

**CITY OF GREELEY, COLORADO
RESOLUTION NO. 29, 2022**

A RESOLUTION APPROVING A COLORADO REVISED STATUTES TITLE 32 SPECIAL DISTRICT SERVICE PLAN PRECEDENT TO FORMATION OF A PARK AND RECREATION DISTRICT KNOWN AS ASH PARK AND RECREATION DISTRICT THAT WOULD PROVIDE PUBLIC FACILITIES FINANCING, OPERATIONS, AND MAINTENANCE

WHEREAS, PURSUANT TO C.R.S. 32-1-202(2), C.R.S. 32-1-1105 and City of Greeley Ordinance 2-1140, the City Council of the City of Greeley, Colorado, has considered the Service Plan for the Ash Park and Recreation District (hereinafter referred to as "the District"); and

WHEREAS, the public hearing required by 32-1-204 C.R.S., and 2-1139 of the City of Greeley Code of Ordinances was conducted regarding the Service Plan of the District on September 20, 2022; and

WHEREAS, after said public hearing, City Council has found that the Service Plan of the Districts comply with the provisions of Greeley Ordinance 2-1139 and the requirements of Colorado Statutes regarding special districts contained in Title 32 of the Colorado Statutes.

NOW THEREFORE, BE IT RESOLVED BY THE GREELEY CITY COUNCIL OF THE CITY OF GREELEY, COLORADO.

Section 1. The City Council of the City of Greeley, Colorado, a home rule municipality, does hereby determine that the applicable requirements of Title 32, Article I, Part 2, C.R.S., as amended, relating to the requirements for Service Plan for the District have been met.

Section 2. The City Council finds that the Service Plan contents are in compliance with the information required by Section 32-1-202(2), C.R.S., and 2-1137 of the Greeley Code of Ordinances.

Section 3. Further, the City Council does hereby determine that the provisions of Greeley Ordinance 2-1139 (b) have been met and does hereby find as follows:

1. Whether there is a sufficient existing and projected need for organized service in the area to be serviced by the proposed district;
2. Whether the existing service in the area to be served by the proposed district is inadequate for present and projected needs;
3. Whether the proposed district is capable of providing economical and sufficient service to the area within its proposed boundaries;
4. Whether 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;
5. Whether adequate service is not, or will not be, available to the area through the city or other existing quasi-municipal corporations, including existing districts, within a reasonable time and on a comparable basis;
6. Whether the facility and service standards of the proposed district are compatible with the facility and service standards of the city;
7. Whether the facility and service standards offer an exceptional or special level of improvement or service that warrants the use of a Special District;

8. Whether the proposal is in substantial compliance with the city's comprehensive plan;
9. Whether the proposal is in substantial compliance with the county, regional or state long-range water quality management plans and wastewater plans for the area;
10. Whether the creation of the district will be in the best interests of the area proposed to be served;
11. Whether the creation of the district will be in the best interests of the residents or future residents of the area proposed to be served;
12. Whether the proposed service plan is in substantial compliance with this chapter; and
13. Whether the creation of the district will foster urban development that is remote from, or incapable of being integrated with, existing urban areas, or place a burden on the city or adjacent jurisdictions to provide urban services to residents of the proposed district.

Section 4. Further, the City Council does hereby determine that the provisions of Greeley Ordinance 2-1139 (c) have been met and does hereby find as follows:

1. The facility or service is not adequately provided in the district by private providers;
2. There is sufficient existing and projected need for the facility or service within the district;
3. The existing facilities or services in the district are inadequate for present and projected needs;
4. The district has or will have the financial ability to discharge any proposed indebtedness on a reasonable basis; and
5. The facility or service will be in the best interests of the district and of the residents of the district and the general public;

Section 5. The City Council hereby determines that the Service Plan for the District is hereby approved.

See attached Service Plan

Section 6. A certified copy of this Resolution shall be filed in the records of the City and shall be submitted by the petitioners to the District Court for the purpose of filing with the Weld County District Court as required by State law.

Section 7. Nothing contained herein limits the City's powers with respect to the District, the property within the District, or the improvements to be constructed by the District.

Section 8. This Resolution shall become effective immediately upon its passage as provided by the Greeley City Charter.

PASSED, AND ADOPTED, SIGNED AND APPROVED this _____ day of September, 2022.

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

By: _____
Mayor