



TOWN OF MILLIKEN  
TOWN BOARD  
AGENDA MEMORANDUM

<b>To:</b> Mayor Tokunaga and Town Trustees  <b>From:</b> Marcus McAskin, Assistant Town Attorney  <b>Via:</b> Kent Brown, Town Administrator Linda Michow, Town Attorney	<b>Meeting Date:</b>  Monday, November 9, 2015
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Agenda Item #	Action: <b>X</b>	Discussion:	Information:
Agenda Title: Resolution Consenting to the Dissolution of Centennial Crossing Metropolitan District Nos. 4-7.			
Attachments: (1) Resolution No. 15-22; (2) Resolutions of Boards of Directors of the Centennial Crossing Metropolitan Districts consenting to dissolution dated July 14, 2015			

**PURPOSE**

The attached Resolution memorializes the Town Board’s consent to the dissolution of the Centennial Crossing Metropolitan District Nos. 4-7 (“Districts 4-7”) and authorizes the Town Attorney to take, on behalf of the Town, and in cooperation with general counsel for Districts 4-7, Seter & Vander Wall P.C., any act necessary to complete the dissolution of Districts 4-7 in accordance with Part 7 of the Special District Act.

**BACKGROUND**

The Centennial Crossing Metropolitan District Nos. 1 – 8 were formed in 2006 following the Board’s approval of the consolidated service plan for the Districts. The consolidated service plan was approved by Resolution 06-28 dated September 13, 2006.

The eight (8) Districts were formed to provide services to areas within the initial district boundaries and the future inclusion area (as identified in the service plan). The total area to be served by the Districts includes approximately 1,800 acres.

The Boards of Directors of Districts 4-7 have advised the Town that Districts 4-7 have no financial obligations or outstanding bonds and desire to dissolve in accordance with the process set forth in Part 7 of the Special District Act.

C.R.S. § 32-1-704(3)(b) requires the District Court to enter an order dissolving a special district without an election, if (1) the special district lies wholly within the corporate limits of a municipality; (2) the special district has no financial obligations or outstanding bonds; and (3) the special district board and the governing body of the municipality consent to the dissolution.

Districts 4-7 are requesting the Town Boards consent to the dissolution in order that the dissolution may proceed without an election.

**BUDGET IMPLICATONS**

None.

**STAFF RECOMMENDATION**

The Town Attorney and Town Staff recommend that the Board approve Resolution No. 15-22 so that counsel for Districts 4-7 may proceed to initiate statutory dissolution proceedings in accordance with Part 7 of the Special District Act.

**SUGGESTED MOTION**

“I move to approve Resolution No. 15-22 A Resolution of the Board of Trustees of the Town of Milliken, Colorado Consenting to the Dissolution of Centennial Crossing Metropolitan District Nos. 4, 5, 6 and 7.”

**RESOLUTION NO. 15-22**

**TOWN OF MILLIKEN**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN,  
COLORADO CONSENTING TO THE DISSOLUTION OF  
CENTENNIAL CROSSING METROPOLITAN DISTRICT NOS. 4-7**

**WHEREAS**, pursuant to C.R.S. § 32-1-204.5 and other applicable provisions of the Special District Act, C.R.S. §§ 32-1-101 *et seq.*, the Board of Trustees of the Town of Milliken, Colorado ("Board of Trustees") approved the service plan of the Centennial Crossing Metropolitan District Nos. 1-8 by Resolution 06-28 dated September 13, 2006; and

**WHEREAS**, the territory of the Districts is wholly within the boundaries of the Town; and

**WHEREAS**, the Boards of Directors of the Centennial Crossing Metropolitan District Nos. 4-7 ("Districts 4-7") have advised the Town that they have no financial obligations or outstanding bonds, as reflected in the certificate set forth in **Exhibit A** attached hereto, and desire to dissolve; and

**WHEREAS**, the Boards of Directors of Districts 4-7 have considered and approved resolutions setting forth that it is in the best interests of Districts 4-7 to be dissolved in accordance with Part 7 of the Special District Act, copies of which have been provided to the Town Clerk; and

