

**RESOLUTION NO. 23-068, Series of 2023**

**TITLE: A RESOLUTION TO APPROVE THE SERVICE PLAN FOR KIME RANCH METROPOLITAN DISTRICT**

**WHEREAS**, the proponents for the proposed Kime Ranch Metropolitan District (the “District”), located in the Town of Parker, Colorado (the “Town”), has submitted to the Town Council of the Town a proposed form of Service Plan (the “Service Plan”) for the creation of the District; and

**WHEREAS**, the Town, pursuant to Section 32-1-101, *et seq.* of the Colorado Revised Statutes (the “Special Districts Act”) and Chapter 10.11 of the Town of Parker Municipal Code (the “Code”), has the authority to approve service plans for metropolitan districts that are organized within the Town’s boundaries; and

**WHEREAS**, 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 the Code, and therefore, has determined to adopt a resolution of approval of the Service Plan for the District; and

**WHEREAS**, a copy of the Service Plan is attached hereto as **Exhibit 1** and incorporated herein by reference; and

**WHEREAS**, notice of the public hearing before the Town Council for its consideration of the Service Plan was duly published in the *Douglas County News-Press* on July 27, 2023, in accordance with the Special Districts Act, as evidenced by the Affidavit of Publication attached hereto as **Exhibit 2** and incorporated herein by reference; and

**WHEREAS**, in accordance with the Special Districts Act, notice of the hearing before the Town Council was also duly mailed by first class mail on July 24, 2023, to all property owners within the boundaries of the Districts, to interested persons, defined as follows: (1) the Colorado Division of Local Government; and (2) the governing body of any municipality or special district which has levied an ad valorem tax within the next preceding tax year, and which has boundaries within a radius of three miles of the District boundaries, as evidenced by the Certificate of Mailing of Notice of Hearing to Three Mile Radius Entities attached hereto as **Exhibit 3** and incorporated herein by reference; and

**WHEREAS**, the boundaries of the District are wholly contained within the boundaries of the Town; and

**WHEREAS**, pursuant to the provisions of the Special Districts Act and the Code, the Town Council held a public hearing on the Service Plan on August 21, 2023; and

**WHEREAS**, the Town Council considered the Service Plan, and all other testimony and evidence presented at said hearing.

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

Section 1. The Town Council hereby determines that the hearing before the Town Council was open to the public; all interested parties were heard or had the opportunity to be heard; and all relevant testimony and evidence submitted to the Town Council was considered.

Section 2. The Town Council hereby determines that the requirements of the Special Districts Act and the Code, relating to the filing of the Service Plan for the District, and the requirements of Section 32-1-204, C.R.S., relating to notice of the hearing by the Town Council, and the requirements of the Special Districts Act and the Code, relating to the approval by the Town Council, have been fulfilled.

Section 3. Upon consideration of the Service Plan for the 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, C.R.S. and the Code, as follows:

1. There is sufficient existing and projected need for organized service in the area to be serviced by the District;
2. That the existing service in the area to be served by the District is inadequate for present and projected needs;
3. That the District is capable of providing economical and sufficient service to the area within its boundaries;
4. That the area included in the District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis
5. 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;
6. That the facility and service standards of the District are compatible with the facility and service standards of the Town;
7. That the Service Plan is in substantial compliance with the Town's master plan;
8. That the Service Plan is in substantial compliance with the county, regional or state long-range water quality management plan for the area;
9. That approval of the Service Plan for the District will be in the best interests of the area to be served
10. That approval of the Service Plan for the District will be in the best interests of the residents or future residents of the area proposed to be served;

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

12. That the approval of the Service Plan for 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 District.

Section 4. The Town Council hereby finds that approval of the Service Plan is in the best interests of the property to be served, the Town and the District.

Section 5. The Town Council hereby approves the Service Plan for the District as submitted.

Section 6. A certified copy of this Resolution shall be filed in the records of the Town and the Douglas County Clerk and Recorder.

RESOLVED AND PASSED this 21<sup>st</sup> day of August, 2023.

TOWN OF PARKER, COLORADO

  
\_\_\_\_\_  
Jeff Toborg, Mayor

ATTEST:

  
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Chris Vanderpool, Town Clerk