputed interest is 2%.

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

NOTE 7: LONG-TERM LIABILITIES (Continued)

Governmental Activities (Continued)

A summary of future debt payments are as follows:

Year	Principal	Interest	Total
2021	\$ 22,705	\$ -	\$ 22,705
2022	98,865	42,931	141,796
	<u>\$ 121,570</u>	<u>\$ 42,931</u>	<u>\$ 141,796</u>

NOTE 8: RETIREMENT COMMITMENTS

Defined Benefit Pension Plan

Summary of Significant Accounting Policies

Pensions. Town of Rico participates in the Local Government Division Trust Fund (LGDTF), a cost-sharing multiple-employer defined benefit pension fund administered by the Public Employees' Retirement Association of Colorado ("PERA"). The net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, pension expense, information about the fiduciary net position and additions to/deductions from the fiduciary net position of the LGDTF have been determined using the economic resources measurement focus and the accrual basis of accounting. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

General Information about the Pension Plan

Plan description. Eligible employees of the Town of Rico are provided with pensions through the Local Government Division Trust Fund (LGDTF)—a cost-sharing multiple-employer defined benefit pension plan administered by PERA. Plan benefits are specified in Title 24, Article 51 of the Colorado Revised Statutes (C.R.S.), administrative rules set forth at 8 C.C.R. 1502-1, and applicable provisions of the federal Internal Revenue Code. Colorado State law provisions may be amended from time to time by the Colorado General Assembly. PERA issues a publicly available comprehensive annual financial report that can be obtained at www.copera.org/investments/pera-financial-reports.

Benefits provided. PERA provides retirement, disability, and survivor benefits. Retirement benefits are determined by the amount of service credit earned and/or purchased, highest average salary, the benefit structure(s) under which the member retires, the benefit option selected at retirement, and age at retirement. Retirement eligibility is specified in tables set forth at C.R.S. § 24-51-602, 604, 1713, and 1714.

The lifetime retirement benefit for all eligible retiring employees under the PERA benefit structure is the greater of the:

- Highest average salary multiplied by 2.5 percent and then multiplied by years of service credit
- The value of the retiring employee's member contribution account plus a 100 percent match on eligible amounts as of the retirement date. This amount is then annuitized into a monthly benefit based on life expectancy and other actuarial factors.

In all cases the service retirement benefit is limited to 100 percent of highest average salary and also cannot exceed the maximum benefit allowed by federal Internal Revenue Code.

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

NOTE 8: RETIREMENT COMMITMENTS (Continued)

Members may elect to withdraw their member contribution accounts upon termination of employment with all PERA employers; waiving rights to any lifetime retirement benefits earned. If eligible, the member may receive a match of either 50 percent or 100 percent on eligible amounts depending on when contributions were remitted to PERA, the date employment was terminated, whether 5 years of service credit has been obtained and the benefit structure under which contributions were made.

Benefit recipients who elect to receive a lifetime retirement benefit are generally eligible to receive post-retirement cost-of-living adjustments, referred to as annual increases in the C.R.S. Benefit recipients under the PERA benefit structure who began eligible employment before January 1, 2007 and all benefit recipients of the DPS benefit structure receive an annual increase of 2 percent, unless PERA has a negative investment year, in which case the annual increase for the next three years is the lesser of 2 percent or the average of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the prior calendar year. Benefit recipients under the PERA benefit structure who began eligible employment after January 1, 2007 receive an annual increase of the lesser of 2 percent or the average CPI-W for the prior calendar year, not to exceed 10 percent of PERA's Annual Increase Reserve (AIR) for the LGDTF.

Disability benefits are available for eligible employees once they reach five years of earned service credit and are determined to meet the definition of disability. The disability benefit amount is based on the retirement benefit formula shown above considering a minimum 20 years of service credit, if deemed disabled.

Survivor benefits are determined by several factors, which include the amount of earned service credit, highest average salary of the deceased, the benefit structure(s) under which service credit was obtained, and the qualified survivor(s) who will receive the benefits.

Contributions. Eligible employees and the Town are required to contribute to the LGDTF at a rate set by Colorado statute. The contribution requirements are established under C.R.S. § 24-51-401, *et seq.* Eligible employees are required to contribute 8 percent of their PERA-includable salary. The employer contribution requirements are summarized in the table below:

January 1st through June 30, 2020	Rates
Employer contribution rate ¹	10.00%
Amount of employer contribution apportioned to the Health Care Trust Fund as specified in C.R.S. § 24-51-208(1)(f) ¹	(1.02)%
Amount apportioned to the LGDTF ¹	8.98%
Amortization Equalization Disbursement (AED) as specified in C.R.S. § 24-51-411 ¹	2.20%
Supplemental Amortization Equalization Disbursement (SAED) as specified in C.R.S. § 24-51-411 ¹	1.50%
Total employer contribution rate to the LGDTF¹	12.68%

July 1st through December 31, 2020	Rates
Employer contribution rate ¹	10.50%
Amount of employer contribution apportioned to the Health Care Trust Fund as specified in C.R.S. § 24-51-208(1)(f) ¹	(1.02)%
Amount apportioned to the LGDTF ¹	9.48%
Amortization Equalization Disbursement (AED) as specified in C.R.S. § 24-51-411 ¹	2.20%
Supplemental Amortization Equalization Disbursement (SAED) as specified in C.R.S. § 24-51-411 ¹	1.50%
Total employer contribution rate to the LGDTF¹	13.18%

¹Rates are expressed as a percentage of salary as defined in C.R.S. § 24-51-101(42).

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

Employer contributions are recognized by the LGDTF in the period in which the compensation becomes payable to the member and the Town of Rico is statutorily committed to pay the contributions to the LGDTF. Employer contributions recognized by the LGDTF from the Town of Rico were \$14,659 for the year ended December 31, 2020.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At December 31, 2020, the Town reported a liability of \$83,688 for its proportionate share of the net pension liability. The net pension liability was measured as of December 31, 2020, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of December 31, 2020. Standard update procedures were used to roll-forward the total pension liability to December 31, 2020. The Town of Rico's proportion of the net pension liability was based on the Town's contributions to the LGDTF for the calendar year 2020 relative to the total contributions of participating employers to the LGDTF.

At December 31, 2020, the Town of Rico's proportion was 0.016059 percent, which was an increase of 0.001428% from its proportion measured as of December 31, 2019.

For the year ended December 31, 2020, the Town of Rico recognized pension expense of \$6,500. At December 31, 2020, the Town of Rico reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Difference between expected and actual experience	\$ 4,046	\$ -
Changes of assumptions or other inputs	20,224	-
Net difference between projected and actual earnings on pension plan investments	28,705	71,418
Changes in proportion and differences between contributions recognized and proportionate share of contributions	-	-
Contributions subsequent to the measurement date	15,741	-
Total	\$ 68,716	\$ 71,418

Amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

For the Plan Year ended December 31,	
2020	\$ 43,567
2021	43,567
2022	30,679
2023	30,679
2024	14,284
Thereafter	-

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

Actuarial assumptions. The total pension liability in the December 31, 2020 actuarial valuation was determined using the following actuarial cost method, actuarial assumptions and other inputs:

Actuarial cost method	Entry age
Price inflation	2.40 percent
Real wage growth	1.10 percent
Wage inflation	3.50 percent
Salary increases, including wage inflation	3.50 – 10.45 percent
Long-term investment rate of return, net of pension plan investment expenses, including price inflation	7.25 percent
Discount rate	7.25 percent
Post-retirement benefit increases:	
PERA benefit structure hired prior to 1/1/07 and DPS benefit structure (automatic)	1.25 percent
PERA benefit structure hired after 12/31/06 (ad hoc, substantively automatic)	Financed by the Annual Increase Reserve

Mortality rates used in the December 31, 2019 valuation were based on the RP-2000 Combined Mortality Table for Males or Females, as appropriate, with adjustments for mortality improvements based on a projection of Scale AA to 2020 with Males set back 1 year, and Females set back 2 years. Active member mortality was based upon the same mortality rates but adjusted to 70 percent of the base rate for males and 55 percent of the base rate for females. For disabled retirees, the RP-2000 Disabled Mortality Table (set back 2 years for males and set back 2 years for females) was assumed.

Based on the 2020 experience analysis, dated October 28, 2020, for the period January 1, 2016 through December 31, 2019, revised economic and demographic actuarial assumptions were adopted by PERA's Board on November 20, 2020, and were effective as of December 31, 2020, these revised assumptions were reflected in the total pension liability roll-forward procedures.

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

Healthy mortality assumptions for active members reflect the RP-2014 White Collar Employee Mortality Table, a table specifically developed for actively working people. To allow for an appropriate margin of improved mortality prospectively, the mortality rates incorporate a 70 percent factor applied to male rates and a 55 percent factor applied to female rates.

Healthy, post-retirement mortality assumptions reflect the RP-2014 Healthy Annuitant Mortality Table, adjusted as follows:

- **Males:** Mortality improvement projected to 2018 using the MP-2015 projection scale, a 73 percent factor applied to rates for ages less than 80, a 108 percent factor applied to rates for ages 80 and above, and further adjustments for credibility.
- **Females:** Mortality improvement projected to 2020 using the MP-2015 projection scale, a 78 percent factor applied to rates for ages less than 80, a 109 percent factor applied to rates for ages 80 and above, and further adjustments for credibility.

For disabled retirees, the mortality assumption was changed to reflect 90 percent of the RP-2014 Disabled Retiree Mortality Table.

