

## **RESOLUTION NO. 2023-110**

### **A RESOLUTION APPROVING THE SERVICE PLAN FOR THE CRYSTAL VALLEY SHOPS METROPOLITAN DISTRICT; AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE TOWN OF CASTLE ROCK AND THE DISTRICT**

**WHEREAS**, a Service Plan (the “Service Plan”) for the Crystal Valley Shops Metropolitan District (the “District”) has been submitted to the Town of Castle Rock (the “Town”) for review and approval by the Town Council; and

**WHEREAS**, the District will be located entirely within the boundaries of the Town in the vicinity of the intersection of Crystal Valley Parkway and Plum Creek Boulevard; and

**WHEREAS**, the Service Plan has been reviewed by Town staff and a public hearing held in accordance with the Special District Act, §§ 32-1-101, et seq., C.R.S., and Chapter 11.02 of the Town Code; and

**WHEREAS**, the Town Council finds that the Service Plan generally complies with the Town’s Model Service Plan and meets the requirements set forth in Section 11.02.150 of the Town Municipal Code; and

**WHEREAS**, the Town Council further finds that the Service Plan, as required by § 32-1-203(2), C.R.S., establishes that:

- (i) There is sufficient existing and projected need for organized service in the area to be serviced by the District;
- (ii) The existing service in the area to be served by the District is inadequate for present and projected needs;
- (iii) The District is capable of providing economical and sufficient service to the area within its proposed boundaries;
- (iv) The area to be included in the District does have, and will have, the financial ability to discharge the proposed indebtedness on a reasonable basis;
- (v) Adequate service is not, and will not be, available to the area through the Town, Douglas County, or other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis;
- (vi) The facility and service standards of the District is compatible with the facility and service standards of the Town;
- (vii) The Service Plan is in substantial compliance with the Town’s Comprehensive Master Plan;

- (viii) The Service Plan is in compliance with any duly adopted Town, regional or state long-range water quality management plan for the area; and
- (ix) The creation of the District is in the best interests of the area proposed to be served; and

**WHEREAS**, the Town Council deems it to be in the best interests of the Town and its taxpayers, residents, and property owners to enter into an Intergovernmental Agreement setting forth the respective rights, responsibilities, and obligations of the Town and the District with respect to the property served by the District (the “IGA”).

**NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK AS FOLLOWS:**

**Section 1.     Service Plan.** The Service Plan for the Crystal Valley Shops Metropolitan District is approved in substantially the same form as presented at tonight’s meeting, with such technical changes, additions, modifications, or deletions as the Town Manager may approve upon consultation with the Town Attorney.

**Section 2.     Intergovernmental Agreement.** The Intergovernmental Agreement between the Town and the Crystal Valley Shops Metropolitan District is approved, in substantially the same form attached as ***Exhibit D*** to the Service Plan presented at tonight’s meeting, with such technical changes, additions, modifications, deletions or amendments as the Town Manager may approve upon consultation with the Town Attorney. The Mayor and other proper Town officials are hereby authorized to execute the IGA and any technical amendments thereto by and on behalf of the Town.

**Section 3.     No Representation.** The Town’s approval of the Service Plan does not in any manner constitute a representation by the Town that the District will necessarily achieve the development and financial projections set forth in the Service Plan.

**PASSED, APPROVED AND ADOPTED** this 5<sup>th</sup> day of September, 2023, by the Town Council of the Town of Castle Rock, Colorado, on first and final reading by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

\_\_\_\_\_  
Lisa Anderson, Town Clerk

\_\_\_\_\_  
Jason Gray, Mayor

**Approved as to form:**

**Approved as to content:**

\_\_\_\_\_  
Michael J. Hyman, Town Attorney

\_\_\_\_\_  
David L. Corliss, Town Manager