**WHEREAS**, the Town has been further advised that Districts 4-7 do not currently provide any services; and

**WHEREAS**, Districts 4-7 intend to initiate legal proceedings relating to their dissolution, pursuant to Part 7 of Article 1 of Title 32, C.R.S., such dissolution being consistent with the legislative intent to reduce the fragmentation and overlapping of local governments, as described in C.R.S. § 32-1-102(5); and

**WHEREAS**, pursuant to C.R.S. § 32-1-704(3)(b), the District Court shall enter an order dissolving a special district, in accordance with the provisions of C.R.S. § 32-1-707, without an election, if (1) the special district lies wholly within the corporate limits of a municipality; (2) the special district has no financial obligations or outstanding bonds; and (3) the special district board and the governing body of the municipality consent to the dissolution; and

**WHEREAS**, the Board of Trustees desires to memorialize its consent to the proposed dissolution of Districts 4-7; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, COLORADO THAT:**

**Section 1.** The Board of Trustees consents to the proposed dissolution of the Centennial Crossing Metropolitan District Nos. 4-7 and authorizes the Town Attorney to take, on behalf of the Town, and in cooperation with counsel for Districts 4 - 7, any act necessary to complete the dissolution of Districts 4-7 in accordance with Part 7 of the Special District Act.

Section 2. The Town Clerk shall provide a certified copy of this Resolution to the Boards of Directors of Districts 4-7 in order that the same may be filed with the Weld County District Court to document the Town's consent to the proposed dissolution of Districts 4-7 in accordance with the provisions of C.R.S. § 32-1-704(3)(b).

Section 3. This Resolution shall be effective immediately.

Adopted this \_\_\_\_ day of November, 2015.

ATTEST:

TOWN:

\_\_\_\_\_  
Cheryl Powell, Town Clerk

\_\_\_\_\_  
Milt Tokunaga, Mayor

**EXHIBIT A  
Certificate of No Outstanding Debt**

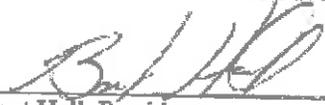
**CERTIFICATE OF NO OUTSTANDING  
FINANCIAL OBLIGATIONS OR OUTSTANDING BONDS**

**Centennial Crossing Metropolitan District Nos. 4-7 ("Districts")  
Town of Milliken, Weld County, Colorado**

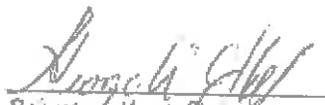
The undersigned, in connection with the dissolution of the Districts in accordance with the provisions of Sections 32-1-701, *et seq.*, C.R.S., hereby certify (a) that the Districts currently provide no services and have no agreements for or concerning the provision of services (excepting agreements for insurance, legal, accounting, professional services to the Districts, and the expenditure of funds upon dissolution), and (b) that as of the date set forth below, the Districts have no financial obligations or outstanding bonds.

IN WITNESS WHEREOF, I have hereunto subscribed my name as of the 13<sup>th</sup> day of October, 2015.

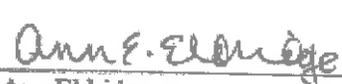
CENTENNIAL CROSSING  
METROPOLITAN DISTRICT NOS. 4-7

By:   
Bret Hall, President

ATTEST:

  
Secretary/Asst. Secretary

EKS&H

BY:   
Ann Eldridge

TITLE: Accountant for Centennial Crossing  
Metropolitan District Nos. 4-7, signing as to  
item (b), above.

**RESOLUTION REGARDING THE DISSOLUTION OF CENTENNIAL CROSSING  
METROPOLITAN DISTRICT NO. 4**

WHEREAS, Centennial Crossing Metropolitan District No. 4 ("District") is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to § 32-1-701(1), C.R.S., a majority of all members of the Board of Directors of the District has deemed it to be in the best interest of the District that it be dissolved, and that a Petition for Dissolution be filed with the District Court of Weld County, Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CENTENNIAL CROSSING METROPOLITAN DISTRICT NO. 4:

The Board of Directors of Centennial Crossing Metropolitan District No. 4 authorizes its attorneys, Seter & Vander Wall, P.C., to initiate the process of dissolving the District by filing a Petition for Dissolution with the District Court of Weld County, Colorado, pursuant to § 32-1-701(1), *et seq.*, C.R.S, and perform other actions necessary to effect the dissolution.