The long-term expected return on plan assets is reviewed as part of regular experience studies prepared every four or five years for PERA. Recently, this assumption has been reviewed more frequently. The most recent analyses were outlined in presentations to PERA's Board on October 28, 2020. As a result of the November 20, 2020 PERA Board meeting, the following economic assumptions were changed, effective December 31, 2020, as follows:

- Investment rate of return assumption decreased from 7.50 percent per year, compounded annually, net of investment expenses to 7.25 percent per year, compounded annually, net of investment expenses.
- Price inflation assumption decreased from 2.40 percent per year to 2.30 percent per year.
- Real rate of investment return assumption increased from 4.85 percent per year, net of investment expenses, to 4.95 percent per year, net of investment expenses.
- Wage inflation assumption decreased from 3.50 percent per year to 3.00 percent per year.

Several factors were considered in evaluating the long-term rate of return assumption for the LGDTF, including long-term historical data, estimates inherent in current market data, and a log-normal distribution analysis in which best-estimate ranges of expected future real rates of return (expected return, net of investment expense and inflation) were developed by the investment consultant for each major asset class. These ranges were combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and then adding expected inflation.

TOWN OF RICO

NOTES TO FINANCIAL STATEMENTS

December 31, 2020

As of the November 15, 2019 adoption of the current long-term expected rate of return by the PERA Board, the target allocation and best estimates of geometric real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	30 Year Expected Geometric Real Rate of Return
Global Equity	54.00%	5.60%
Fixed Income	23.00%	1.30%
Private Equity	8.50%	7.10%
Real Estate	8.50%	4.40%
Alternatives (Opportunity Fund)	6.00%	4.70%
Total	100.00%	

In setting the long-term expected rate of return, projections employed to model future returns provide a range of expected long-term returns that, including expected inflation, ultimately support a long-term expected rate of return assumption of 7.25%.

Discount rate. The discount rate used to measure the total pension liability was 7.25 percent. The projection of cash flows used to determine the discount rate applied the actuarial cost method and assumptions shown above. In addition, the following methods and assumptions were used in the projection of cash flows:

- Updated economic and demographic actuarial assumptions adopted by PERA's Board on November 15, 2019.
- Total covered payroll for the initial projection year consists of the covered payroll of the active membership present on the valuation date and the covered payroll of future plan members assumed to be hired during the year. In subsequent projection years, total covered payroll was assumed to increase annually at a rate of 3.00%.
- Employee contributions were assumed to be made at the current member contribution rate. Employee contributions for future plan members were used to reduce the estimated amount of total service costs for future plan members.
- Employer contributions were assumed to be made at rates equal to the fixed statutory rates specified in law and effective as of the measurement date, including current and estimated future AED and SAED, until the Actuarial Value Funding Ratio reaches 103%, at which point, the AED and SAED will each drop 0.50% every year until they are zero. Additionally, estimated employer contributions included reductions for the funding of the AIR and retiree health care benefits. For future plan members, employer contributions were further reduced by the estimated amount of total service costs for future plan members not financed by their member contributions.
- Employer contributions and the amount of total service costs for future plan members were based upon a process used by the plan to estimate future actuarially determined contributions assuming an analogous future plan member growth rate.

TOWN OF RICO

NOTES TO FINANCIAL STATEMENTS

December 31, 2020

- The AIR balance was excluded from the initial fiduciary net position, as, per statute, AIR amounts cannot be used to pay benefits until transferred to either the retirement benefits reserve or the survivor benefits reserve, as appropriate. As the ad hoc post-retirement benefit increases financed by the AIR are defined to have a present value at the long-term expected rate of return on plan investments equal to the amount transferred for their future payment, AIR transfers to the fiduciary net position and the subsequent AIR benefit payments have no impact on the Single Equivalent Interest Rate (SEIR) determination process when the timing of AIR cash flows is not a factor (i.e., the plan's fiduciary net position is not projected to be depleted). When AIR cash flow timing is a factor in the SEIR determination process (i.e., the plan's fiduciary net position is projected to be depleted), AIR transfers to the fiduciary net position and the subsequent AIR benefit payments were estimated and included in the projections.

- Benefit payments and contributions were assumed to be made at the end of the month.

Based on the above assumptions and methods, LGDTF's fiduciary net position was projected to be available to make all projected future benefit payments of current members. Therefore, the long-term expected rate of return of 7.25 percent on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability. The discount rate determination does not use the municipal bond index rate, and therefore, the discount rate is 7.25 percent.

As of the prior measurement date, the long-term expected rate of return of 7.50 percent on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability. The discount rate determination did not use the municipal bond index rate, and therefore, the discount rate was 7.50 percent, 0.25 percent higher compared to the current measurement date.

Sensitivity of the Town of Rico's proportionate share of the net pension liability to changes in the discount rate. The following presents the proportionate share of the net pension liability calculated using the discount rate of 7.25 percent, as well as what the proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.25 percent) or 1-percentage-point higher (8.25 percent) than the current rate:

	1% Decrease (6.25%)	Current Discount Rate (7.25%)	1% Increase (8.25%)
Proportionate share of the net pension liability	\$ 192,783	\$ 83,688	\$ (7,393)

Pension plan fiduciary net position. Detailed information about the LGDTF's fiduciary net position is available in PERA's comprehensive annual financial report which can be obtained at www.copera.org/investments/pera-financial-reports.

TOWN OF RICO

NOTES TO FINANCIAL STATEMENTS

December 31, 2020

NOTE 9: RISK MANAGEMENT- PUBLIC ENTITY RISK POOL

The Town is involved with the Colorado Intergovernmental Risk Sharing Agency (CIRSA), a separate and independent governmental and legal entity formed by intergovernmental agreement by member municipalities pursuant to the provision of 24-10-115.5, Colorado Revised Statutes (1982 Replacement Volume) and Colorado Constitution, Article XIV, Section 18(2).

The purposes of CIRSA are to provide members defined liability and property coverages and to assist members to prevent and reduce losses and injuries to municipal property and to persons and property which might result in claims being made against members of CIRSA, their employees and officers.

It is the intent of the members of CIRSA to create an entity in perpetuity which will administer and use funds contributed by the members to defend and indemnify, in accordance with the bylaws, any member of CIRSA against stated liability of loss, to the limit of the financial resources of CIRSA. It is also the intent of the members to have CIRSA provide continuing stability and availability of needed coverages at reasonable costs. All income and assets of CIRSA shall be at all times dedicated to the exclusive benefit of its members.

CIRSA is a separate legal entity and the Town does not approve budgets nor does it have ability to significantly affect the operations of the unit. The Town is not exposed to any significant risk of loss.

NOTE 10: CONTINGENCIES

Claims and Judgments The Town participates in a number of federal, state, and county programs that are fully or partially funded by grants received from other governmental units. Expenditures financed by grants are subject to audit by the appropriate grantor government. If expenditures are disallowed due to noncompliance with grant program regulations, the Town may be required to reimburse the grantor government. It is the opinion of management that such reimbursements, if any, will not have a material effect on the Town's financial position.

NOTE 11: TAX, SPENDING, REVENUE AND DEBT LIMITATIONS

In November of 1992 Colorado voters approved Amendment 1 to the state Constitution which is commonly known as the Taxpayer's Bill of Rights or the Tabor Amendment (TABOR). The Amendment applies to all units of local government and limits taxes, spending, revenue, and multi-year debt (excepting bond refundings to lower interest rates and adding employees to pension plans). The amendment does not apply to entities that are defined as Enterprise Funds. The governmental funds of the Town do not qualify as Enterprise Funds.

The Town passed a ballot question on November 7, 1997. The ballot question permitted the Town, to collect, retain and expend, the full revenues from state and federal grants and all other non-tax revenues, and without limiting in any year the amount of other revenues that may be collected and spent by the Town, regardless of any limitation contained in Article X, Section 20, of the Colorado Constitution.

TOWN OF RICO
NOTES TO FINANCIAL STATEMENTS
December 31, 2020

NOTE 11: TAX, SPENDING, REVENUE AND DEBT LIMITATIONS (Continued)

The amendment also requires the Town to establish an Emergency Reserve which must be equal to three (3) percent of the current allowed revenue. Conditions under which these reserves may be spent are severally limited.

The Town believes that it is in compliance with the provisions of TABOR, as it is currently understood. Many of the provisions are complex and subject to interpretation, and may not become fully understood without judicial determination.

