

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 70-R-2017**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO APPROVING THE
SERVICE PLAN FOR AND INTERGOVERNMENTAL AGREEMENT WITH
THE DOUTHIT METROPOLITAN DISTRICT TOWN OF MEAD, COUNTY OF
WELD, COLORADO**

WHEREAS, Douthit Longmont, LLC, the 100% fee owner of the property within the Douthit development, Town of Mead (the “Proponent” and the “Project,” respectively), has proposed the organization of the Douthit Metropolitan District to provide certain public improvements and services for the benefit of the Project; and

WHEREAS, a service plan for the proposed District, submitted on July 28, 2017 and resubmitted on August 31, 2017 (the “Service Plan”), has been submitted by the Proponent in accordance with the provisions of Section 32-1-204.5, C.R.S., containing the information required by Section 32-1-202(2), C.R.S.; and

WHEREAS, notice of the date, time, location and purpose of the aforesaid hearing was duly published in the *Longmont Times-Call*, a newspaper of general circulation, on August 12, 2017; notice was provided to the Division of Local Government in the Department of Local Affairs of the name and type of the special district; notice of the date, time and location of the hearing was provided to the Petitioners and to the governing body of each municipality and of each special district which had levied an *ad valorem* tax within the next preceding tax year and which had boundaries within a radius of three (3) miles of the proposed District, as required by Section 32-1-204(1), C.R.S.; and notice of the time, date, location and purpose of the District was not required to be sent to property owners within the District via letter mailing pursuant to Section 32-1-204(1.5), C.R.S. because the Petitioners own 100% of the property within the proposed District; and

WHEREAS, the Board of Trustees has reviewed the Service Plan and considered evidence in support of the formation of the District as set forth in the Service Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Mead, Colorado, Weld County, Colorado, as follows:

Section 1. The Board of Trustees has authority to approve the Service Plan pursuant to the provisions of Section 32-1-204.5, C.R.S.

Section 2. The Service Plan contains the information required by Section 32-1-202(2), C.R.S.

Section 3. Based on the contents of the Service Plan and other evidence presented at the meeting of the Board of Trustees held on September 11, 2017, and in accordance with Section 32-1-203(2), C.R.S., the Board of Trustees hereby finds and determines as follows:

- a. There is sufficient existing and projected need for organized service in the area to be served by the proposed District;
- b. The existing service in the area to be served by the proposed District is inadequate for present and projected needs;
- c. The proposed District is capable of providing economical and sufficient service to the area within its proposed boundaries; and
- d. The area to be included within the proposed District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

Section 4. The Service Plan for the District is hereby approved, subject to the following, which, by agreement with the Proponent as stated on the record of the hearing, are deemed modifications to the Service Plan pursuant to Section 32-1-204.5(1)(c), C.R.S.:

- a. The funding of any capital improvements other than those related to parks and recreation, safety protection, sanitation, solid waste disposal, street improvements, television relay and translation, transportation, and water shall be deemed a material modification of the Service Plan under Section 32-1-207, C.R.S.
- b. The funding of any services other than for those related to mosquito control, parks and recreation, safety protection, street landscaping, television relay and translation, and transportation shall be deemed a material modification of the Service Plan under Section 32-1-207, C.R.S.
- c. The District's Board of Directors shall execute the attached Intergovernmental Agreement at the organizational meeting or within 60 days after the entry of the decree of formation of the District, whichever is first, and shall file an executed duplicate original of such executed agreement with the Town Clerk within 10 days of the date of execution.

Section 5. The Board of Trustees hereby approves the Intergovernmental Agreement set forth in Exhibit D of the Service Plan and authorizes the execution of the Intergovernmental Agreement, which shall be approved and executed by the District upon organization.

Section 6. This Resolution shall be effective upon adoption.

Section 7. Approval of this Resolution is not a waiver of, nor a limitation upon any power that the Town is legally permitted to exercise with respect to the property subject to the proposed District.

Section 8. The Town Clerk shall certify to the passage of this Resolution and make not less than one copy of the adopted Resolution available for inspection during regular business hours.

INTRODUCED, READ, PASSED AND ADOPTED this 11th day of September, 2017.

ATTEST:

TOWN OF MEAD

By: Mary Esthert
Mary E. Strutt, Town Clerk

Gary R. Shields
Gary R. Shields, Mayor

