

**RESOLUTION NO.**

**18-21**

**TITLE: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HUDSON, COLORADO, APPROVING THE SERVICE PLAN FOR ANDREWS FARM METROPOLITAN DISTRICT NOS. 1 AND 2**

WHEREAS, Section 32-1-204.5(1), C.R.S., provides that no special district shall be organized if located wholly within the boundaries of a municipality, except upon adoption of a resolution approving the Service Plan of the proposed special district;

WHEREAS, a service plan has been submitted to the Town Council (the "Town Council") of the Town of Hudson (the "Town") for the proposed Andrews Farm Metropolitan District Nos. 1 & 2 (the "Districts") pursuant to part 2, article 1, title 32, C.R.S., a copy of which is attached hereto as Exhibit A and incorporated by this reference (the "Service Plan");

WHEREAS, the territory of the proposed Districts are located wholly within the boundaries of the Town of Hudson;

WHEREAS, notice of the hearing before the Town Council was also duly mailed by first class mail on July 25, 2018 to interested persons, defined as follows: (1) the Colorado Division of Local Government; (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 proposed District' boundaries; and (3) all property owners within the boundaries of the District, as evidenced by the Certificate of Publication and Mailing Notice of Town Council Public Hearing in Regards to a Service Plan for the Proposed Andrews Farm Metropolitan District attached hereto as Exhibit B and incorporated herein by this reference (the "Notice Certificate");

WHEREAS, notice of the hearing before the Town Council for its consideration of the Service Plan was duly published in The Greeley Tribune on July 25, 2018, as evidenced by the Notice Certificate;

WHEREAS, the Town Council has conducted a public hearing on the Service Plan for the proposed Districts on August 15, 2018, which was continued to September 5, 2018; 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 HUDSON, COLORADO, AS FOLLOWS:

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

Section 2. That evidence satisfactory to the Town Council for finding each of the following was presented at the hearing:

- 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.

Section 3. That no evidence of the following was presented to Town Council at the hearing:

- a. adequate service is or will be available to the area through the Town or other existing municipal or quasi-municipal corporations within a reasonable time and on a comparable basis;
- b. the facility and service standards of the proposed Districts are not compatible with the facility and service standards of the Town;
- c. the proposal is not in substantial compliance with any Master Plan adopted by the Town pursuant to C.R.S. Section 31-23-206, as amended;
- d. the proposal is not in substantial compliance with any duly adopted Town, County, regional and State long-range water quality management plans for the area; or
- e. the creation of the proposed Districts will not be in the best interests of the area proposed to be served.

Section 4. That 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 Districts.

Section 5. That the Town Council hereby approves the Service Plan for the Districts as submitted.

Section 6. That a certified copy of this Resolution shall be filed in the records of the Town and the Weld County Clerk and Recorder, and submitted to the petitioners under the Service Plan for the purpose of filing in the District Court of Weld County.

Section 7. That this Resolution shall be effective as of the date of its adoption.

INTRODUCED, READ and PASSED this 5<sup>th</sup> day of September, 2018.

TOWN OF HUDSON, COLORADO



(SEAL)

ATTEST:

Charity Young  
Charity Young, Interim Town Clerk

Dwayne Haynes  
Dwayne Haynes, Mayor