Required Supplementary Information

TOWN OF RICO, COLORADO
BUDGETARY COMPARISON SCHEDULE
GENERAL FUND

Year Ended December 31, 2020

	<u>ORIGINAL BUDGET</u>	<u>FINAL BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE- POSITIVE (NEGATIVE)</u>
REVENUES				
Taxes				
Property tax	\$ 77,895	\$ 77,895	\$ 77,551	\$ (344)
Delinquent Tax & Interest	350	350	338	(12)
Sales and use tax	100,000	100,000	123,061	23,061
Specific ownership tax	3,750	3,750	4,098	348
Motor vehicle tax	1,000	1,000	1,549	549
Mineral leasing	20,000	20,000	18,963	(1,037)
Severance tax	2,500	2,500	1,794	(706)
Transfers - payroll	166,649	166,649	151,807	(14,842)
Fines and Forfeits	6,500	6,500	6,317	(183)
Interest	350	350	498	148
Licenses and Permits	3,290	3,290	19,126	15,836
Special Projects Revenue	13,156	13,656	17,785	4,129
Miscellaneous	11,380	11,380	75,013	63,633
TOTAL REVENUES	<u>406,920</u>	<u>407,420</u>	<u>498,043</u>	<u>90,623</u>
EXPENDITURES				
Town Administrator	67,600	67,600	67,574	26
Town Clerk	33,732	33,732	33,723	9
Maintenance man	36,569	36,569	36,559	10
Payroll taxes	19,001	19,001	13,324	5,677
Town attorney	18,000	95,836	83,923	11,913
Auditor	4,886	4,975	8,500	(3,525)
Municipal Court Judge	4,500	4,500	4,500	-
Insurance	5,000	5,000	4,968	32
Supplies	10,000	10,000	10,472	(472)
Park Administrator	5,000	5,000	-	5,000
Part Time Maintenance	20,000	20,000	640	19,360
Water Technician	7,500	7,500	2,543	4,957
Public Safety	23,500	27,381	22,645	4,736
Utilities	13,800	13,800	10,764	3,036
Miscellaneous	37,300	40,960	30,361	10,599
Employee Benefits	65,267	67,956	58,619	9,337
Special Projects/Capital Improvements	42,500	49,479	36,190	13,289
TOTAL EXPENDITURES	<u>416,655</u>	<u>511,789</u>	<u>425,305</u>	<u>83,984</u>
EXCESS OF REVENUES OVER EXPENDITURES	(9,735)	(104,369)	72,738	174,607
Fund Balance, Beginning	<u>811,822</u>	<u>811,822</u>	<u>811,822</u>	<u>-</u>
Fund Balance, Ending	<u>\$ 802,087</u>	<u>\$ 707,453</u>	<u>\$ 884,560</u>	<u>\$ 174,607</u>

See the accompanying Independent Auditor's Report.

TOWN OF RICO, COLORADO

BUDGETARY COMPARISON SCHEDULE
STREET FUND

Year Ended December 31, 2020

	<u>ORIGINAL BUDGET</u>	<u>FINAL BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE- POSITIVE (NEGATIVE)</u>
REVENUES				
Taxes				
Property tax	\$ 10,679	\$ 10,679	\$ 10,678	\$ (1)
Sales and use tax	10,000	10,000	13,117	3,117
Specific ownership tax	400	400	562	162
Franchise tax	6,000	6,000	5,779	(221)
Excise tax	1,000	1,000	3,754	2,754
Road and bridge	10,000	10,000	11,780	1,780
Highway users tax	18,000	18,000	14,389	(3,611)
Other revenues - local grant	36,416	36,416	24,627	(11,789)
Interest	45	45	48	3
TOTAL REVENUES	<u>92,540</u>	<u>92,540</u>	<u>84,734</u>	<u>(7,806)</u>
EXPENDITURES				
Payroll	36,416	36,416	35,698	718
Equipment rental	-	24,068	23,159	909
Snow removal	20,000	20,000	10,450	9,550
Fuel	8,000	8,000	4,620	3,380
Repairs and maintenance	21,678	21,678	10,040	11,638
Insurance	5,000	5,000	-	5,000
Supplies	5,500	5,500	3,180	2,320
Electricity	2,000	2,000	1,279	721
Street lights	1,200	1,920	1,128	792
Utilities - other	2,000	2,000	1,902	98
Treasurer fees	300	300	210	90
Debt service	25,000	25,000	24,068	932
TOTAL EXPENDITURES	<u>127,094</u>	<u>151,882</u>	<u>115,734</u>	<u>36,148</u>
Change in Fund Balance	(34,554)	(59,342)	(31,000)	28,342
Fund Balance, Beginning	<u>91,625</u>	<u>91,625</u>	<u>91,625</u>	<u>-</u>
Fund Balance, Ending	<u>\$ 57,071</u>	<u>\$ 32,283</u>	<u>\$ 60,625</u>	<u>\$ 28,342</u>

See the accompanying Independent Auditor's Report.

TOWN OF RICO, COLORADO

SCHEDULE OF THE TOWN'S PROPORTIONATE SHARE OF NET PENSION LIABILITY/(ASSET)
LOCAL GOVERNMENT DIVISION TRUST FUND - COLORADO PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION
LAST TEN FISCAL YEARS*

<u>Measurement period ending December 31,</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Town's portion of the net pension asset	0.016059%	0.014631%	0.015362%	0.014835%	0.018273%	0.023245%	0.024092%	0.024744%
Town's proportionate share of the net pension liability (asset)	83,688	107,011	193,131	165,182	246,747	256,058	215,694	203,623
Town's covered payroll	113,136	100,753	100,753	89,920	110,780	132,013	132,013	132,013
Town's proportionate share of the net pension liability (asset) as a percentage of its covered payroll	74%	106%	192%	184%	223%	194%	163%	154%
Plan fiduciary net position as a percentage of the total pension asset	110.0%	115.9%	131.7%	135.8%	135.8%	130.1%	123.9%	128.8%

*The amounts presented for each fiscal year were determined as of the calendar year-end that occurred one year prior. Information is only available beginning in fiscal year 2014 data).

Notes to the Schedule of the Town's Proportionate Share of the Net Pension Liability (Asset) for the year ended December 31, 2020:

Note 1. Changes of assumptions.

No changes during the years presented above.

Note 2. Changes of benefit terms.

No changes during the years presented above.

See the accompanying Independent Auditor's Report.

TOWN OF RICO, COLORADO

SCHEDULE OF TOWN CONTRIBUTIONS

LOCAL GOVERNMENT DIVISION TRUST FUND - COLORADO PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION
LAST TEN FISCAL YEARS*

<u>Measurement period ending December 31,</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Contractually required contribution	\$14,659	\$12,776	\$12,776	\$11,402	\$14,044	\$16,739	\$16,739	\$16,739
Contributions in relation to the contractually required contribution	(14,659)	(12,776)	(12,776)	(11,402)	(14,044)	(16,739)	(16,739)	(16,739)
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Town's covered payroll	113,136	100,753	100,753	89,920	110,780	132,013	132,013	132,013
Contributions as a percentage of covered payroll	13.0%	12.7%	12.7%	12.7%	12.7%	12.7%	12.7%	12.7%

*The amounts presented for each fiscal year were determined as of the calendar year-end that occurred one year prior. Information is only available beginning in fiscal year 2014 (2013 data).

Notes to the Schedule of Town Contributions for the Year Ended December 31, 2020

Note 1. Changes of assumptions.

No changes during the years presented above.

Note 2. Changes of benefit terms.

No changes during the years presented above.

See the accompanying Independent Auditor's Report.

Other Supplementary Information

TOWN OF RICO, COLORADO
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
Year Ended December 31, 2020

	<u>CONSERVATION TRUST</u>	<u>PARKS, OPEN SPACE & TRAILS</u>	<u>TOTALS</u>
ASSETS			
Cash and Equivalents	\$ 37,357	\$ 87,787	\$ 125,144
 TOTAL ASSETS	 <u>\$ 37,357</u>	 <u>\$ 87,787</u>	 <u>\$ 125,144</u>
 LIABILITIES AND FUND BALANCE			
TOTAL LIABILITIES	\$ -	\$ -	\$ -
 FUND BALANCE			
Restricted for Culture and Recreation	37,357	-	37,357
Committed for Parks and Open Space	<u>-</u>	<u>87,787</u>	<u>87,787</u>
 TOTAL FUND BALANCE	 <u>37,357</u>	 <u>87,787</u>	 <u>125,144</u>
 TOTAL LIABILITIES AND FUND BALANCE	 <u>\$ 37,357</u>	 <u>\$ 87,787</u>	 <u>\$ 125,144</u>

See the accompanying Independent Auditor's Report.

TOWN OF RICO, COLORADO

**COMBINING STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
NON-MAJOR GOVERNMENTAL FUNDS
Year Ended December 31, 2020**

	<u>CONSERVATION TRUST</u>	<u>PARKS, OPEN SPACE & TRAILS</u>	<u>TOTAL</u>
REVENUES			
Taxes:			
Sales and use tax	\$ -	\$ 13,117	\$ 13,117
Lodging tax	-	242	242
Excise tax	-	3,754	3,754
Lottery Proceeds	2,025	-	2,025
Interest	-	44	44
Special Projects	-	-	-
Miscellaneous	-	-	-
TOTAL REVENUES	<u>2,025</u>	<u>17,157</u>	<u>19,182</u>
EXPENDITURES			
Parks and Recreation	-	8,425	8,425
Supplies	-	8,808	8,808
Insurance	-	4,852	4,852
TOTAL EXPENDITURES	<u>-</u>	<u>22,085</u>	<u>22,085</u>
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	2,025	(4,928)	(2,903)
FUND BALANCE, Beginning	<u>35,332</u>	<u>92,715</u>	<u>128,047</u>
FUND BALANCE, Ending	<u>\$ 37,357</u>	<u>\$ 87,787</u>	<u>\$ 125,144</u>

See the accompanying Independent Auditor's Report.

