



**Board Meeting Public Comment Q&A**  
**July 24, 2019**

- 1. Some homeowners are experiencing a great deal of additional drainage from other neighborhood homes around them, resulting in standing water, mossy sidewalks and damage to sidewalks/driveways.**
  - A. The vast majority of excess water in lawn areas is due to sump pumps pumping continually into yards, rather than being extended out far enough to direct the water into the street drainage system. Homes at lower elevation levels will experience excess moisture in their yards simply due to these elevation differences. In these cases, it is the homeowner's responsibility to navigate excess drainage out of their lot. Should you choose to make any exterior modifications, please remember to complete an Architectural Review Application to the District to modify the exterior of the home/lot. Keep in mind that you may also need an approval and/or a permit from the City of Arvada to complete this work. All exterior modification applications and information can be found on the Candelas website at [www.candelascommunity.com](http://www.candelascommunity.com)
  - B. If you believe the water flow is originating from the District Tracts irrigation, please reach out to the District Office for investigation and resolution.
  
- 2. The alley lot homes are being over-watered and the park on 95<sup>th</sup> & McIntyre is looking dry.**
  - A. Our landscapers have adjusted the watering schedule to address both issues.
  
- 3. Our design plan was denied because the shed was too large. What are the minimum and maximum size requirements for sheds?**
  - A. The approval of shed size is determined upon the plan, size of yard, and architectural character in line with primary dwelling and Candelas communities. In this homeowner's case, the shed size of 5'x12' or 60 square feet is acceptable, with the addition of an architectural elevation to the plan. This is a drawing of the vertical sides of the proposed structure and is important to include with architectural submittals.
  - B. **3.1.14 Storage Sheds & Accessory Structures**  
Storage sheds that are of a permanent, high quality nature and constructed in a manner that is safe and architecturally compatible are allowed per the following requirements:
    1. They shall be architecturally compatible with the primary house colors, materials, design.

2. They shall be structurally sound and secured to withstand high winds.
3. Whenever practical, they should be concealed or sheltered under walkout decks or adjacent to home.
4. These structures shall be located outside of easements.
5. Meet the City of Arvada's Land Development Code regulations as pertaining to accessory structures including:
  - i. There shall be a maximum of 3 accessory structures permitted on a single lot.
  - ii. Sheds used for storage shall not exceed 16 feet in height.
  - iii. Storage sheds greater than 220 square feet are required to meet the required dimensional standards i.e. setbacks, lot coverage for that zoning district.

**4. When will they replace the dead plants and trees? The fertilizer is staining the sidewalk. How do we stop that?**

- A. Plants and shrubs are replaced upon board approval. We try to plan for and prioritize areas that are noticeably worse than others are. Proposals for this are being gathered for the 2020 budget.
- B. The iron content in fertilizer is what causes the concrete to stain. There aren't any preventative measures that can be taken, but there are concrete rust removers that will clean it off of the sidewalk easily.

**5. The pools are much safer for people with lifeguards on duty. Candelas is located a long way from EMS and not everyone knows CPR. Secondly, communication about decisions like the switch from lifeguards to pool monitors wasn't communicated to homeowners and needs to be improved.**

- A. The Board considered matters relative to retaining lifeguards versus pool monitors at several board meetings prior to the 2019 pool season. Ultimately, as a result of many factors, the board determined pool monitors were an appropriate choice so long as adequate and continued notice of the lack of lifeguards was provided to all pool users. The district keeps posted notice at all times of this fact and notified residents in advance of implementation via eblast, the Candelas website and public meetings of the board of directors.
- B. Both pool monitors and lifeguards may be re-evaluated for the 2020 budget and discussions will be held relative to this matter at public board meetings.

**6. When adding a deck expansion, homeowner would like the option to build masonry to the base of the deck, rather than to the top of the railing of deck, as guidelines state.**

- A. 3.1.4 Column & Railing Details
- B. "..... A masonry base is required for deck columns on walk-out and garden-level lots (deck surface is at least 6" above the adjacent grade) when the lot is immediately adjacent to a public land tract (open space, roads, etc.). This masonry base shall measure a minimum 12" from face of finish material to face of finish material and extend from the ground to above the main level deck railing. Additionally, Columns should reflect the architectural character of the home; hence
- C. This exception was made because the columns to the patio reflect the architectural character of the home.

