

Commissioner Rosier moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF THE COUNTY OF JEFFERSON

STATE OF COLORADO

RESOLUTION NO. CC16-399

RE: Aspen Park Metropolitan District – Material Modification to Service Plan

WHEREAS, pursuant to the provisions of the “Special District Control Act,” Part 2 of Article 1 of Title 32, CRS, as amended, the Board of Directors of the Aspen Park Metropolitan District (the “Petitioners”) formally presented a material modification of the previously approved Service Plan for the Aspen Park Metropolitan District (the “District”) as specifically required under C.R.S. 32-1-207(2); and

WHEREAS, pursuant to the provisions of C.R.S. 32-1-202(1), the Board of County Commissioners of Jefferson County, Colorado, held a public hearing on August 23, 2016, and set a date for a public hearing on the material modification of the Service Plan for September 20, 2016, which hearing was continued to October 11, 2016;

WHEREAS, the material modification to the Service Plan requested modifies the currently combined maximum mill levy cap to allow a cap of 50 mills for the repayment of debt and another mill levy cap of 40 mills for the payment of the District’s ongoing administrative, operation and maintenance costs; as a result, pursuant to Section C(2)(f)(1) of the Board of County Commissioners Special District Policy and Procedure Part 7, Chapter 2, Section 5, no Planning Commission hearing was required prior to the hearing before the Board of County Commissioners; and

WHEREAS, notice of the date, time, location and purpose of the aforesaid hearing was duly published in the Denver Post, West Jeffco Your Hub, on August 25, 2016, notice was provided to the division of local government in the department of local affairs of the name and type of the Special District; notice of the date, time and location of the hearing was provided to the Petitioners and to the governing body of each municipality and of each Special District which had levied an ad valorem tax within the next preceding tax year and which had boundaries within a radius of three (3) miles of the Petitioners' District, as required by C.R.S. 32-1-204(1); and notice of the time, date, location and purpose of the hearing was provided to the property owners as required pursuant to C.R.S. 32-1-204(1.5); and

WHEREAS, this Board did, on October 11, 2016, continued from September 20, 2016, hold a full, public hearing on this matter, taking evidence establishing the jurisdiction of

the Board to hear this matter and further taking evidence regarding the substantive issues set forth in C.R.S. 32-1- 203; and

WHREAS, this Board has fully considered the testimony and other evidence presented to it in this matter.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Jefferson County, Colorado:

1. That the Board does hereby determine that all of the jurisdictional and other requirements of C.R.S. § 32-1-202, 32-1-204, and 32-1-207 CRS, have been fulfilled, including those relating to the filing of a material modification to the existing Service Plan dated 2002, and the form and timing of the public notice of the hearing and the public hearing held herein.

2. That the Board does hereby find and determine:

(a) There is sufficient existing and projected need for organized service in the area to be serviced by the District;

(b) The existing service in the area to be served by the District is inadequate for the present and projected needs;

(c) The District, as outlined in the modified Service Plan, is capable of providing economical and sufficient service to the area within its proposed boundaries;

(d) The area included in the District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis;

(e) Adequate service is not, and will not be, available to the area through the County, other existing municipal or quasi-municipal corporation, including existing special districts, within a reasonable time and on a comparable basis;

(f) The facility and service standards of the District are compatible with the facility and service standards of Jefferson County and each municipality which is an interested party under C.R.S. 32-1-204(1);

(g) The proposal is in substantial compliance with the County's master plan adopted pursuant to C.R.S. 30-28-106; and

(h) The proposal is in compliance with duly adopted long-range water and quality management plans for the area, if any.

3. The Board finds that material modification of the District's Service Plan is in the best interest of the area to be served, and the material modification to the existing Service Plan be and hereby is APPROVED.

4. That, in compliance with Section 32-1-204(4), C.R.S. the Clerk to this Board shall advise the Petitioners in writing of this action and attach a certified copy of this Resolution for the purpose of filing in the District Court of Jefferson County.

Commissioner Tighe seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Donald Rosier	Aye
Commissioner Casey Tighe	Aye
Commissioner Libby Szabo, Chairman	Aye

The Resolution was adopted by unanimous vote of the Board of County Commissioners of the County of Jefferson, State of Colorado.

Dated: October 11, 2016