

Transportation Infrastructure Governance/Funding Entities

| | A | B | C | D | E | F | G | H | I | J | K | L | M | N | O |
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| | | Multi-Government Joint Funding and Construction Agreement | Lead Agency with Financial Contribution Agreement | Project-Specific Special Legislative Entity | Metropolitan Districts | Entity Association of Metropolitan Districts | Public Highway Authority | Regional Transportation Authority | Public Improvement Districts (PIDs) (County) | Local Improvement Districts (LIDs) (County) | General Improvement Districts (GIDs) (Municipality) | Business Improvement Districts (BIDs) | Entity formed by IGA | Regional Service Authorities | Transportation Enterprise |
| 1 | Legal Authorization for Entity | Colo. Const. Art. XIV, § 18(2); §§ 29-1-201 <i>et seq.</i> , C.R.S. | Colo. Const. Art. XIV, § 18(2); §§ 29-1-201 <i>et seq.</i> , C.R.S. | Colorado Constitution; Uniform Election Code of 1992, Articles 1 to 13 of Title 1, C.R.S. | §§ 32-1-101 <i>et seq.</i> , C.R.S. | §§ 32-1-101 <i>et seq.</i> , C.R.S.; Colo. Const. Art. XIV, § 18(2); §§ 29-1-201 <i>et seq.</i> , C.R.S. | §§ 43-4-501 <i>et seq.</i> , C.R.S. | §§ 43-4-601 <i>et seq.</i> , C.R.S. | §§ 30-20-501 <i>et seq.</i> , C.R.S. | §§ 30-20-601 <i>et seq.</i> , C.R.S. | §§ 31-25-601 <i>et seq.</i> , C.R.S. | §§ 31-25-1201 <i>et seq.</i> , C.R.S. | Colo. Const. Art. XIV, § 18(2); §§ 29-1-203.5, C.R.S. | Colo. Const. Art. XIV, § 17; §§ 32-7-101 <i>et seq.</i> , C.R.S. | Colo. Const. Art. X, § 20, §§ 29-1-201 <i>et seq.</i> , C.R.S. |
| 2 | Powers | Powers and responsibilities of participants established in the agreement. No new entity will be formed in this arrangement. Instead multiple governmental entities will enter into an agreement to jointly fund and construct facilities and improvements. The agreement will specify the respective rights and obligations of each party. | Powers and responsibilities of participants established in the agreement. No new entity will be formed in this arrangement. One lead governmental entity will agree to construct facilities and improvements and will enter into an agreement with multiple governmental entities to jointly fund the facilities and improvements. The agreement will specify the respective rights and obligations of each party. | Dependent on legislation | Shall provide two or more of: traffic and safety control devices, street improvements, public transportation. | Any combination of metropolitan districts that are authorized to own and operate streets and other transportation facilities may establish, by IGA, and may include a new political subdivision to effect the development of transportation facilities in whole or in part for the benefit of the inhabitants of such contracting parties or others at the boards discretion. | May finance, construct, operate, or maintain all or a portion of a beltway or other transportation improvements in a metropolitan region which, because of the cost or the location thereof in the jurisdiction of more than one municipality or county, cannot feasibly be financed, constructed, operated, or maintained by a municipality or county acting alone. | To finance, construct, operate, or maintain regional transportation systems within or without the boundaries of the authority | May construct, install, acquire, operate, or maintain any public improvement or service so long as that county that forms the district is authorized to make such improvements or perform such services under the county's home-rule charter, if any, or applicable state law. | May construct, grade, pave, pour, curb, gutter, line, or otherwise improve any street, or to provide street lighting, drainage facilities, or service improvements in the unincorporated area of a county, or within a municipality, with municipality consent. May also construct sidewalks adjacent to any such streets or maintenance roads adjacent to any such drainage facilities. | May acquire, install, construct, operate, or maintain any "public improvement" so long as the municipality forming the district is authorized to perform such service or provide such improvement under the municipality's home rule charter, if any, or under state law. | May acquire, construct, finance, install and operate public improvements, including but not limited to streets, sidewalks, curbs, gutters, pedestrian malls, street lights, drainage facilities, landscaping, decorative structures, identification signs, traffic safety devices, bicycle paths, off-street parking facilities, benches, restrooms, information booths, public meeting houses, and relocating utility lines. | Any combination of municipalities, special districts, or other political subdivisions of the state that are authorized to own and operate streets and other transportation facilities may establish, by IGA, a new political subdivision to effect the development of transportation facilities; the entity may exercise any general power of a special district specified in Part 10 of Article 1 of Title 32, so long as each party to the contract may lawfully exercise that power | Public surface transportation | Generally, powers match those of county, municipality, or all members of a combination of same. Enterprise may be established to pursue transportation. |
| 3 | Governing Body | Each party to agreement will be governed by its respective board or council in performing their respective obligations and enforcing their respective rights under the agreement | Each party to agreement will be governed by its respective board or council in performing their respective obligations and enforcing their respective rights under the agreement | Dependent on legislation | Board of Directors (5 or 7 member board, staggered terms, elected by eligible electors of the district in May of even years) | Board of Directors (composition, term of office, and selection will be dependent on terms of IGA) | Board of Directors (at least one elected official from each member of combination creating PHA. Composition, term of office and selection will be dependent on terms of establishing contract) | Board of Directors (at least one elected official from each member of combination creating RTA. Composition, term of office, and selection will be dependent on terms of establishing contract) | County governing board as ex officio board | County or City and County governing board or a governing-board-appointed independent board of directors | Municipality governing board | Municipality governing board as ex officio board; governing-board-appointed independent board of directors; or elected by district electors | Board of Directors (composition, term of office and selection will be dependent on terms of IGA) | 15, 9, or 5 member board (depending on population) elected by eligible electors | Board of Directors as provided for in the enterprise resolution or agreement |
