

RESOLUTION NO. R-019-152
THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

**A RESOLUTION DISAPPROVING THE SERVICE PLAN OF
REAL DOUGLAS METROPOLITAN DISTRICT**

WHEREAS, on June 24, 2019, a service plan for the proposed Real Douglas Metropolitan District ("Service Plan") was filed with the Douglas County Clerk and Recorder ("Clerk"), and the Clerk, on behalf of the Board of County Commissioners ("Board"), mailed a Notice of Filing of Special District Service Plan to the Division of Local Government in the Department of Local Affairs on June 29, 2019; and

WHEREAS, on August 19, 2019, the Douglas County Planning Commission recommended denial of the Service Plan to the Board; and

WHEREAS, on September 10, 2019, the Board set a public hearing on the Service Plan for September 24, 2019 ("Public Hearing"), which was properly continued to November 20, 2019, and ratified: (1) publication of the notice of the date, time, location and purpose of such Public Hearing, which was published in *The Douglas County News-Press* on August 29, 2019; and (2) notice of the date, time and location of the Public Hearing which was mailed on August 26, 2019, to the governing body of the existing municipalities and special districts which have levied an *ad valorem* tax within the next preceding tax year and which have boundaries within a radius of three miles of the proposed boundaries of Real Douglas Metropolitan District ("District") and, on August 26, 2019, to the petitioners and to the property owners, pursuant to the provisions of § 32-1-204(1.5), C.R.S.; and

WHEREAS, on September 24, 2019, a Public Hearing on the Service Plan was opened and properly continued to November 12, 2019 and December 4, 2019 at which time all interested parties, as defined in § 32-1-204, C.R.S., were afforded an opportunity to be heard, and all testimony and evidence relevant to the Service Plan and the organization of the proposed District was heard, received and considered.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO, THAT:

Section 1. The Board does hereby determine that all procedural requirements of §§ 32-1-201, *et seq.*, C.R.S., relating to the Service Plan have been fulfilled and that the Board has jurisdiction in the matter.

Section 2. The Board does hereby find:

(a) that testimony or evidence is not sufficient at this time that the proposed District is capable of providing economical and sufficient service to the area within the proposed boundaries; and

(b) that testimony or evidence is not sufficient at this time 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; and

(c) that testimony or evidence is not sufficient at this time that the creation of the proposed District will be in the best interests of the area proposed to be served. and

(d) that the Service Plan, based upon the statements set forth in the Service Plan and upon all evidence presented at the Public Hearing on the Service Plan, does not meet all conditions and requirements of §§ 32-1-201, *et seq.*, C.R.S.

Section 3. The Board hereby disapproves the Service Plan.

PASSED AND ADOPTED this 4th day of December, 2019, in Castle Rock, Douglas County, Colorado.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

BY:



ROGER A. PARTRIDGE, Chair

ATTEST:



KRISTIN RANDLETT, Clerk to the Board