TOWN OF RICO, COLORADO

BUDGETARY COMPARISON SCHEDULE
CONSERVATION TRUST FUND

Year Ended December 31, 2020

	ORIGINAL BUDGET	FINAL BUDGET	ACTUAL	VARIANCE- POSITIVE (NEGATIVE)
REVENUES				
Lottery proceeds	<u>\$ 2,000</u>	<u>\$ 2,000</u>	<u>\$ 2,025</u>	<u>\$ 25</u>
EXPENDITURES				
Parks and Recreation	<u>5,000</u>	<u>5,000</u>	<u>-</u>	<u>5,000</u>
EXCESS OF REVENUES OVER EXPENDITURE	(3,000)	(3,000)	2,025	5,025
Fund Balance, Beginning	<u>1,500</u>	<u>1,500</u>	<u>35,332</u>	<u>33,832</u>
Fund Balance, Ending	<u><u>\$ (1,500)</u></u>	<u><u>\$ (1,500)</u></u>	<u><u>\$ 37,357</u></u>	<u><u>\$ 38,857</u></u>

See the accompanying Independent Auditor's Report.

TOWN OF RICO, COLORADO

BUDGETARY COMPARISON SCHEDULE
PARKS, OPEN SPACE & TRAILS FUND

Year Ended December 31, 2020

	<u>ORIGINAL & FINAL BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE- POSITIVE (NEGATIVE)</u>
REVENUES			
Taxes			
Sales and use tax	\$ 9,000	\$ 13,117	\$ 4,117
Lodging tax	1,000	242	(758)
Excise tax	1,500	3,754	2,254
Interest	<u>35</u>	<u>44</u>	<u>9</u>
TOTAL REVENUES	<u>11,535</u>	<u>17,157</u>	<u>5,622</u>
EXPENDITURES			
Parks and Recreation Programs	23,314	8,425	14,889
Supplies	10,950	8,808	2,142
Insurance	<u>5,500</u>	<u>4,852</u>	<u>648</u>
TOTAL EXPENDITURES	<u>39,764</u>	<u>22,085</u>	<u>17,679</u>
EXCESS OF REVENUES OVER EXPENDITURE	(28,229)	(4,928)	23,301
Fund Balance, Beginning	<u>92,715</u>	<u>92,715</u>	<u>-</u>
Fund Balance, Ending	<u><u>\$ 64,486</u></u>	<u><u>\$ 87,787</u></u>	<u><u>\$ 23,301</u></u>

See the accompanying Independent Auditor's Report.

TOWN OF RICO, COLORADO

**SCHEDULE OF REVENUES, EXPENSES
AND CHANGES IN FUND NET POSITION-
BUDGET AND ACTUAL
ENTERPRISE FUND - WATER**

Year Ended December 31, 2020

	<u>ORIGINAL & FINAL BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE POSITIVE (NEGATIVE)</u>
REVENUES			
Charges to customers	\$ 120,000	\$ 132,691	\$ 12,691
Grants	289,909	52,249	(237,660)
Electric Reimbursement	1,500	1,988	488
Interest	150	614	464
TOTAL REVENUES	<u>411,559</u>	<u>187,542</u>	<u>(224,017)</u>
EXPENSES			
Salaries	110,512	99,393	11,119
Employee Benefits - Life	125	92	33
Attorney	3,000	-	3,000
Auditor	2,036	-	2,036
Repairs and maintenance	220,000	213,985	6,015
Insurance	6,000	5,285	715
Supplies	4,000	3,969	31
Water Samples	4,916	4,507	409
Electric	5,300	5,184	116
Propane	2,182	2,250	(68)
Utilities-other	2,015	1,962	53
Dolores Water Conservancy	2,700	2,700	-
Miscellaneous	500	125	375
Capital Outlay	<u>446,014</u>	<u>102,053</u>	<u>343,961</u>
TOTAL EXPENSES	<u>809,300</u>	<u>441,505</u>	<u>367,795</u>
CHANGE IN NET POSITION, Budget Basis	<u>\$ (397,741)</u>	<u>(253,963)</u>	<u>\$ 143,778</u>
ADJUSTMENTS TO GAAP BASIS:			
Less:			
Depreciation		<u>(65,102)</u>	
CHANGE IN NET POSITION, GAAP Basis		<u>\$ (319,065)</u>	

See the accompanying Independent Auditor's Report.

TOWN OF RICO, COLORADO

SCHEDULE OF REVENUES, EXPENSES
AND CHANGES IN FUND NET POSITION -
BUDGET AND ACTUAL
ENTERPRISE FUND - SEWER

Year Ended December 31, 2020

	<u>ORIGINAL & FINAL BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE POSITIVE (NEGATIVE)</u>
REVENUES			
Property taxes	\$ 23,641	\$ 23,564	\$ (77)
Specific ownership tax	1,000	1,240	240
Interest	100	99	(1)
Miscellaneous	-	26	26
TOTAL REVENUES	<u>24,741</u>	<u>24,929</u>	<u>188</u>
EXPENSES			
Operating	<u>28,758</u>	<u>17,083</u>	<u>11,675</u>
TOTAL EXPENSES	<u>28,758</u>	<u>17,083</u>	<u>11,675</u>
NET INCOME	<u>\$ (4,017)</u>	<u>\$ 7,846</u>	<u>\$ 11,863</u>

See the accompanying Independent Auditor's Report.

Supplemental Data for Oversight Agencies

The public report burden for this information collection is estimated to average 380 hours annually.

LOCAL HIGHWAY FINANCE REPORT	City or County: Town of Rico
	YEAR ENDING : December 2020
This Information From The Records Of (example - City of _ or County of _) Town of Rico	Prepared By: Kari Distefano, Town Manager Phone: 970-967-2863

I. DISPOSITION OF HIGHWAY-USER REVENUES AVAILABLE FOR LOCAL GOVERNMENT EXPENDITURE

ITEM	A. Local Motor-Fuel Taxes	B. Local Motor-Vehicle Taxes	C. Receipts from State Highway-User Taxes	D. Receipts from Federal Highway Administration
1. Total receipts available				
2. Minus amount used for collection expenses				
3. Minus amount used for nonhighway purposes				
4. Minus amount used for mass transit				
5. Remainder used for highway purposes				

II. RECEIPTS FOR ROAD AND STREET PURPOSES		III. DISBURSEMENTS FOR ROAD AND STREET PURPOSES	
ITEM	AMOUNT	ITEM	AMOUNT
A. Receipts from local sources:		A. Local highway disbursements:	
1. Local highway-user taxes		1. Capital outlay (from page 2)	37,811
a. Motor Fuel (from Item I.A.5.)		2. Maintenance:	1,136
b. Motor Vehicle (from Item I.B.5.)		3. Road and street services:	
c. Total (a.+b.)		a. Traffic control operations	0
2. General fund appropriations		b. Snow and ice removal	10,450
3. Other local imposts (from page 2)	58,518	c. Other	0
4. Miscellaneous local receipts (from page 2)	6,317	d. Total (a. through c.)	10,450
5. Transfers from toll facilities		4. General administration & miscellaneous	35,698
6. Proceeds of sale of bonds and notes:		5. Highway law enforcement and safety	21,772
a. Bonds - Original Issues		6. Total (1 through 5)	106,867
b. Bonds - Refunding Issues		B. Debt service on local obligations:	
c. Notes		1. Bonds:	
d. Total (a. + b. + c.)	0	a. Interest	0
7. Total (1 through 6)	64,835	b. Redemption	0
B. Private Contributions		c. Total (a. + b.)	0
C. Receipts from State government (from page 2)	26,169	2. Notes:	
D. Receipts from Federal Government (from page 2)	0	a. Interest	1,363
E. Total receipts (A.7 + B + C + D)	91,004	b. Redemption	22,705
		c. Total (a. + b.)	24,068
		3. Total (1.c + 2.c)	24,068
		C. Payments to State for highways	
		D. Payments to toll facilities	
		E. Total disbursements (A.6 + B.3 + C + D)	130,935

IV. LOCAL HIGHWAY DEBT STATUS

(Show all entries at par)

	Opening Debt	Amount Issued	Redemptions	Closing Debt
A. Bonds (Total)	0	0	0	0
1. Bonds (Refunding Portion)				
B. Notes (Total)	144,275	0	22,705	121,570

V. LOCAL ROAD AND STREET FUND BALANCE

	A. Beginning Balance	B. Total Receipts	C. Total Disbursements	D. Ending Balance	E. Reconciliation
	91,625	84,734	115,734	60,625	0

Notes and Comments:

LOCAL HIGHWAY FINANCE REPORT	STATE: Colorado
	YEAR ENDING (mm/yy): December 2020

II. RECEIPTS FOR ROAD AND STREET PURPOSES - DETAIL

ITEM	AMOUNT	ITEM	AMOUNT
A.3. Other local imposts:		A.4. Miscellaneous local receipts:	
a. Property Taxes and Assessments		a. Interest on investments	
b. Other local imposts:		b. Traffic Fines & Penalties	6,317
1. Sales Taxes	13,117	c. Parking Garage Fees	
2. Infrastructure & Impact Fees		d. Parking Meter Fees	
3. Liens		e. Sale of Surplus Property	
4. Licenses		f. Charges for Services	
5. Specific Ownership &/or Other	45,401	g. Other Misc. Receipts	
6. Total (1. through 5.)	58,518	h. Other	0
c. Total (a. + b.)	58,518	i. Total (a. through h.)	6,317
	(Carry forward to page 1)		(Carry forward to page 1)

ITEM	AMOUNT	ITEM	AMOUNT
C. Receipts from State Government		D. Receipts from Federal Government	
1. Highway-user taxes	14,389	1. FHWA (from Item I.D.5.)	
2. State general funds		2. Other Federal agencies:	
3. Other State funds:		a. Forest Service	
a. State bond proceeds		b. FEMA	
b. Project Match		c. HUD	
c. Motor Vehicle Registrations	0	d. Federal Transit Admin	
d. Other	0	e. U.S. Corps of Engineers	
e. Other (Specify) Road & Bridge	11,780	f. Other Federal	
f. Total (a. through e.)	11,780	g. Total (a. through f.)	0
4. Total (1. + 2. + 3.f)	26,169	3. Total (1. + 2.g)	
			(Carry forward to page 1)