| 4 | Weighted Voting for Governing Body | Not Available | Not Available | Dependent on legislation | No | Yes, if provided for in contract establishing Association | Yes, if provided for in contract establishing Authority | Yes, if provided for in contract establishing Authority | No | No | No | No | Yes, if provided for in the contract establishing entity | No | Yes, if provided for |
| 5 | Condemnation | Not Available, may possibly be exercised by participating governments | Not Available, may possibly be exercised by participating governments | Dependent on legislation | Yes | Not Available, may possibly be exercised by participating governments | Yes | Yes | Yes | No | Yes | No | No | Yes | No |
| 6 | Concession/P3 | No | No | Dependent on legislation | Likely | Unlikely | Yes | Yes | Yes | No | No | No | Likely | Maybe | Yes |
| 7 | Operate and Maintain Facilities | Agreement may provide for O&M or for turn over to appropriate party | Agreement may provide for O&M or for turn over to appropriate party | Dependent on legislation | Yes | Agreement may provide for O&M or for turn over to appropriate party | Yes | Yes | Yes | No; dissolution upon completion and payment of debt | Yes | Yes | Agreement may provide for O&M or for turn over to appropriate party | Yes | Yes |
| 8 | Ad Valorem Property Taxes | Not Available, may be exercised by participating governments | Not Available, may be exercised by participating governments | Dependent on legislation | Yes | Not Available, may be exercised by participating governments | No | Yes | Yes | No | Yes | Yes | No | Yes | No |
| 9 | Visitor Benefit Tax | Not Available, may be exercised by participating governments | Not Available, may be exercised by participating governments | Dependent on legislation | No | No | No | Yes | No | No | No | No | No | No | No |
| 10 | Assess Costs | Not Available, may be exercised by participating governments | Not Available, may be exercised by participating governments | Dependent on legislation | Yes | Not Available, may be exercised by participating governments | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | No |
| 11 | Charges, Rates, Tolls | Not Available, may be exercised by participating governments | Not Available, may be exercised by participating governments | Dependent on legislation | Yes | Yes | Yes | Yes | Yes | No | Yes | Yes | Yes | Yes | Yes |
| 12 | Vehicle Registration Fee | Not Available, may be exercised by participating governments | Not Available, may be exercised by participating governments | Dependent on legislation | No | No | Yes | Yes | No | No | No | No | No | No | No |
| 13 | General Obligation Bonds | Not Available, may be exercised by participating governments | Not Available, may be exercised by participating governments | Dependent on legislation | Yes | Not Available, may be exercised by participating governments | No | Yes | Yes | No | Yes | Yes | No | Yes | No |
| 14 | Revenue Bonds | Not Available, may be exercised by participating governments | Not Available, may be exercised by participating governments | Dependent on legislation | Yes | Not Available, may be exercised by participating governments | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| 15 | Special Assessment Bonds | Not Available, may be exercised by participating governments | Not Available, may be exercised by participating governments | Dependent on legislation | No | Not Available, may be exercised by participating governments | No | No | Yes | Yes | Yes | Yes | No | Yes | No |
| 16 | Sales Tax | Not Available, may be exercised by participating governments | Not Available, may be exercised by participating governments | Dependent on legislation | No | No | No | Yes | No | Yes, limited | No | No | No | No | No |
| 17 | Formation of Entity | Not applicable | Not applicable | General Assembly legislation with Governor approval, Citizen initiative or legislative referendum | Petition & Vote | Intergovernmental Agreement | Establishing Contract & Certificate from Division of Local Government | Establishing Contract & Vote | Petition and Resolution | Petition or Resolution | Petition and Ordinance | Petition and Ordinance | Intergovernmental Agreement | Petition or Resolution of majority of counties in territory, organization commission, and vote | Intergovernmental Agreement |
| 18 | Cooperative Effort with CDOT/HPTE | CDOT/HPTE could be party to agreement | CDOT/HPTE could be party to agreement | Yes, through contract with special legislative entity | Yes | Yes, through contract with new political subdivision that is created | Yes | Yes | Yes, through County | Yes, through County or City & County | Yes, through municipality | Yes, through municipality | Yes, through contract with new political subdivision that is created | Yes | Yes, by intergovernmental agreement or coordinated effort |
| 19 | Cooperative Effort with RTD | RTD could be party to agreement | RTD could be party to agreement | Yes, through contract with special legislative entity | Yes | Yes, through contract with new political subdivision that is created | Yes | Yes | Yes, through County | Yes, through County or City & County | Yes, through municipality | Yes, through municipality | Yes, through contract with new political subdivision that is created | Yes | Yes, by intergovernmental agreement or coordinated effort |
| 20 | 63-20 PIC Conduit Financing | Not collectively; one entity may use | Not collectively; one entity may use | Dependent on legislation; if entity is a political subdivision, yes | Yes | Not collectively; one entity may use | Yes | Yes | No; forming County may use | No; forming County or City & County may use | No; forming municipality may use | Yes | Yes | Yes | Probably not, although founding entity (IES) may use |
| 21 | This chart is intended to provide an overview of various entities and agreements that may be entered into to facilitate regional transportation projects in Colorado, excluding federal, state, county, and municipal sources. As such, this chart necessarily abbreviates some information and makes certain assumptions. Laws and their interpretations may change. Therefore, this outline should be used in consultation with legal counsel. | | | | | | | | | | | | | | |