**7. Can the District work to enforce the Candelas covenants, particularly in regard to the parking of commercial vehicles?**

- A. Because we are a District within the City of Arvada and because the city owns the Candelas streets, sidewalks and parks, their ordinances supersede Candelas covenants where they are different. Their requirements are that you may park on the public streets, but not for longer than 72 hours consecutively in any one place. This policy is also in effect for any type of trailer or commercial vehicle.
- B. If you notice expired tags, flat tires, or other issues with cars parked on the street, you may go to <https://arvada.org/residents/city-neighborhoods/code-enforcement> to submit a request via the Ask Arvada platform. If you are unsure of a City of Arvada code, you may visit <https://arvada.org/city-hall/city-code/municipal-code> to search what the City does and does not allow for any code-related issue.
- C. The District will work with builders within the community improve driving, parking, landscape and other miscellaneous issues.

**8. Homeowner would like to work on forming a working group of residents to become more involved and have more input in the budget and vendor processes.**

- A. Candelas staff will work with legal to come up with some options for homeowners who would like to have more input into Candelas operations.

**9. Request for exemption from requirement to submit a landscape design within 6 months of home purchase.**

**A. Section 3.13 Landscaping**

- Landscaping shall be installed on the side and back yards of each Unit by the Owner thereof (other than the Master Developer or a Builder), on the earlier of: (a) as required by all applicable FDPs; or (b) within one hundred eighty (180) days after acquisition of title to such Unit by the first Owner of such Unit (other than the Master Developer or a Builder) and occupancy of such Unit; subject to delays for any applicable moratorium(s) imposed by the City or any other governmental entity. Landscaping plans must be submitted to the CDRC for review, and the approval of such plans by the Authorized Entity shall be obtained, prior to the installation of landscaping, except where installed by the Master Developer or a Builder. Each Owner shall maintain all landscaping on such Owner's Unit in a neat and attractive condition, including periodic and horticulturally correct pruning, removal of weeds and debris, and replacement of landscaping.
- B. Homeowner would like to delay the first submittal of their landscape plan until the lot that backs up to their home has been permitted. It is an unusual shape and has a utility easement.
  - C. The board approved the request, citing their desire to work with homeowners when they can.

**10. Are the pond aerators going to be repaired or replaced? The walkways of the bridges around the pond need to be trimmed.**

- A. We are in the process of having the compressors diagnosed to determine whether or not our current aerators can be utilized again. Once this work has been completed, a decision as to aerator replacement will be made.
- B. The bridge walkways were trimmed and are clear now.

**11. Do we, as homeowners, have any representation on the board?**

- A. At this time, there is one homeowner on the board. There will be the opportunity for more homeowners to become members of the board in 2020 when two of the existing Directors' terms expire in May of 2020. Additional information to apply for an open seat during the 2020 Election will be dispersed by December 2019.

## **12. Mill Levies Information:**

- 1) **In Section X Part C of the Vauxmont Metropolitan District's Service Plan filing with the State of Colorado and City of Arvada, the District represents that "a mill levy of forty (40) mills will produce revenue sufficient, together with other funds available, to support the District's operations and maintenance and debt service through the bond repayment period." This mill levy representation is based on a debt facility of up to \$450 million as its basis, as noted in Section X Part B. The current debt liability identified in the District's financial disclosures is \$124 million and the current mill levy amount is 77.389, nearly double the amount represented in the Service Plan filing. This appears to either 1) a misrepresentation by the District to the County and City as to the actual mill levy requirements of the District in its filing, 2) a gross mismanagement of funds by the District, or 3) a significant over collection of tax revenue from the residents of Candelas. What is the District's explanation for the significant discrepancy, and what actions are being taken by the District to reduce our mill levy to align with its initial filing representation of forty mills?**

