

2023-41

A RESOLUTION

APPROVING THE SERVICE PLAN FOR INDIGO AT RED ROCKS METROPOLITAN DISTRICT

WHEREAS, a Service Plan ("Service Plan") for the proposed Indigo at Red Rocks Metropolitan District ("District") has been submitted to the City Council of the City of Lakewood ("City") as required by C.R.S. § 32-1-204.5;

WHEREAS, the City Council held a public hearing on the Service Plan for the District on July 24, 2023, consistent with C.R.S. § 32-1-204;

WHEREAS, notice of the hearing before the City Council was duly published in a newspaper of general circulation at least twenty (20) days in advance of the hearing consistent with C.R.S. § 32-1-204;

WHEREAS, notice of the hearing before the City Council was provided to the petitioners, and the governing body of each municipality or special district that has levied an ad valorem tax within the preceding tax year and that has boundaries within a radius of three miles of the proposed special district boundaries in advance of the hearing consistent with C.R.S. § 32-1-204;

WHEREAS, notice of the Public Hearing was published on the official City website at least ten (10) days prior to the public hearing;

WHEREAS, the City Council has considered the Service Plan and all other testimony and evidence presented at the hearing; and

WHEREAS, the City Council finds that the Service Plan should be approved unconditionally, as permitted by C.R.S. §§ 32-1-203(2) and 32-1-204.5(1)(a).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

Section 1. The City Council hereby determines that all the requirements of Title 32, Article 1, Part 2, C.R.S., as amended, relating to the filing of the Service Plan for the District have been fulfilled and that notice of the hearing was given in the time and manner required by law.

Section 2. The City Council further determines that all pertinent facts, matters, and issues were submitted at the public hearing, that all interested parties were heard or had the opportunity to be heard and that evidence satisfactory to the City Council of each of the following was presented:

(a) There is sufficient existing and projected need for organized service in the area to be serviced 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;

(d) 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) Adequate service is not, or will not be, available to the area through the City or other existing quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis;

(f) The facility and service standards of the proposed District are compatible with the facility and service standards of the City and each municipality which is an interested party under C.R.S. § 32-1-204;

(g) The proposal is in substantial compliance with the City's Comprehensive Plan;

(h) The proposal is in compliance with any duly adopted City, regional, or state long-range water quality management plan for the area;

(i) The creation of the proposed District will be in the best interests of the area proposed to be served; and

(j) The Service Plan, based upon the statements set forth in the Service Plan and upon all evidence presented at the hearing on the Service Plan, meets all conditions and requirements of Sections 32-1-201, *et seq.*, C.R.S.

Section 3. The City Council hereby approves the Service Plan for the District as submitted.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

INTRODUCED, READ, AND ADOPTED, by a vote of ___ for and ___against, at a hybrid regular meeting of the Lakewood City Council held on July 24, 2023, at 7 o'clock p.m. at Lakewood City Hall, 480 South Allison Parkway, Lakewood, Colorado.

Adam Paul, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney