

RESOLUTION NO. 18-061, Series of 2018

TITLE: A RESOLUTION TO APPROVE THE SERVICE PLAN FOR MEADOWLARK METROPOLITAN DISTRICT

WHEREAS, THE TOWN COUNCIL OF PARKER FINDS:

A. That a Service Plan ("Service Plan") for the organization of the Meadowlark Metropolitan District (the "District") was filed in the office of the Town Clerk of the Town of Parker; and

B. That pursuant to statute and the Town of Parker Municipal Code, the Town Council has authority to review the Service Plan with reference to need, service and economic feasibility; and

C. That the Town Council has reviewed the Service Plan, the evidence and related exhibits, and has determined that the same meets the municipal approval criteria under the Special District Act and Town of Parker Municipal Code, and therefore, has determined to adopt a resolution of conditional approval of the Service Plan for the proposed District.

Upon consideration of the Service Plan for the proposed District, and evidence at the public hearing on the Service Plan, the Town Council does find, determine and declare, as required by Section 32-1-203(2), C.R.S., and the Town of Parker Municipal Code, as follows:

A. That there is sufficient existing and projected need for organized service in the area to be serviced by the proposed District;

B. That the existing service in the area to be served by the proposed District is inadequate for present and projected needs;

C. That the proposed District is capable of providing economical and sufficient service to the area within its proposed boundaries;

D. That the area to be included in the proposed District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis;

E. That adequate service is not or will not be available to the area through the Town or other existing quasi-municipal corporations, including existing districts, within a reasonable time and on a comparable basis;

F. That the facility and service standards of the proposed District are compatible with the facility and service standards of the Town;

G. That the proposal is in substantial compliance with the Town's master plan;

H. That the proposal is in substantial compliance with the county, regional or state long-range water quality management plan for the area;

I. That the creation of the District will be in the best interests of the area proposed to be served;

J. That the creation of the District will be in the best interests of the residents or future residents of the area proposed to be served;

K. That the proposed Service Plan is in substantial compliance with Sections 10.11.010, *et seq.*, of the Parker Municipal Code; and

L. That the creation of the District will not foster urban development that is remote from or incapable of being integrated with existing urban areas, or place a burden on the Town or adjacent jurisdictions to provide urban services to residents of the proposed District.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby determines that upon consideration of the Service Plan ("Service Plan"), and all evidence disclosed at the public hearing on the Service Plan, the Service Plan for the Meadowlark Metropolitan District (the "District") shall be and the same is hereby approved, subject to the conditions set forth in Section 2, below.

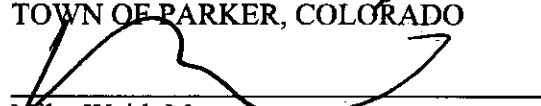
Section 2. The Town Council of the Town of Parker, pursuant to Section 32-1-204.5(1)(c), C.R.S., and the Parker Municipal Code, hereby imposes the following conditions upon its approval of the Service Plan:

a. Prior to the hearing date set by the District Court of Douglas County, pursuant to Section 32-1-304, C.R.S., the complete, fully and properly executed originals of the following documents shall be filed with the Town Clerk for the proposed District: the property owners' consent(s); the engineer's stamped opinion of probable costs; the final Financial Plan and certification; and the Project Developer's indemnification letter that are required under the Service Plan and set forth in Exhibits C-2, D, F and G to the Service Plan. The Developer's indemnification letter shall be executed by all owners of the property within the Initial District Boundaries, which owners constitute the Developer and proponents of the District.


b. At their first meeting after their organizational election, the District shall execute their District's indemnification letter and the Intergovernmental Agreement with the Town ("IGA") that are required under the Service Plan and set forth in Exhibits G and H to the Service Plan and promptly deliver executed originals thereof to the Town.

RESOLVED AND PASSED this 4th day of September, 2018.

TOWN OF PARKER, COLORADO


Mike Waid, Mayor

ATTEST:


Carol Baumgartner, Town Clerk