III. DISBURSEMENTS FOR ROAD AND STREET PURPOSES - DETAIL

	ON NATIONAL HIGHWAY SYSTEM (a)	OFF NATIONAL HIGHWAY SYSTEM (b)	TOTAL (c)
A.1. Capital outlay:			
a. Right-Of-Way Costs			0
b. Engineering Costs			0
c. Construction:			
(1). New Facilities			0
(2). Capacity Improvements			0
(3). System Preservation		0	0
(4). System Enhancement & Operation		37,811	37,811
(5). Total Construction (1) + (2) + (3) + (4)	0	37,811	37,811
d. Total Capital Outlay (Lines 1.a. + 1.b. + 1.c.5)	0	37,811	37,811
			(Carry forward to page 1)

Notes and Comments:



TOWN OF RICO
INCORPORATED OCTOBER 11, 1879
2 North Commercial Street
Post Office Box 9
Rico, Colorado 81332
Office # 970.967.2861
Fax # 970.967.2862
<https://www.colorado.gov/ricocolorado>

August 9, 2021

Via email

Atlantic Richfield Company
Brian S. Johnson
Liability Business Manager

RE: Rico Townsite Soils Voluntary Cleanup (VCUP) Project

Dear Mr. Johnson:

Thank you for your letter dated July 26, 2021, regarding proposed next steps for advancing the VCUP in the Town of Rico.

At a special public meeting held on August 4, 2021, members of the Rico Board of Trustees (Trustees) discussed your proposal for a framework for the next steps in the VCUP application submittal to the Colorado Department of Public Health and Environment (CDPHE) and related issues. The Trustees also continued to review the underlying draft documents.

The Trustees support the goal of having the VCUP in place by the 2022 building season, but that will require, among other things, reaching terms acceptable to the parties on the full suite of documents and providing adequate opportunities to engage the residents of Rico on these issues. In the interest of attempting to get the program in place for the building season next year, and in light of the time that CDPHE will need to review the application and the need to revisit the cleanup numbers, the Trustees will agree to changing the process we had been operating under up until this point (waiting to submit the VCUP application until the cleanup numbers are established and the funding agreement terms are finalized). In particular, the Town is willing to jointly submit the VCUP application to the CDPHE before the establishment of cleanup goals and completion the funding

agreement, assuming the parties can agree upon the text of that document and the attachments.

However, it would only do so with the following understanding:

- That the VCUP application expressly state that the Town's participation in the VCUP program will be conditioned on (a) the CDPHE developing remediation levels that are acceptable to the Town of Rico and (b) the Town of Rico and Atlantic Richfield reaching agreement on the terms of the funding agreement.
- That a phlebotomist will be made available during several periods of time that will allow concerned residents to get blood lead level screenings. This would happen on three to four occasions at various times of the day and evening so that any resident that wants a screening can get one. That information regarding those blood level screenings be made available to Rico residents (consistent with applicable privacy concerns).
- That the draft remediation levels be reviewed and updated by the CDPHE according to the updated Center for Disease Control blood lead levels of 5 micrograms per deciliter ($\mu\text{g}/\text{dL}$). The Trustees understand that CDPHE is in agreement that these values need to be re-evaluated.
- That the residents of Rico be fully informed regarding the methodology used to develop the remediation levels.

The Trustees continue to review the underlying documents and they anticipate being in a position to transmit those to Atlantic Richfield Company following their August 18 meeting.

As outlined above, the Rico Board of Trustees is committed to moving this project forward in a timely manner and putting in place measures that protect public health and the environment from the lead soil contamination that exists in the Town of Rico; however, it is imperative the Rico community be engaged, well informed and provided an opportunity to express their concerns. Town staff and Board members are committed to working with Atlantic Richfield to ensure that this engagement occurs, so that this program can be adopted.

Sincerely on behalf of the Rico Board of Trustees,

By: _____
Barbara Betts, Mayor

[ccs listed on next page]

cc: Mark Rudolph, CDPHE
Lukas Staks, Colorado Attorney General's Office
Paul Peronard, U.S. EPA, Region 8
Amelia Piggott, U.S. EPA, Region 8
Adam Cohen, Davis Graham & Stubbs LLP
Lucas Satterlee, Davis Graham & Stubbs LLP
Nathan Bock, Atlantic Richfield Company
Steve Ferry, Atlantic Richfield Company
Thomas Bloomfield, Kaplan Kirsch & Rockwell LLP
Town of Rico Board of Trustees

**TOWN OF RICO
RESOLUTION 2021-__**

**A RESOLUTION OF THE TOWN OF RICO TRUSTEES
SUBMITTING TO THE REGISTERED ELECTORS OF THE TOWN
OF RICO AT THE NOVEMBER 2, 2021, COORDINATED
ELECTION, BALLOT QUESTIONS REGARDING:**

- a. INCREASING THE MILL LEVIED UPON REAL AND PERSONAL PROPERTY LOCATED WITHIN THE TOWN OF RICO BY 12.8 MILLS;**
- b. INCREASING THE LODGING TAX LEVIED ON SHORT TERM RENTALS (30 DAYS OR LESS) FROM 1% TO 3% OF SALES REVENUE; AND**
- c. A BAN OF SHORT-TERM RENTALS (STRS) WITHIN THE RESIDENTIAL (R) ZONE DISTRICT.**

WHEREAS, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any new tax and for collecting, retaining, and spending certain moneys above limits established by TABOR.

WHEREAS TABOR requires the Town to submit ballot issues (as defined in TABOR) to the Town’s electors on limited election days; and

WHEREAS, pursuant to Section 11.2 of the Charter, the Town regular election will be on November 2, 2021, pursuant to the Colorado Municipal Election Code of 1965 (the “Election”).

WHEREAS the Town Trustees may submit any question to the voters pursuant to C.R.S. §31-11-111(2).

A. REAL AND PERSONAL PROPERTY TAX INCREASE

WHEREAS the Town finds it necessary to increase the mill levy on real and personal property taxes by 12.8 mills to continue to provide the current level of snow removal, plus grading and drainage upgrades, repairs of ditches and culverts, road surface improvements including dust control and equipment replacement and repairs to support the work (the “Project”); and

WHEREAS if approved, the 12.8 mill levy increase means a residential valuation of \$400,000.00 today would pay an additional \$366.08 annually.

WHEREAS, if approved, the Town would collect an additional \$_____ in 2022

to be used for the Project work.

B. LODGING TAX INCREASE

WHEREAS, on November 6, 2001, the voters approved a 1% lodging tax on all lodging for a period of 30 days or less, for any hotel and motel rentals, rentals of cabins or residential properties, rentals of recreational vehicle sites and rental of camping sites.

WHEREAS the travel industry has changed since the lodging tax was implemented in 2001 and short-term rental of homes have become popular creating an increase in vacation options within the Town and more use of Town parks, open space, trails, and streets as well as administrative costs to administer and enforce short-term rentals within the Town.

WHEREAS the increase in lodging tax from 1% to 3% will result in the collection of \$ _____ in 2022 to be allocated 80% to the General Fund, 10% to the Parks. Open Space and Trails Fund, and 10% to the Street Fund which is no change from the 2001 vote.

C. BAN OF STRS IN THE RESIDENTIAL (R) ZONE DISTRICT

WHEREAS, as with many other tourist destinations around the State of Colorado, the short-term rental (STR) market where homes or a portion of them rented out by the homeowner for a short-term stay, have increased in the Town which contributes to the lack of long-term housing options and increases the number of tourists visiting Rico.

WHEREAS there has been much discussion as to whether STRs should be allowed only in certain zone districts by the Trustees and the public.

WHEREAS in 2011 short-term rentals were added as a use allowed in the Residential Zone by a special use permit.

WHEREAS the Trustees want to ask the Town electors whether STRs should continue as a use under a special use permit in the Residential (R) Zone District.

WHEREAS the Trustees find it necessary to set forth certain procedures concerning the conduct of the Election and to place the above three questions on the ballot for the election on November 2, 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES IF THE TOWN OF RICO, IN THE STATE OF COLORADO:

Section 1. All action heretofore taken (not inconsistent with the provisions of this resolution) by the Town and the officers thereof, directed toward the Election and the objects and purposes herein stated is, ratified, approved, and confirmed. Unless otherwise defined herein, all

terms used herein shall have the meanings specified in the Code.

Section 2. Pursuant to the applicable laws of the State of Colorado, the Board hereby determines that at the regular Town election on November 2, 2021, there shall be submitted to the eligible electors of the Town the questions set forth in Section 4 below.

Section 3. The Board hereby designates the Clerk as the Designated Election Official of the Town and is authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this resolution and of the Code, TABOR, or other applicable laws.

