



Legislation Text

File #: 14-0612, **Version:** 1

Consent to the inclusion of additional property within the boundaries of the Dublin North Metropolitan District No. 3

From:

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Summary:

This introduces a request to approve a request for inclusion of certain property into the Dublin North Metropolitan District No. 3 (“District”). This property is not identified in the approved service plan as a future “Inclusion Area”. Therefore, separate City Council approval is required.

Previous Council Action:

The District was established by election in May 2008, following approval by Council of a service plan earlier that year for Dublin North Metropolitan District Nos. 1-3 (Resolution No. 53-08). In 2012, Council made special appointments to the boards of these districts because they no longer had any eligible sitting board members. Council has approved a variety of land use actions for this project area during the past few years.

Background:

Metropolitan districts are created under Colorado Statute and City Policy to finance and/or maintain certain public improvements in commercial and residential areas, primarily utilizing a property tax mill levy as the revenue source. These districts are a separate legal entity from the City, but their service plans and the Special District Policy require City Council approval of certain actions.

The Dublin North Metropolitan Districts Nos. 1-3 are organized in a multiple district structure with District No. 1 being the ‘administrative’ or ‘master’ district, District No. 2 being the residential district, and District No. 3 being the commercial district.

City Council’s Model Service Plans limit the inclusion of property into a metropolitan district to their “Service Area”. This consists of those properties proposed for initial inclusion (Exhibit C-1- Initial District Boundary Map) and any additional inclusion areas specifically identified in an exhibit to that service plan (Exhibit C-2- Inclusion Area Boundary Map). The Model Plan and the Districts’ service plan contain the following language:

“The Districts shall not include within any of their boundaries any property outside the service area without the prior written consent of the City Council.”

In the case of the Dublin North Metropolitan Districts Nos. 1-3, no Exhibit C-2 was included in the approved 2008 plan. Therefore, any inclusions of property outside of the original boundaries are not

allowed to proceed unless specifically approved by Council.

District No. 3 now desires to include certain identified properties, which have the 100% consent of their owner. The District further represents that the inclusion of the property is logical and the property will benefit from the improvement financed by this District in reasonable proportion to the tax obligation that will come with inclusion.

The formal process of inclusion, as codified at C.R.S. § 32-1-401, involves action by the District's Board and a District Court procedure that would occur after City Council has consented to the inclusion.

Financial Implications:

Although Dublin North Metropolitan District No. 3 is not currently considering formal debt issuance, the inclusion of more property within its boundaries would logically result in additional assessed valuation upon which to support future debt.

Board/Commission Recommendation:

The City's staff-level Special District Committee has been provided copies of these materials. All comments received have been in support and/or stated no concerns.

Stakeholder Process:

Not applicable.

Alternatives:

City Council could choose to approve, deny or modify the proposed resolution.

Proposed Motion:

Move approval of the resolution consenting to the Dublin North Metropolitan District No. 3 to include certain properties outside of its Service Area

Not applicable.