

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 987**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, AMENDING
SECTION 12-2-20 OF THE *MEAD MUNICIPAL CODE* REGARDING
CONTENTS OF A PROPOSED SERVICE PLAN**

WHEREAS, the Board of Trustees desires to amend certain provisions of Section 12-2-20 of the *Mead Municipal Code* (“MMC”) regarding contents of a proposed service plan; and

WHEREAS, a legislative redline of the proposed amendments to Sec. 12-2-20 of the MMC is attached to this Ordinance as **Exhibit A** and is incorporated herein by reference; and

WHEREAS, the Board of Trustees finds that adopting the revised requirements for contents of a proposed service plan is necessary to protect the public health, safety and welfare of current and future residents of the Town of Mead.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. The MMC is hereby amended as reflected in the legislative redlines attached hereto as **Exhibit A**.

Section 3. Effective Date. This Ordinance shall be published and become effective as provided by law.

Section 4. Remaining provisions. Except as specifically amended hereby, all other provisions of the MMC shall continue in full force and effect.

Section 5. Codification Amendments. The codifier of the MMC is hereby authorized to make such numerical, technical and formatting changes as may be necessary to incorporate the provisions of this ordinance within the MMC.

Section 6. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 7. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

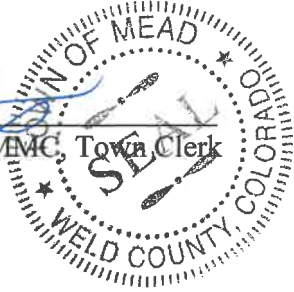
Section 8. Certification. The Town Clerk shall certify to the passage of this Ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 31ST DAY OF JANUARY, 2022.

ATTEST:

By: _____

Mary E. Strutt, MEMC, Town Clerk



TOWN OF MEAD

By: _____

Colleen G. Whitlow, Mayor

EXHIBIT A

Text Amendments to Sec. 12-2-20 of the Mead Municipal Code

Proposed additions are depicted in **red and underline**. Proposed deletions are depicted in strike through. All other provisions not specified are to remain valid and in effect.

Sec. 12-2-20. Contents of proposed service plan.

- (a) Any proposed service plan shall substantially comply with the model service plan.
- (b) In addition to the requirements of Section 32-1-202, C.R.S., the proposed service plan shall include the following:
 - (1) The maximum debt service mill levy that the district shall be permitted to impose upon taxable property within the boundaries of the proposed district to finance public improvements.
 - (2) The total operating mill levy that the district shall be permitted to impose upon taxable property within the boundaries of the proposed district to fund administrative, operating, and facilities maintenance expenses, including the repayment of any advances provided to the district for such purposes.
 - (3) The total aggregate mill levy that the district shall be permitted to impose, including the maximum debt service mill levy and maximum operating mill levy.
 - (4) The capital plan, including:
 - a. A detailed list of the public improvements to be developed by the district, supported by an engineering or architectural survey;
 - b. A good faith estimate of the cost of the public improvements; and
 - c. A pro forma capital expenditure plan correlating expenditures with development.

The public improvements described in the capital plan may be modified in an intergovernmental agreement with the Town, and may differ from the capital plan without constituting a material modification of the service plan. The capital plan shall identify the total cost of the public improvements, and any contingency amount included in the capital plan shall not exceed ten percent (10%). Costs of required public improvements that cannot be financed by the district within the parameters of the service plan and the financial capability of the district are expected to be financed by the developer of the project. The service plan shall clearly identify the total debt limitation of the district, which shall not exceed the total cost of the public improvements identified in the capital plan.
 - (5) Required imposition of the Town O&M Mill Levy.
 - (6) The form of Town-District IGA as an exhibit, including language requiring the imposition, collection and remittance of the revenues generated by the Town O&M Mill Levy to the Town.
 - (7) A requirement that the district Board approve the Town-District IGA no later than ninety (90) days following the date on which the Weld County District Court has entered its order declaring the district organized.

- (8) A financial plan, including reference to the Town O&M Mill Levy and detailed projections of the revenue to be generated by the imposition of the Town O&M Mill Levy for a minimum period of thirty (30) years following the year in which the service plan is submitted.
- (9) A limitation that the district shall not impose a levy for repayment of any and all debt, or use the proceeds of any mill levy for repayment of debt, on any single property developed for residential uses that exceed thirty (30) years after the year of the initial imposition of such mill levy unless a majority of the members of the Board are residents of such district and have voted in favor of a refunding of part or all of the debt and such refunding will result in a net present value savings as set forth in Section 11-56-101, et seq., C.R.S. The thirty (30) year limitation set forth in this subsection (9) may be extended to a maximum of forty (40) years for a service plan which proposes to provide extraordinary public benefits to the Town, including but not limited to the construction of critical off-site regional public improvements, the construction of extraordinary recreational or open space improvements, or the construction of public infrastructure that will strengthen employment opportunities within Town boundaries or support the expansion of the Town's retail tax base.
- (10) A limitation that the district shall not issue bonds that have a maturity date of more than 30 years from the initial year of bond issuance.
- ~~(1011)~~ A prohibition on the exercise of the district's powers of eminent domain and dominant eminent domain against Town-owned or Town-leased property except with prior written consent by the Board of Trustees.
- ~~(112)~~ The form of written disclosure notice, as required by Section 12-2-70 below. The disclosure notice shall be attached as an exhibit to the proposed service plan.