Section 4. The Board hereby determines that at the Election, there shall be submitted to the registered electors of the Town the questions in substantially the following forms:

BALLOT ISSUE []:

SHALL TOWN OF RICO TAXES BE INCREASED BY _____, ANNUALLY BEGINNING JANUARY 1, 2022 AND BY SUCH ADDITIONAL AMOUNTS RAISED THEREAFTER FROM AN INCREASE OF 12.8 MILLS LEVIED UPON THE TAXABLE REAL AND PERSONAL PROPERTY WITH THE TOWN OF RICO; THE REVENUES FROM WHICH SHALL BE PLACED IN THE PUBLIC WORKS FUND TO BE USED SOLELY FOR SNOW REMOVAL, REPAIRS AND IMPROVEMENTS OF GRADING, DRAINAGES, DITCHES, CULVERTS, AND ROAD SURFACES INCLUDING DUST CONTROL, AND FOR EQUIPMENT REPLACEMENT AND REPAIRS; AND SHALL THE TOWN BE ALLOWED TO COLLECT, RETAIN AND SPEND THE FULL AMOUNT OF THESE REVENUES AS A VOTER APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER LAW?

_____ YES _____ NO

BALLOT ISSUE []:

SHALL TOWN OF RICO LODGING TAX BE INCREASED BY _____, ANNUALLY BEGINNING JANUARY 1, 2022 AND BY SUCH ADDITIONAL AMOUNTS RAISED THEREAFTER FROM AN INCREASE FROM A RATE OF 1% TO 3% ON ALL SHORT-TERM RENTAL LODGING OF THIRTY DAYS OR LESS; WITH THE REVENUES COLLECTED BEING DIVDED 80% TO THE GENERAL FUND, 10% TO THE PARKS, OPEN SPACE AND TRAILS FUND, AND 10% TO THE STREET FUND; AND SHALL THE TOWN BE ALLOWED TO COLLECT, RETAIN AND SPEND THE FULL AMOUNT OF THESE REVENUES AS A VOTER APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION

UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER LAW?

_____ YES _____ NO

BALLOT ISSUE []:

SHALL TOWN OF RICO BAN SHORT-TERM RENTALS WITHIN THE RESIDENTIAL (R) ZONE DISTRICT?

_____ YES _____ NO

Section 5. The Designated Election Official of the Town is authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution, including, but not limited to, mailing, posting, and publishing notices of the Election, including the TABOR Notice, and entering into necessary agreements.

Section 6. If the most votes cast on the question to authorize the levy of taxes submitted at the Election is in the affirmative, the Town shall be authorized to proceed with the necessary action to levy the taxes in accordance with such question. Any authority to levy taxes, if conferred by the results of the election, shall be deemed a continuing authority to levy taxes so authorized at any one time, or from time to time, and neither the partial exercise of the authority so conferred, nor any lapse of time, shall be considered as exhausting or limiting the full authority so conferred.

Section 7. Pursuant to C.R.S. § 31-10-1301(2), any election contest arising out of a ballot issue or ballot question election concerning the order on the ballot or concerning whether the form or content of any ballot title meets the requirements of shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

Section 8. Pursuant to Article XX of the State Constitution and the Charter, all State statutes that might otherwise apply in connection with the provisions of this ordinance (including, without limitation C.R.S. § 31-11-111) are hereby superseded to the extent of any inconsistencies or conflicts between the provisions of this ordinance and such statutes. Any such inconsistency or conflict is intended by the City Council and shall be deemed made pursuant to the authority of Article XX of the State Constitution and the Charter.

Section 8. All orders, bylaws, and resolutions, or parts thereof, in conflict with this

resolution, are hereby repealed.

Section 9. If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.

DRAFT

ADOPTED AND APPROVED this August __, 2021.

Barbara Betts, Mayor

Attest:

Linda Yellowman, Town Clerk,

DRAFT

**TOWN OF RICO
ORDINANCE 2021-0**

AN ORDINANCE OF THE TOWN OF RICO, COLORADO, DEFINING SHORT-TERM RENTAL, REPEALING SECTION 1 OF ORDINANCE 2011-3, REVISING REGULATIONS FOR SHORT-TERM RENTALS IN THE RICO LAND USE CODE ARTICLE II SECTIONS 220 AND 222, PROVIDING FOR LICENSING OF SHORT-TERM RENTALS AND LIMITING THE NUMBER OF SHORT-TERM RENTALS ALLOWED WITHIN THE TOWN OF RICO.

WHEREAS, the Board of Trustees of the Town of Rico (the “Town”) believes it appropriate to define short-term rentals and license their use; and

WHEREAS, the Board of Trustees desires to ensure that short-term rentals are not consuming a disproportionate amount of the Town’s housing supply, especially long-term rental housing; and

WHEREAS, the Board of Trustees desires to allow short-term rental opportunities within the Town of Rico with the resulting economic benefits, potential tourism attraction, and the ability to make one’s property more affordable; and

WHEREAS, the Board of Trustees desires to assure a safe and quality experience for residents, businesses and visitors; and

WHEREAS, the Board of Trustees desires to balance the need for regulations with the cost to the property owner and burden of enforcement to the Town; keep revenue neutral; and

WHEREAS, the Town has the power and authority to make and publish ordinances that are necessary and proper to provide for the safety and preserve the health of the inhabitants of the Town not inconsistent with the laws of the State of Colorado; and

WHEREAS, the Town has made a conscientious effort to plan for specific uses within all zoning districts and to anticipate conflicts between competing land uses, in order to protect the public's health, safety and welfare;

SECTION 1.

SHORT-TERM RENTAL: Rental of all or a portion of a residential dwelling unit for periods of less than 31 days. This definition of short-term rentals excludes hotels, motels, lodges, and bed and breakfasts.

The Rico Land Use Code 910. DEFINITIONS: **Accommodations:** (Ord No. 2011-3 § 910, 06-15-11) The short-term rental of properties for periods of 30 days or less, including motels, hotels, inns, condominium-hotels, lodges and bed and breakfasts.

Short-term rental dwelling unit: (ORD. NO. 2011-3. § 910, 06-15-11) The short-term rental of properties for periods of 30 days or less, excluding hotels, condominium-hotels, lodges, and bed and breakfasts.

Short-term dwelling units are subject to Special Use permits only.

Short-term rental dwelling definition should remain at 30 days. Many other municipalities indicate 29 days or less. This should be under the shortest calendar month, so maybe even 28 days or less.

Thirty-one (31) days should not be considered because then if someone rents for the month of June, which only has 30 days, it would be considered a short-term rental.

SECTION 2.

Ordinance 2001-3 Section 1 is repealed and Article II, Sections 220 and 222 are amended as follows:

I. Short-term Rental Regulations:

1. Intent and Purpose: Establish standards and procedures by which residential short-term rentals can be provided in a manner that protects both the quality of experience and the character of the Town of Rico. It is the Town of Rico's intent to establish short-term rental regulations to promote a mix of lodging options, support the local economy, while also upholding the integrity of the Town.
2. Permitted Use of short-term rentals.
 - a. Short-term rentals are allowed in all zoning districts where residential units are a use by right or an approved conditional use. Short-term rentals shall comply with the provisions of this Subsection (I) and shall be licensed by the State of Colorado and the Town of Rico
 - b. Short-term rentals:
 - (i) Shall be a **dwelling**, single-family residential unit; or
 - (ii) Shall be **an accessory dwelling unit** property with two dwelling structures where the owner may use one of the dwelling structures as a short-term rental.
 - (iii) Shall be a **dwelling**, multiple family residence or structure where short-term rentals are allowed in multiple family structures.
 - (iv) **Shall include the rental of a single room within an owner-occupied dwelling, single family unit**
3. Performance Standards for short-term rentals
 - a. The unit being rented, shall be a Dwelling Unit, as defined pursuant Article IX of the Rico Land Use Code, nor be leased or used to any group containing more than 10 people over the age of 18.
 - b. The unit shall have a minimum of 2 off-street parking spaces available and any additional spaces necessary to accommodate the tenant's vehicles off street.

Isn't this included in Rico Land Use Code 428.12 which is already included in the permit application.

There is not off-street parking defined/designated in front of dwellings. How is it determined that there are a minimum of 2 off-street parking spaces available? How would this be enforced?

Would this be enforced for long term renters and owner-occupied dwellings?
 - c. There shall be an owner's agent available to be at the unit within 20 minutes, who is on call full time to manage the property during any period the unit is rented. The name address and phone number of the agent must be kept current on file

with the Town and posted in the short-term rental. Do we want this number to be available to neighbors?

Neighbors with issues should come to the owner and the Town. This will help keep track of short-term rental issues for the annual review process.

Plus, if you're a good short-term rental owner, this information has been provided to your neighbors and your guests. Perhaps it should be included in the notice letter.

- d. Adequate (how is adequate determined and enforced?) trash and recycle (recycling isn't individually offered and therefore should not be required) containers shall be provided and information on placement for collection shall be provided in the short-term rental. Inadequate protection of trash from wildlife will be grounds for the denial of a permit renewal (and fines?). Example, if a person walking their dog and uses your receptacle to throw away dog waste and doesn't secure the lid, how would this be the homeowners responsibility?
- e. The unit shall be maintained in compliance with applicable Town ordinances and regulations. The rental of residential units as provided herein shall not unreasonably annoy or interfere with the use or enjoyment of public or private property or which constitutes a health or safety hazard.

Isn't this already included in Rico Land Use Code 428.1 through 428.12, inclusive?

If there are homeowners and long-term renters who violate the Town ordinances, are they going to responsible for their actions that interfere with the use and enjoyment of public and private property?

- f. The owner must have current state and Town sales tax licenses, a Town business license at such time the Town has business licensing and collect and remit sales taxes and lodging tax.

There is not Town Sales licenses or Town Business License now. Is this a State Business license?

If there is Town Sales License or Town Business Licenses, it is not a part of the application process. These licenses should be integrated as part of the application and approval process.

SECTION 3. Licenses required.

1. Any property owner who rents out a unit on a short-term basis within the Town of Rico shall be required to obtain a short-term rental license (hereinafter a "Short-term Rental license") for each short-term rental unit from the Town of Rico. Such Short-term Rental license and its corresponding number shall be prominently displayed in all advertising of the unit. The cost of such licensing and renewals shall be \$1,000 per year and may be amended from time to time by the Rico Board of Trustees. Short-term Rental licenses are nontransferable.

A Sliding scale may be more appropriate, for example, \$150 initial fee, plus \$20 for each sleeping area within the unit. Also, \$1000 is too high with the addition of the permit fee, especially if the tax basis is going to be raised. (Use Telluride, Durango, Dolores, and Ridgeway as examples).

2. All Short-term Rental units, except the Short-term Rental of a single room inside an owner-occupied dwelling unit, are required to have and pass a health, safety, and welfare inspection by the Town Building Inspector (Why not all short-term rentals who get a SUP? Who is the Town Building Inspector/Health and Safety inspector? When would this start? Is there a fee associated with it? What is being inspected? How is it rated? Pass/Fail or % or grading system 'A', 'B', etc.? Is their time to correct issue if issues are found?). This inspection will be completed with the initial and renewal licensing processes. **Do we want to make any revisions to this section?**
3. The total number of Short-term Rental licenses in the Town of Rico shall be limited to 10 (10% of residential units within the Town of Rico limits), at any one time. The Short-term Rental of a single room inside an owner-occupied dwelling unit shall not be counted toward the maximum number of licenses to be issued. Preference shall be given to renewals of licenses unless there have been violations of this Ordinance or in violation of Rico Land Use Code § 428 or verified complaints by neighbors submitted to The Town of Rico (who, town clerk? Town manager? Board member). If the short-term rental license has not been used over the course of the year (how is this determined, occupancy tax?), the license holder will not be given renewal preference. **Do we want to revise the second sentence in this paragraph?**
4. Short-term Rental licenses shall be issued for a period of one year beginning in April and subject to annual renewal in April of every year.

**** This is difficult as a short-term rental because rental bookings are often allowed 6 months to 1+ year in advance. By April, the upcoming summers months are already booked (even if we only allow for bookings 6 months in advance). Perhaps an annual review based on the initial application date OR October/November during off season that way if a violation is found, it can either be corrected or the permit and license can be terminated, and bookings should be stopped.**

SECTION 4. Licenses fees.

1. The local application and license fees for all Short-term Rental licenses issued, and applications submitted shall be enacted by Rico Board of Trustees Resolution.
2. In addition to the above fees, the applicant/licensee shall reimburse the Town for all out-of-pocket costs incurred during review of the application, or license, including legal fees, consultant fees, postage, notice and publishing costs. The Town shall bill the applicant/licensee upon completion of the application or review process and completion of any conditions thereof. No application or license shall be finally approved until the bill is paid. Each bill shall be overdue 30 days after its date. Bills not paid by the due date shall accrue interest at the rate of 1½ %per month or part thereof.

There should be consideration of the \$200 being a part of the application review which should cover some initial, if not all the costs of the review process.

3. The Town Board may revise such amounts by resolution based on costs incurred by the Town in the administration and enforcement of the Short-term Rental Licensing and related provisions.

SECTION 5.

Supplemental Regulations

1. All Dwelling Units, for Short-term Rental licenses issued, shall comply with applicable requirements of Town ordinances, including building and zoning regulations.
2. Rico Town Manager shall be the local licensing authority for the Town for short-term rental licenses. Applications shall be reviewed by the Town Manager. **Do we want to add a process with the Trustees to appeal licensing decisions?**

SECTION 6.

Revocation of License

1. The Town Manager may revoke or suspend a Short-term Rental license. The following shall be prima fade evidence for revocation or suspension of a Short-term Rental license:
 - a. A holder of a Short-term Rental license is violation of the provisions of the permit.
 - b. A holder of the Short-term Rental license has violated the rules and regulations for short-term rentals, as established by this Ordinance.
 - c. The holder of the Short-term Rental has failed to remit sales and/or lodging taxes.
2. In the event a licensee wishes to challenge the revocation or a suspension of a license by the Town Manager, they can request, in writing, an administrative hearing before the Town Board within thirty days of the license being revoked or suspended.
3. No license shall be issued to any property owner for whom a license has been revoked, until at least three years has elapsed since revocation.

Notes:

1. Short Term Rental Committee: If this is such a hot topic, perhaps there should be a Short-Term Rental Committee whose tasks include application review, monitoring, and reporting. It would also be a mechanism for complaints and questions about the SUP. All financial information would remain within the Town and the Town would be responsible for reporting missed payments, etc. based on the monitoring and reporting of the committee.
2. Permits should be on a first-come-first-serve basis with the ability to renew. Renewals/permits can be revoked if there are violations. Once a permit becomes available, it would be issued to the next person on the waiting list. This is a business, like any other business in town. Other businesses are able to operate under the assumption that if the rules and regulations are followed, their business will remain open. If violations are found, the business should be interrupted. If no violations are found and the short-term rental is in good standing, the business should not be at risk to renew/remain in business.

For example, if 10 permits are permitted or 10% of the built residential dwellings, for Short-Term Rentals, and when 10/10% have been issued, the 11th/next applicant would be placed on a waiting list. Once a permit becomes available, whether by no longer wanting to retain a permit or by loss through violation, the 11th/next person would be issued the permit.

3. A section should be included on the enforceable fees and fines should a short-term rental be found operating without a permit and/or license.
4. The total tax shouldn't exceed that of Telluride (currently Tellurides Short-Term Rental tax, inclusive of all tax, is 15.15%).

- a. Suggestion:
 - 1.00% Occupancy Tax (to parks/rec)
 - 2.00% Excise Tax (to general fund)
 - 2.00% Excise Tax (affordable housing)
 - 2.90% Colorado Sales Tax
 - 8.15% Rico Sales Tax

13.15% Total Tax on Short Term Rentals

5% tax on Short Terms rentals is higher than the surrounding areas, with an exception to Telluride.

Ridgeway = 3.9% Lodging Tax on short term rentals
Durango = 2.0% Lodging Tax on short term rentals
Cortez = 2.0% Lodging Tax on short term rentals
Dolores = 1.9% Lodging Tax on short term rentals
Telluride = 6.5% Lodging Tax on short term rentals

5. Permits should NOT be given to people have not met the criteria listed on the application, such as payment of taxes or notification of neighbors, nor should be permitted with conditional approval. ALL criteria should be met prior to approval.
6. “Property” on the application needs to be defined. Should notice go to someone within 200 feet of the dwelling, i.e., a house, OR 200 feet any property line. Noticing landowners within

200 feet of the property lines seems more prudent as that could cover a larger area/more people.

Example, if someone has recently applied indicating that there were not neighbors within 200 feet of their dwelling, this may be true. However, there may be other landowners within 200 feet of their property who should be entitled to notice since they will most likely experience an increase in traffic and noise.

7. If you're going to hold Short-Term Rental permit holders responsible, hold everyone responsible. Ordinances are meant for everyone, in order to make Rico a pleasant place for everyone. All people within Rico should abide by those ordinances. Don't single out a single-type of permit owner. Long-term renters, home owners,
8. Let's remember that the goal is to balance long-term, short term and housing issues within our community. There are ways to work on this goal without making it the sole responsibility of a homeowner. Lack of housing is not just an issue for this community, but also for other communities, state, and the nation. There are creative ways to address these issues. For example, hotels and schools have been used/purchased for affordable/community housing within other municipalities.

Rico has a long-standing reputation of being a bed-room community to Telluride. As Rico has grown over the years, it has become more independent, shifting away from being a bedroom community. Housing is an issue all over, but Rico is most directly impacted by the lack of housing in Telluride. It is not Rico's responsibility, let alone individual homeowner's responsibilities, to accommodate those working in Telluride.

9. I think it would be beneficial to wait until after elections/the installation of a new town manager to approve and finalize fees.

To: KARI
From: B. BETTS

SHORT TERM RENTALS

DOES THIS NEED TO BE

ENACTED NOW? ~~AND~~ COULD IT

BE PUT ON HOLD UNTIL WE

28th

HAVE BETTER #'S ON TOWN OF RICO
SHORT TERM VS ORDINANCE 2021-0

LONG TERM?

AN ORDINANCE OF THE TOWN OF RICO, COLORADO, DEFINING SHORT-TERM RENTAL, REPEALING SECTION 1 OF ORDINANCE 2011-3, REVISING REGULATIONS FOR SHORT-TERM RENTALS IN THE RICO LAND USE CODE ARTICLE II SECTIONS 220 AND 222, PROVIDING FOR LICENSING OF SHORT-TERM RENTALS AND LIMITING THE NUMBER OF SHORT-TERM RENTALS ALLOWED WITHIN THE TOWN OF RICO.

WHEREAS, the Board of Trustees of the Town of Rico (the "Town") believes it appropriate to define short-term rentals and license their use; and

WHEREAS, due to the COVID-19 pandemic, on-premises food service establishments were closed or limited for indoor dining requiring take out, and other delivery methods;

WHEREAS, the Board of Trustees desires to ensure that short-term rentals are not consuming a disproportionate amount of the Town's housing supply, especially long-term rental housing; and

DO WE KNOW HOW MANY LONG-TERM RENTALS IN TOWN?