The Service Plan for the District provides for a Debt Service Mill Levy Cap of 50 mills. This Mill Levy Cap may be adjusted to account for changes in the method of calculating assessed valuation after January 1, 2004, so that to the extent possible, actual tax revenues generated by the debt service mill levy are not diminished or enhanced – or, said another way, that the revenues remain neutral as a result of any such changes. There have been two adjustments in the Residential Assessment Ratio since January 2004 which have and will result in adjustments to the Debt Service Mill Levy Cap of the District. For tax collection year 2019, the adjusted Debt Service Mill Levy Cap of the District was 55.278, which is the amount that was imposed by the District for debt service purposes. The legislature approved another adjustment in the Residential Assessment Ratio for tax collection year 2020 and, therefore, the District's Debt Service Mill Levy Cap will be adjusted again for budget year 2020.

The Service Plan does not contain a limitation on the mill levy the District may impose for operations and maintenance purposes. The scope of services of the District has expanded since the date of approval of the Service Plan and the operations mill levy generates the revenue necessary to cover expenses associated with not only the recreation centers, parks and programming, and landscape, streetscape and open space maintenance within the community, but also the general administrative and overhead expenses of the District. Each of these expenses are reviewed as a part of the District's annual budgeting process and regularly throughout the year.

For additional information, we refer you to the District's Website – [www.candelascommunity.com](http://www.candelascommunity.com) – where additional financial information regarding the Districts may be obtained.

- 2) **The District has increased its mill levy from 70 mills to 77.389 since 2016. Due to the increase in home occupancy within the District, the tax revenue to the District increased from \$2,005,027 in 2016 to \$3,619,261 in 2017 (info from your 2017 Financial Audit) and**

**will be \$4,868,253 in 2019 based on Jefferson County Tax Assessment data and the current mill levy. The District has not taken out additional long-term debt facilities since 2015, and its primary increase in true operating expense has been trash collection, which is paid for by the residents outside of mill levy revenue. With over double the revenue, no additional debt obligation, and relatively flat increases in operating expense compared to substantial revenue growth, the increase in mill levy appears to be unwarranted and that the mill levy should actually be trending downward. What is the reason for the mill levy increase?**

The mill levy increase from 70 to 77.389 is actually an adjustment as a result of the legislative change in the Residential Assessment ratio discussed above. The increases in revenue are largely as a result of increases in assessed valuation within the District. Even with the increases in assessed value, revenues of the District have been supplemented with advances from the Developer to cover expenses associated with the provision of the not yet built out community since recreation and maintenance is being provided at generally full build-out levels.

Again, more specific financial information may be obtained from the District's website – [candelascommunity.com](http://candelascommunity.com)

- 3) Colorado Revised Statute 32-1-104.5-1 requires public disclosure and access to the district's annual financial statements and annual financial audit. The 2017 audit is available online; however, no further financial audits have been posted. When will the 2018 financial audit be available to the public?**

The 2018 annual audit of the Districts was approved at the July board meeting, was filed with the requisite State entities, and will be posted on the District website under the District Governance tab.

- 4) Colorado Revised Statute 32-1-1201-3 grants special districts the authority to levy taxes for all real property within the District's service area. Per the area maps included in the service plan filings for the Cimarron Metropolitan District and the Vauxmont Metropolitan District, the residents of Candelas reside in the Vauxmont Metropolitan District, and the Cimarron Metropolitan District's area is a 0.5 acre parcel in the NE part of the community. The 2017 Vauxmont financial audit discloses significant payments in excess of \$1.5 million from Vauxmont to Cimarron Metro District property taxes. Why are residents in the Vauxmont district service area funding payments to the Cimarron Metro District with mill levy revenue, when they do not reside within the Cimarron Metro District service area?**

Historically, Cimarron Metropolitan District has acted in a management capacity for the community to coordinate financing, constructing and providing the public infrastructure and services for the entirety of the community. Cimarron Metropolitan District has also issued debt in order to construct and install public infrastructure to serve the community. The revenues pledged from the District to Cimarron assist in repaying the Debt issued by Cimarron for public infrastructure to serve the community. Cimarron and the District are currently reviewing the outstanding debt of both districts to determine if it is possible and appropriate to refinance all outstanding debt of the districts at a lower interest rate and for the benefit of the districts' constituents.