

**TOWN OF MEAD, COLORADO
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**

WHEREAS, a Petition seeking the formation of the Town of Mead Highway 66 and I-25 General Improvement District (the “Petition”) was previously 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

WHEREAS, the Petition was referred to the Board of Trustees; and

WHEREAS, pursuant to 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 proposed *Town of Mead Highway 66 and I-25 General Improvement District*, in the Town of Mead, Colorado (“District”) and ordered publication and mailing of the notice of hearing; and

WHEREAS, pursuant to and in accordance with § 31-25-606(1), C.R.S., notice of the public hearing on the sufficiency of the Petition was duly published and mailed to each elector of the District; and

WHEREAS, the property to be included within the initial boundaries of the District, is more fully described in **Attachment A** attached hereto and incorporated herein by reference (the “District Initial Boundaries”); and

WHEREAS, the District Initial Boundaries are located wholly within the boundaries of the Town of Mead, Colorado (the “Town”); and

WHEREAS, 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 (the “Election”); and

WHEREAS, specifically, the Petition respectfully requested that ballot issues related to the Town O&M GID Mill Levy and Town Administrative GID Mill Levy (as those terms are defined in the MMC), be substantially in the form attached to the Petition; and

WHEREAS, 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

WHEREAS, pursuant to and in accordance with §§ 31-25-601, et. seq., C.R.S., §§ 1-1-101 through 1-13-101, et seq., C.R.S., and the Prior Ordinance, the question of the organization of the District was submitted to qualified electors within the District at the Election; and

WHEREAS, pursuant to § 1-10-201, C.R.S., the designated election official caused to be appointed a canvass board for the Election (the “Board of Canvassers”), and the ballots were processed and counted in accordance with the provisions of §§ 1-1-101 through 1-13-101, et seq., C.R.S.; and

WHEREAS, in accordance with § 1-10-203(1), C.R.S., the Board of Canvassers met and surveyed the Election returns, issued a certified statement of results and prepared an official abstract of votes cast; and

WHEREAS, a copy of the Board of Canvassers' Certification of Election is on file with the Town Clerk and is incorporated herein by this reference; and

WHEREAS, pursuant to § 31-25-607(4)(b), C.R.S., if a majority of the votes cast at the Election are in favor of the organization [of the District], the governing body shall adopt an ordinance declaring the District organized.; and

WHEREAS, the organizational ballot question and the ballot issues required by TABOR were approved at the November 5, 2024 Election; and

WHEREAS, the Board of Trustees desires to declare the District organized.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. The above and foregoing recitals are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees. The Board of Trustees further finds that it has continuing jurisdiction over the Petition.

Section 2. The Board of Trustees hereby declares the District organized in accordance with § 31-25-607(4)(b), C.R.S. The District shall have the corporate name specified in the Petition and the Prior Ordinance; specifically, the District shall be known as the "Town of Mead Highway 66 and I-25 General Improvement District."

Section 3. The District shall be a public or quasi-municipal corporation of the State of Colorado and a body corporate with those powers set forth in §§ 31-25-601, et seq., C.R.S.

Section 4. As set forth in § 31-25-609, C.R.S., 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 and the Board of Directors of the District.

Section 5. As authorized by Sec. 12-4-80 of the MMC, the Town Manager (or the Town Manager's designee) shall serve as the Executive Officer of the District. 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.

Section 6. As contemplated by Secs. 12-4-30 and 12-4-60 of the MMC, the District shall 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") within one hundred eighty (180) days of the adoption of this Ordinance. Following the date on which the Town-GID IGA has been reviewed approved by the Board of Trustees on behalf of the Town, the Executive Officer of the District

shall be authorized to execute the Town-GID IGA on behalf of the District, without the need for the District to conduct a special meeting to consider the Town-GID IGA.

Section 7. Within thirty (30) days after adoption of this Ordinance, the Town Clerk shall record a certified copy of this Ordinance with the Weld County Clerk and Recorder's Office, in accordance with the requirement set forth in § 31-25-608, C.R.S. Upon the completion of said filing, the Town Clerk shall be authorized to return the one thousand dollar (\$1,000.00) cash bond on file with the Town. As set forth in § 31-25-610, C.R.S., the Board of Directors of the District shall hold meetings, on notice to each member of the board, which shall be open to the public. A quorum of the Board of Trustees of the Town shall constitute of quorum of the Board of Directors of the District at any meeting. The District shall hold its initial meeting and public hearing regarding the adoption of the District's 2025 budget on Monday, December 9, 2024 at 5:45 p.m.

Section 8. Effective Date. This Ordinance shall be published and become effective as provided by law.

Section 9. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 10. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 11. Certification. The Town Clerk shall certify to the passage of this Ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 25TH DAY OF NOVEMBER, 2024.

ATTEST:

TOWN OF MEAD

By: _____
Mary E. Strutt, MMC, Town Clerk

By: _____
Colleen G. Whitlow, Mayor