WHEREAS, the Board of Trustees desires to allow short-term rental opportunities within the Town of Rico with the resulting economic benefits, potential tourism attraction, and the ability to make one's property more affordable; and

WHEREAS, the Board of Trustees desires to assure a safe and quality experience for residents, businesses and visitors; and

WHEREAS, the Board of Trustees desires to balance the need for regulations with the cost to the property owner and burden of enforcement to the Town; keep revenue neutral; and

WHEREAS, the Town has the power and authority to make and publish ordinances that are necessary and proper to provide for the safety and preserve the health of the inhabitants of the Town not inconsistent with the laws of the State of Colorado; and

WHEREAS, the Town has made a conscientious effort to plan for specific uses within all zoning districts and to anticipate conflicts between competing land uses, in order to protect the public's health, safety and welfare;

SECTION 1.

SHORT-TERM RENTAL: Rental of all or a portion of a residential dwelling unit for periods of less than 31 days. This definition of short-term rentals excludes hotels, motels, lodges, and bed and breakfasts.

SECTION 2.

Ordinance 2001-3 Section 1 is repealed and Article II, Sections 220 and 222 are amended as follows:

I Short-term Rental Regulations:

1. Intent and Purpose: Establish standards and procedures by which residential short-term rentals can be provided in a manner that protects both the quality of experience and the character of the

MY PREFERENCE IS NOT TO ALLOW ANY SHORT TERM IN RESIDENTIAL NEIGHBORHOODS

Town of Rico. It is the Town of Rico's intent to establish short-term rental regulations to promote a mix of lodging options, support the local economy, while also upholding the integrity of the Town. WHICH INCLUDES LONG TERM RENTALS FOR COMMUNITY MEMBERS

2. Permitted Use of short-term rentals.

a. Short-term rentals are allowed in all zoning districts where residential units are a use by right or an approved conditional use. Short-term rentals shall comply with the provisions of this Subsection (I) and shall be licensed by the State of Colorado and the Town of Rico

b. Short-term rentals:

- (i) Shall be a single-family residential unit; or
- (ii) Shall be a property with two dwelling structures where the owner may use one of the dwelling structures as a short-term rental.
- (iii) Shall be a multiple family residence or structure where short-term rentals are allowed in multiple family structures.

3. Performance Standards for short-term rentals

a. The unit being rented, shall be a Dwelling Unit, as defined pursuant Article IX of the Rico Land Use Code, ^{AND} ~~not~~ be leased or used to any group containing more than 10 people over the age of 18. _{NDT}

b. The unit shall have a minimum of 2 off-street parking spaces available and any additional spaces necessary to accommodate the tenant's vehicles off street.

c. There shall be an owner's agent available to be at the unit within 20 minutes, who is on call full time to manage the property during any period the unit is rented. The name address and phone number of the agent must be kept current on file with the Town and posted in the short-term rental. Do we want this number to be available to neighbors? YES

d. Adequate trash and recycle containers shall be provided and information on placement for collection shall be provided in the short-term rental. Inadequate protection of trash from wildlife will be grounds for the denial of a permit renewal. IF PROBLEM PERSISTS, DENIAL CAN BE ENFORCED IMMEDIATELY

e. The unit shall be maintained in compliance with applicable Town ordinances and regulations. The rental of residential units as provided herein shall not unreasonably annoy or interfere with the use or enjoyment of public or private property or which constitutes a health or safety hazard.

f. The owner must have current state and Town sales tax licenses, a Town business license at such time the Town has business licensing and collect and remit sales taxes and lodging taxes.

SECTION 3
Licenses required.

1. Any property owner who rents out a unit on a short-term basis within the Town of Rico shall be required to obtain a short-term rental license (hereinafter a "Short-term Rental license") for each short-term rental unit from the Town of Rico. Such Short-term Rental license and its corresponding number shall be prominently displayed in all advertising of the unit. The cost of such licensing and renewals shall be \$1,000 per year and may be amended from time to time by the Rico Board of Trustees. Short-term Rental licenses are nontransferable.
2. All Short-term Rental units, except the Short-term Rental of a single room inside an owner-occupied dwelling unit, are required to have and pass a health, safety and welfare inspection by the Town Building Inspector. This inspection will be completed with the initial and renewal licensing processes. *Do we want to make any revisions to this section? BEGINNING APRIL 1, 2022*
3. The total number of Short-term Rental licenses in the Town of Rico shall be limited to ~~5~~ *ALL UNITS MUST BE INSPECTED IF NOT OWNER OCCUPIED* at any ~~10~~ *10* % of one time. The Short-term Rental of a single room inside an owner-occupied dwelling unit shall not be counted toward the maximum number of licenses to be issued. Preference shall be given to renewals of licenses unless there have been violations of this Ordinance or verified complaints by neighbors. If the short term rental license has not been used over the course of the year, the license holder will not be given renewal preference. *Do we want to revise the second sentence in this paragraph?* *ALL AVAILABLE RENTALS IN TOWN OF RICO.*
4. Short-term Rental licenses shall be issued for a period of one year beginning in April and subject to annual renewal in April of every year. *OR ALL AVAILABLE DWELLING UNITS.*

SECTION 4
Licenses fees.

1. The local application and license fees for all Short-term Rental licenses issued, and applications submitted shall be enacted by Rico Board of Trustees Resolution.
2. In addition to the above fees, the applicant/licensee shall reimburse the Town for all out-of-pocket costs incurred during review of the application, or license, including legal fees, consultant fees, postage, notice and publishing costs. The Town shall bill the applicant/licensee upon completion of the application or review process and completion of any conditions thereof. No application or license shall be finally approved until the bill is paid. Each bill shall be overdue 30 days after its date. Bills not paid by the due date shall accrue interest at the rate of 1 1/2 % per month or part thereof.
3. The Town Board may revise such amounts by resolution based on costs incurred by the Town in the administration and enforcement of the Short-term Rental Licensing and related provisions.

Section 5
Supplemental Regulations

1. All Dwelling Units, for Short-term Rental licenses issued shall comply with applicable requirements of Town ordinances, including building and zoning regulations.
2. The Rico Town Manager shall be the local licensing authority for the Town for short-term rental licenses. Applications shall be reviewed by the Town Manager. *Do we want to add a process with the Trustees to appeal licensing decisions? YES.*

**Section 6
Revocation of License**

1. The Town Manager may revoke or suspend a Short-term Rental license. The following shall be prima fade evidence for revocation or suspension of a Short-term Rental license:
 - a. A holder of a Short-term Rental license is violation of the provisions of the permit.
 - b. holder of the Short-term Rental license has violated the rules and regulations for short-term rentals, as established by this Ordinance.
 - c. The holder of the Short-term Rental has failed to remit sales and/or lodging taxes.
2. In the event a licensee wishes to challenge the revocation or a suspension of a license by the Town Manager, they can request, in writing, an administrative hearing before the Town Board within thirty days of the license being revoked or suspended.
3. No license shall be issued to any property owner for whom a license has been revoked, until at least three years has elapsed since revocation.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO
that:

TOWEN OF RICO:

By: _____
Barbara Betts, Mayor

ATTEST:

Linda Yellowman, City Clerk

I AM NOT SATISFIED THAT WE HAVE A
PROPER UNDERSTANDING OF # OF TOTAL
RENTALS AVAILABLE AT PRESENT.
HOW DO OTHER TOWNS KEEP TRACK OF
OWNER OCCUPIED NON-RENTAL DWELLING UNITS
VS. LONG! SHORT TERM RENTAL UNITS?
WILL THIS REALLY HELP WITH WORK FORCE
HOUSING CRISIS.



Kari Distefano <ricocoloradoscanner@gmail.com>

Regarding STR Discussion

1 message

Gretchen Treadwell <gretchwell@gmail.com>

4 August 2021 at 09:11

To: "Ricotownclerk@colorado.gov" <Ricotownclerk@colorado.gov>, Kari Distefano <ricocoloradoscanner@gmail.com>

Hello. Please share with trustees for upcoming STR discussion. The following post appeared on Telluride social media August 3 2021 (the post was made by Erica Gioga). While Rico is not Telluride, the post still shares a relevant perspective on STRs:

My job is representing owners who short term rent their homes. I am not worried about myself or my job, I am worried about the town as a whole with the proposal to reduce STR licenses in town.

Keep in mind, these folks USE their homes and will let them sit dark if not able to rent short term. Some stay 2 weeks, some stay 6 months. Only allowing 400 STR's would severely restrict income for the town and everyone's business. I am sharing a note one of my owners emailed to me and the town but it is up to the Voters.

VOTE NO!

We have owned (omitting address) since 1998. I remember being encouraged to put my unit into the short term rental pool by the powers that be at the time in order to free up bed space for visitors. Now I'm hearing that we may lose our license to rent short term. The prevailing wisdom seems to be that we don't need bed space for visitors but rather long term rental space for residents. The only reason that we ever put our condo into short term rentals was to have the convenience of having our unit maintained so we could come and go several times a year. Between our visits, we were happy to allow other guests to use our unit and provide space and jobs to the local economy. We also benefited from some rental income. The bottom line is that we've used our unit at some point every year since we've owned it.

Please understand something. Taking away our STR license will NOT make our unit available to a long term renter. We have never allowed long term renters and never will. The very idea that restricting STR licenses to create long term rental opportunities for residents is simply absurd. If your goal is to reduce the visitors, local jobs, and local businesses, you are on the right track!