

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 59-R-2022**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO,
APPROVING WITH CONDITIONS THE CONSOLIDATED SERVICE PLAN
FOR TURION SOUTH METROPOLITAN DISTRICT NOS. 1-10, AND
AUTHORIZING EXECUTION OF THE INTERGOVERNMENTAL
AGREEMENT BETWEEN THE TOWN AND THE TURION SOUTH
METROPOLITAN DISTRICTS**

WHEREAS, Front Range Investment Holdings, LLC (the “Proponent”), the 100% fee owner of the property within the development known as Turion South, Town of Mead, Colorado (the “Project”), has proposed the organization of the Turion South Metropolitan District Nos. 1-10 (“Districts”) to provide certain public improvements and services for the benefit of the Project; and

WHEREAS, a service plan for the proposed Districts (the “Service Plan”) was originally submitted by the Proponent to the Town on May 10, 2022, in accordance with the applicable provisions of Chapter 12 of the *Mead Municipal Code* (“MMC”); and

WHEREAS, the Districts’ initial boundaries will include approximately 595 acres, generally located northeast of the intersection of Weld County Road (WCR) 38 and Interstate 25, with a potential Inclusion Area of 1,604 acres, as more particularly shown and described in Exhibits B-1 through B-3 of the Service Plan (“Property”); and

WHEREAS, a copy of the Service Plan is attached to this Resolution as ATTACHMENT A; and

WHEREAS, the Proponent has submitted a Letter of Intent dated August 1, 2022 (“Letter of Intent”) as required by MMC Section 12-2-10(e); and

WHEREAS, in accordance with MMC Section 12-2-40, the Proponent has caused notice of the date, time, location and purpose of the public hearing regarding the consideration of the Service Plan to be duly published in the *Longmont Times-Call*, a newspaper of general circulation, on July 20, 2022; has caused such notice to be provided to the Division of Local Government in the Department of Local Affairs; and has caused notice to be provided to the governing body of each municipality and of each special district which has levied an *ad valorem* tax within the next preceding tax year and which has boundaries within a radius of three (3) miles of the proposed Districts; and

WHEREAS, the Proponent has filed a publisher’s affidavit and certificate of mailing regarding the aforementioned public notices to be filed with the Town Clerk; and

WHEREAS, the Board of Trustees has reviewed the Service Plan and Letter of Intent and considered evidence in support of the approval or conditional approval of the Service Plan.

THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Mead, Colorado as follows:

Section 1. The Board of Trustees has authority to approve the Service Plan without condition or modification, deny the Service Plan, or conditionally approve the Service Plan pursuant to MMC Section 12-2-50.

Section 2. Based on the contents of the Service Plan and other evidence presented at the public hearing of the Board of Trustees held on August 8, 2022, and in accordance with MMC Section 12-2-50, the Board of Trustees hereby finds and determines as follows:

- a. There is sufficient existing and projected need for organized service in the area to be served by the proposed Districts;
- b. The existing service in the area to be served by the proposed Districts is inadequate for present and projected needs;
- c. The proposed Districts are capable of providing economical and sufficient service to the area within its proposed boundaries; and
- d. The area to be included within the proposed Districts has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.
- e. The Service Plan is in substantial compliance with Chapter 12 of the MMC, and is in substantial compliance with provisions of the Town's model service plan, as required in accordance with MMC Section 12-2-20.

Section 3. The Service Plan for the Districts in the form attached to this Resolution as ATTACHMENT A is hereby approved, subject to the following conditions:

- a. The Districts' Boards of Directors shall execute the Intergovernmental Agreement (in substantially the form attached as Exhibit C to the Service Plan) within 90 days after the entry of the decree of formation of the Districts and shall file an executed duplicate original of such executed Intergovernmental Agreement with the Town Clerk within ten (10) days of the date of execution.
- b. The Proponent shall cause to be provided to the Town a copy of the organizational election ballot questions and ballot issues no later than August 20, 2022, in compliance with the requirement set forth in MMC Section 12-2-60, which states that the Districts/Proponents shall provide the draft organizational election ballot questions and ballot issues to the Town Manager, with a copy to the Town Attorney, at least twenty (20) days prior to the statutory ballot certification deadline.

Section 4. The Board of Trustees hereby approves the Intergovernmental Agreement in substantially the form attached as Exhibit C to the Service Plan and: (a) authorizes the Mayor or Town Manager, in consultation with the Town Attorney, to make such other changes as may be needed to the Intergovernmental Agreement in order to correct any nonmaterial errors or language; and (b) authorizes the Mayor to execute the Intergovernmental Agreement on behalf of the Town following approval as to form by the Town Attorney and following the date on which the Districts' Boards of Directors has caused an executed duplicate original of the Intergovernmental Agreement to be filed of record with the Town Clerk.

Section 5. Approval of this Resolution is not a waiver of, nor a limitation upon any power that the Town is legally permitted to exercise with respect to the property subject to the proposed Districts.

Section 6. The Town Clerk shall certify to the passage of this Resolution and make not less than one copy of the adopted Resolution available for inspection during regular business hours.


Section 7. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining issues of this Resolution.

Section 8. **Effective Date.** This Resolution shall take effect upon its approval by the Board of Trustees.

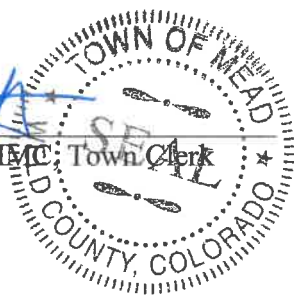
INTRODUCED, READ, PASSED AND ADOPTED THIS 8TH DAY OF AUGUST, 2022.


ATTEST:

TOWN OF MEAD:



Mary E. Strutt, MEC, Town Clerk





Colleen G. Whitlow, Mayor

ATTACHMENT A

Consolidated Service Plan for Turion South Metropolitan District Nos. 1-10

[Attachment follows.]