RESOLVED this 14th day of July, 2015.

**CENTENNIAL CROSSING  
METROPOLITAN DISTRICT NO. 4**

By:   
President

Attest:

By:   
Secretary

**RESOLUTION REGARDING THE DISSOLUTION OF CENTENNIAL CROSSING  
METROPOLITAN DISTRICT NO. 5**

WHEREAS, Centennial Crossing Metropolitan District No. 5 ("District") is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to § 32-1-701(1), C.R.S., a majority of all members of the Board of Directors of the District has deemed it to be in the best interest of the District that it be dissolved, and that a Petition for Dissolution be filed with the District Court of Weld County, Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CENTENNIAL CROSSING METROPOLITAN DISTRICT NO. 5:

The Board of Directors of Centennial Crossing Metropolitan District No. 5 authorizes its attorneys, Seter & Vander Wall, P.C., to initiate the process of dissolving the District by filing a Petition for Dissolution with the District Court of Weld County, Colorado, pursuant to § 32-1-701(1), *et seq.*, C.R.S., and perform other actions necessary to effect the dissolution.

RESOLVED this 14th day of July, 2015.

**CENTENNIAL CROSSING  
METROPOLITAN DISTRICT NO. 5**

By:   
President

Attest:

By:   
Secretary

**RESOLUTION REGARDING THE DISSOLUTION OF CENTENNIAL CROSSING  
METROPOLITAN DISTRICT NO. 6**

WHEREAS, Centennial Crossing Metropolitan District No. 6 ("District") is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to § 32-1-701(1), C.R.S., a majority of all members of the Board of Directors of the District has deemed it to be in the best interest of the District that it be dissolved, and that a Petition for Dissolution be filed with the District Court of Weld County, Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CENTENNIAL CROSSING METROPOLITAN DISTRICT NO. 6:

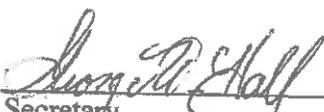
The Board of Directors of Centennial Crossing Metropolitan District No. 6 authorizes its attorneys, Seter & Vander Wall, P.C., to initiate the process of dissolving the District by filing a Petition for Dissolution with the District Court of Weld County, Colorado, pursuant to § 32-1-701(1), *et seq.*, C.R.S., and perform other actions necessary to effect the dissolution.

RESOLVED this 14th day of July, 2015.

**CENTENNIAL CROSSING  
METROPOLITAN DISTRICT NO. 6**

By:   
\_\_\_\_\_  
President

Attest:

By:   
\_\_\_\_\_  
Secretary

**RESOLUTION REGARDING THE DISSOLUTION OF CENTENNIAL CROSSING  
METROPOLITAN DISTRICT NO. 7**

WHEREAS, Centennial Crossing Metropolitan District No. 7 ("District") is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to § 32-1-701(1), C.R.S., a majority of all members of the Board of Directors of the District has deemed it to be in the best interest of the District that it be dissolved, and that a Petition for Dissolution be filed with the District Court of Weld County, Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CENTENNIAL CROSSING METROPOLITAN DISTRICT NO. 7:

The Board of Directors of Centennial Crossing Metropolitan District No. 7 authorizes its attorneys, Seter & Vander Wall, P.C., to initiate the process of dissolving the District by filing a Petition for Dissolution with the District Court of Weld County, Colorado, pursuant to § 32-1-701(1), *et seq.*, C.R.S., and perform other actions necessary to effect the dissolution.

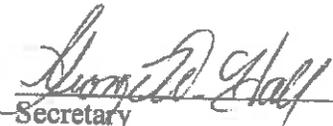
RESOLVED this 14th day of July, 2015.

**CENTENNIAL CROSSING  
METROPOLITAN DISTRICT NO. 7**

By: 

President

Attest:

By: 

Secretary