



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

- AGENDA DATE:** December 4, 2023
- SUBJECT:** **Public Hearing** – Resolution Approving the First Amendment to the Amended and Restated Service Plan for Ledge Rock Center Residential Metropolitan District No. 1
- ACTION PROPOSED:** Consider Resolution No. 2023-59
- ATTACHMENTS:**
1. Proposed First Amendment to Amended and Restated Service Plan
 2. Cover Letter from Attorney for the District
 3. Resolution Approving the First Amendment to the Amended and Restated Service Plan for Ledge Rock Center Residential Metropolitan District No. 1
- PRESENTED BY:** Town Attorney, Avi Rocklin, and Special Counsel, MaryAnn McGeady of McGeady Becher P.C.
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AGENDA ITEM DESCRIPTION: On September 8, 2021, the Town Council approved a Service Plan for the Ledge Rock Center Residential Metropolitan District No. 1 (“District”), and the District was thereafter organized by Order and Decree of the District Court of Weld County. On June 6, 2022, the Town Council approved an Amended and Restated Service Plan for the District (collectively with the Service Plan, the “Service Plan”). The District encompasses the land generally located south of Highway 60/County Road 48 and east of Interstate I-25 and includes approximately 50.251 acres of residential land that includes the multi-family portion of the Ledge Rock Center development.

Due to changes in projected construction, increases in capital costs and added public improvements within the District, the District seeks to increase the debt authority set forth in the Service Plan. To accomplish the foregoing, the Board of Directors of the District submitted and requests approval of a First Amendment to the Amended and Restated Service Plan for the District (“First Amendment”), pursuant to the requirements of the Special District Control Act, Title 32, Article 1, Part 2, C.R.S.

The District’s capital expenditures are estimated to be \$21,030,119. Based on the original proposed financing plan, providing 10 mills for debt and 5 mills for operations and maintenance, the Service Plan provides that the District may not issue debt in excess of \$3,714,000. Based on an updated financing plan, providing 40 mills for debt and 10 mills for operations and maintenance, the

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maximum mill levies in the Service Plan, the District seeks to increase its debt authorization to \$15,250,000. The District anticipates issuing bonds and obtaining net proceeds in the amount of \$9,462,948 for the public improvements. As provided in the Service Plan, the maximum mill levies are subject to an assessment ratio adjustment.

LEGAL ADVICE:

The Town Attorney prepared the proposed Resolution Approving the First Amendment to the Amended and Restated Service Plan for Ledge Rock Center Residential Metropolitan District No. 1.

FINANCIAL ADVICE:

The Town's Special Counsel reviewed the Financial Plan prepared by D.A. Davidson & Company.

RECOMMENDED ACTION: Approve Resolution No. 2023-59.

SUGGESTED MOTIONS:

For Approval: I move to approve Resolution No. 2023-59, a Resolution Approving the First Amendment to the Amended and Restated Service Plan for Ledge Rock Center Residential Metropolitan District No. 1.

For Approval with Conditions: I move to approve Resolution No. 2023-59, a Resolution Approving the First Amendment to the Amended and Restated Service Plan for Ledge Rock Center Residential Metropolitan District No. 1, with the following modifications _____, and direct the Town Attorney to revise the First Amendment to the Amended and Restated Service Plan accordingly.

For Denial: I move to deny approval of Resolution No. 2023-59.

Reviewed and Approved for Presentation,



Town Manager

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