RESOLUTION NO. 3
SERIES 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, APPROVING THE SERVICE PLAN FOR GUNNISON RISING METROPOLITAN DISTRICT NOS. 1-7

WHEREAS, pursuant to the provisions of § 32-1-201, *et seq.*, C.R.S., Gunnison Valley Properties, LLC (the "Petitioner") submitted a Service Plan (the "Service Plan") for the Gunnison Rising Metropolitan District Nos. 1-7 (each a "District" and collectively, the "Districts"); and

WHEREAS, during the regular meeting held on March 8, 2016, City Council determined the draft Service Plan to be in substantial compliance with City's Special District Policy pursuant to Chapter 10.20.110 of the City of Gunnison Municipal Code; and

WHEREAS, pursuant to the provisions of §10.20.110, City of Gunnison Municipal Code, the City Council held a public hearing on the Service Plan on March 30, 2016; and

WHEREAS, notice of the Hearing was duly provided to the public and to property owners within the proposed Districts as required by § 32-1-204, C.R.S. and §10.20.110, of the City of Gunnison Municipal Code; and

WHEREAS, the City Council has considered the relevant testimony and evidence presented to it in this matter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, as follows:

1. The City Council hereby determines that the jurisdictional and other requirements of §§ 32-1-202 and 32-1-204, C.R.S. and the City of Gunnison Municipal Code, Title 10 including, but not limited to, those relating to the filing of the Service Plan, the form and timing of the notices of the Hearing and the conduct of the Hearing have been fulfilled.

2. The Service Plan contains the information required by § 32-1-202(2), C.R.S. and Title 20, of the City of Gunnison Municipal Code.

3. Evidence satisfactory to the City Council of each of the following was presented, and the City Council hereby finds that:

   a. There is sufficient existing and projected need for organized service in the area to be serviced by the proposed Districts;

   b. The existing service in the area to be served by the proposed Districts is inadequate for present and projected needs;

   c. The proposed Districts are capable of providing economical and sufficient service to the area within their proposed boundaries;

   d. The area to be included within the proposed Districts has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis;

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

   f. The facility and service standards of the proposed Districts are compatible with the facility and service standards of the City which are interested parties under § 32-1-204(1), C.R.S.;

g. The Service Plan is in substantial compliance with the City's Special Improvement District Ordinance;

h. The creation of the proposed Districts is in the best interests of the area proposed to be served.

4. No petitions for exclusion were submitted by the deadline set forth in § 32-1-203(3.5), C.R.S.

5. The Service Plan for the proposed Districts is hereby approved.

INTRODUCED, READ, PASSED AND ADOPTED at a Special Session meeting of the City Council of the City of Gunnison, Colorado, held this 30th day of March, 2016.

Richard Hayan
Mayor

(SEAL)

(ATTEST)

Gail A Davidson
City Clerk