



Legislation Text

File #: 18-0544, **Version:** 1

Resolution Approving a Second Amendment to the Service Plan for the Colorado Crossing Metropolitan District Nos. 1-3 Allowing Street Maintenance as an Operations and Maintenance Function.

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Summary:

This service plan amendment would allow the Colorado Crossing Metropolitan Districts Nos. 1-3 (Districts) to maintain District-owned streets as an operations and maintenance function.

The purpose of this amendment is only to include the maintenance of the private streets as an authorized operational expense. The amendment does not change the mill levy nor the maximum debt cap previously authorized by the City Council.

Previous Council Action:

Mixed use PUD zoning and concept plan were approved for the Colorado Crossing development were approved in 2005. In 2006 City Council approved a consolidated service plan ("Original Service Plan") for the Districts (Resolution 126-06). On October 25, 2016 Council approved a first amendment of this service plan to allow ownership and operation of a parking structure by these Districts (Resolution 111-16). On February 14, 2017 Council authorized issuance of up to \$15,000,000 in general obligation bonds for District No. 2 (Resolution 57-17).

This item was introduced at a City Council Work Session on November 26, 2018.

Background:

This mixed use development in the Colorado Crossing (now known as Victory Ridge) area has been largely inactive since about 2008 due to financial difficulties including bankruptcy actions that followed after partial construction of the first six buildings (including an approximately 132,000 square foot parking garage). In the past two years, the project has again become active.

In this multiple district structure, District No. 1 functions as the operating district and director's parcel, District No. 2 functions as the residential district, and with District No. 3 is the commercial district. District No. 2 is authorized by the service plan and City Policy to levy up to 40.0 total mills (Gallagher Adjusted) in property tax (30.0 for debt service and 10.0 for operations and maintenance). As a commercial district, District No. 3 is authorized to levy up to 60.0 mills (50.0 for debt service and 10.0 for operations). However, at this time it levies only 40.0 total mills.

The 2006 City Special District Policy and the accompanying Model Service Plans require that service plans identify all non-administrative operations and maintenance functions in Exhibit D of their

service plans.

This project was originally proposed to have private streets within the boundaries of the site. The current owners are now pursuing the option of dedicating their existing local streets to the City for ongoing maintenance. They are also pursuing future dedication of streets not yet built. The ownership and maintenance status of these existing and yet-to-be-completed streets is depicted on a graphic included in the agenda packet. Existing streets are highlighted in yellow and future streets are highlighted in green.

Regardless of the eventual determination related to City acceptance of these streets, there is a need for at least interim maintenance on the part of an entity other than the City.

Alternatives to not approving this amendment could include not authorizing this function in the service plan, with the probable result being a need to create or otherwise use a property owners association to handle this function.

Procedurally, this amendment would be processed in the form of a limited amendment document to be adopted by resolution. The resolution refers to the original 2006 service plan and the prior 2016 amendment, both of which would remain in force and effect except as specifically amended by the new document.

Financial Implications:

There are no direct implications to general City taxpayers and ratepayers outside of the boundaries of these applicable metropolitan districts.

Board/Commission Recommendations:

N/A

Stakeholder Process:

The staff-level Special District Committee has been provided with the materials associated with this request, and no comments or concerns have been provided.

Alternatives:

City Council has the options of approving or denying this service plan amendment. Council could also continue the item with specific direction provided to staff and the petitioners.

Proposed Motion:

A Resolution Approving a Second Amendment to the Service Plan for the Colorado Crossing Metropolitan District Nos. 1-3 Allowing Operations and Maintenance of Streets as an Authorized Function.