

The Lakes Metropolitan District Nos. 1, 3, 4, 5, and 6 Service Plan and Intergovernmental Agreement Amendments

City Council – September 7, 2021

Applicant:
Districts' Legal Counsel:
City Staff Representative:
City Metro District Counsel:

Board of Directors of Each District
White Bear Ankele Tanka & Waldron
Mike Tylka, AICP, *Senior Planner*
Butler Snow LLP

Strategic Focus Areas

- Recognizable and Well-Planned Community



- Supportive, Sustainable Infrastructure



- Financially Responsible

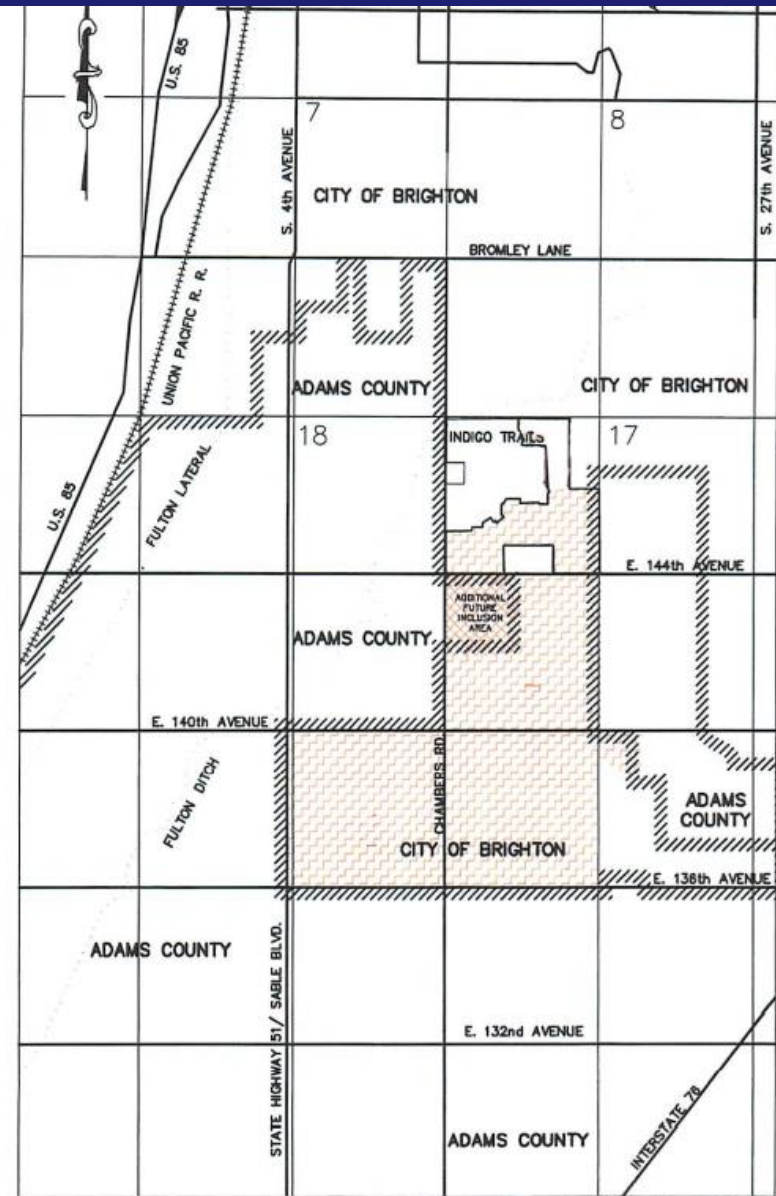


- Strong Regional Relationships and Partnerships



Subject Property Locations

- Each of the Districts were approved with an inclusion area that covers the future Farmlore (formerly Brighton Lakes) development and/or the remaining unbuilt phases of the Indigo Trails development.



VICINITY MAP
N.T.S.

Lakes Metropolitan District Inclusion Area
City of Brighton Annexed Area

Purpose / Background

- The City Council has the authority to approve service plans and amendments to service plans for special districts that are organized within their boundaries per Article 1, Title 32, Colorado Revised Statutes, as amended (the “Special District Act”).
- The submissions use the amended Model Service Plan, adopted by the City Council on August 17, 2021, as the template for their requested amendments, and the Applicant is not asking for any deviations from it.

Statutorily Required Contents of a Service Plan

- Per the Special District Act service plans must include the following items:
 - Description of the proposed services,
 - Financial plan showing how the proposed services are to be financed,
 - Preliminary engineering or architectural survey showing how the services are to be provided,
 - Map of boundaries,
 - Estimated population at build-out,
 - Estimated assessed valuation at build-out,
 - General description of facilities to be constructed,
 - Estimated costs of land acquisition, engineering, legal and administrative costs, initial proposed indebtedness and estimated maximum interest rates and discounts, and other major costs related to the organization and initial operation of the district,
 - Description and form of any proposed Intergovernmental Agreements (IGAs), and
 - Other information set by State Statutes or required by the approving jurisdiction(s).

Review Criteria

- If the City decides to approve the proposed Service Plan amendments, it will be making the following findings:
 - There continues to be sufficient existing and projected need for the organized service in the area to be serviced by each of the respective Districts.
 - The existing service in the area to be served by each of the respective Districts continues to be inadequate for present and projected needs.
 - Each of the respective Districts is capable of providing economical and sufficient service to the area within its boundaries.
 - The area included in the each of the respective Districts has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

Public Notice and Inquiry

- Notifications were published in the *Brighton Standard Blade's* August 11, 2021 edition.
- No public comments have been received by the Planning Division.

Analysis and Findings

- ✓ Each of the five (5) proposals outline a requested eight (8) items for amendment from their existing service plan.
 - These are to the sections that speak to the inclusion and exclusion limitation, overlap limitation, compound interest, timing of debt issuance, maximum combined mill levy, use of issued debt, and meeting requirements. All of these requests bring their service plans in line with the recently adopted amended Model Service Plan.
- ✓ City staff finds that:
 - There continues to be sufficient existing and projected need for the organized service in the area to be serviced by each of the respective Districts.
 - The existing service in the area to be served by each of the respective Districts continues to be inadequate for present and projected needs.
 - Each of the respective Districts is capable of providing economical and sufficient service to the area within its boundaries.
 - The area included in the each of the respective Districts has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.
- ✓ The IGAs between the City and the Districts have been updated to use the recently adopted amended Model Service Plan's template IGA that includes advance notification provisions.

Staff Recommendation

- ❖ City staff is recommending the approval of the service plan amendments and their accompanying IGAs as it believes that the proposed service plans meet the requirements of Title 32-1-202(2) C.R.S. and are in line with the Model Service Plan.

Options for Council Consideration

The City Council has the following four (4) options for each of the five (5) items:

- ☐ Approve the Resolution as drafted;
- ☐ Approve the Resolution with changes;
- ☐ Deny the Resolution as drafted; or
- ☐ Continue the item to a date certain.