



Agenda Item Summary

MEETING DATE: November 25, 2024

SUBJECT: **Ordinance No. 1071** - An Ordinance of the Town of Mead, Colorado, Declaring the Organization of the Town of Mead Highway 66 and I-25 General Improvement District

PRESENTED BY: Marcus McAskin, Town Attorney

SUMMARY

Ordinance No. 1071 (the “Ordinance”) declares the organization of the TOWN OF MEAD HIGHWAY 66 AND I-25 GENERAL IMPROVEMENT DISTRICT (the “District” or “GID”), as required by C.R.S. § 31-25-607(4)(b), which requires that if a majority of the votes cast at an organizational election are in favor of the organization [of the District], the governing body shall adopt an ordinance declaring the District organized.

ADDITIONAL BACKGROUND / PRIOR STEPS IN ORGANIZATION OF THE DISTRICT

- A Petition seeking the formation of the District was filed in the office of the Town Clerk in accordance with the provisions of Article IV of Chapter 12 of the Mead Municipal Code (“MMC”) and was referred to the Board of Trustees;
- By Resolution No. 52-R-2024 dated June 24, 2024, the Board of Trustees set the date of a public hearing concerning the organization of the District and ordered publication and mailing of the notice of hearing;
- On July 29, 2024, following compliance with all applicable statutory notice requirements, the Board of Trustees reviewed the Petition and adopted Ordinance No. 1062 (the “Prior Ordinance”) approving the Petition, calling for an election to determine the imposition of property taxes by the District and for other matters for which voter approval is required under section 20 of Article X of the state constitution (“TABOR”), and appointing a designated elected official for the November 5, 2024 organizational election (“Election”);
- The Election was conducted as a mail ballot election coordinated with Weld County in accordance with Sections 3 and 4 of the Prior Ordinance; and
- The Board of Canvassers has met and has certified the results of the Election to the Town;
- A copy of the Board of Canvassers’ Certification of Election is on file with the Town Clerk;
- The organizational ballot question and the ballot issues required by TABOR were approved at the November 5, 2024 Election;

As set forth in the Petition, the GID is being formed to assist with defraying the costs associated with operating and maintaining the public streets and related appurtenances within the boundaries of the District, to include snowplowing, future mill and overlay activities, maintenance of drainage infrastructure, and the installation of public infrastructure, public safety, wayfinding and directional signage within the boundaries of the GID (together, the “proposed services”).

Part 6 of Article 25 of Title 31, C.R.S. (“Improvement Districts in Municipalities”) sets forth the procedure for organizing general improvement districts. In addition, Article IV of Chapter 12 of the *Mead Municipal Code* (“MMC”) also sets forth the procedure for organizing general improvement districts in the Town of Mead.

Per Section 12-4-20 of the MMC:

It is the policy of the Town to support and encourage the establishment of general improvement districts for the purpose of acquiring, constructing, installing, operating or maintaining those public improvements or providing those municipal services that are necessary to protect and enhance the health, safety and welfare of the inhabitants of the Town, and to further support and encourage the establishment of general improvement districts for development or redevelopment projects that do not seek the establishment of a Title 32 metropolitan district organized pursuant to this Chapter and C.R.S. §§ 32-1-101, et seq.

The Town Attorney’s Office is recommending approval of the Ordinance. Sections 2 through 7 of the Ordinance accomplish the following:

- Declares the District organized in accordance with C.R.S. § 31-25-607(4)(b) and confirms the official name of the District as the “*Town of Mead Highway 66 and I-25 General Improvement District*.”
- Confirms that the District is a public or quasi-municipal corporation of the State of Colorado and a body corporate with all powers specifically set forth in C.R.S. §§ 31-25-601, *et seq.*
- Confirms that the Board of Trustees of the Town of Mead shall constitute *ex officio* the Board of Directors of the District. The presiding officer of the Board of Trustees (Mayor) shall be *ex officio* the presiding officer, the Town Clerk shall be *ex officio* the Secretary and the Town Treasurer shall be *ex officio* the treasurer of the District.
- The Town Manager (or the Town Manager’s designee) shall serve as the Executive Officer of the District, as specifically provided for in Sec. 12-4-80 of the MMC. Any delegation of the Executive Officer position by the Town Manager shall not be effective unless such designation of the Executive Officer position is in writing and approved by Resolution of the Board of Trustees considered at a regular or special meeting of the Board.
- Requires the District to enter into an intergovernmental agreement with the Town to memorialize the terms and obligations of the Petition and the terms and obligations of the District as set forth in Article 4 of Chapter 12 of the MMC, including but not limited to the imposition of the Town Administrative Mill Levy and the Town O&M GID Mill Levy (as those terms are defined in the MMC) (the “Town-GID IGA”). Specifically, the Town-GID IGA shall be approved within one hundred eighty (180) days of the effective date of the Ordinance.
- Requires the Town Clerk to record a certified copy of the Ordinance with the Weld County Clerk and Recorder’s Office, in accordance with the applicable statutory requirement.

FINANCIAL CONSIDERATIONS

None. In accordance with the Petition, the Petitioner previously caused the bond or cash deposit required by C.R.S. § 31-25-605 to be filed with the Town. The \$1,000 cash bond (required by Resolution No. 52-R-2024) has been received by the Town Clerk.

Upon compliance with Section 7 of the Ordinance, the Town Clerk shall be authorized to return the one thousand dollar (\$1,000.00) cash bond on file with the Town to the Petitioner.

STAFF RECOMMENDATION/ACTION REQUIRED

Staff recommends approval of the Ordinance (declaring the District organized). A motion to approve the November 25, 2024, regular meeting consent agenda will approve the Ordinance. If this item is pulled off of consent for questions or further discussion, Staff recommends the motion set forth below:

Suggested Motion:

“I move to approve Ordinance No. 1071, An Ordinance of the Town of Mead, Colorado, Declaring the Organization of the Town of Mead Highway 66 and I-25 General Improvement District.”

ATTACHMENTS

Ordinance No. 1071
PowerPoint presentation (for November 25, 2025 regular meeting)