



AGENDA  
NORTHWEST COLORADO GENERAL IMPROVEMENT DISTRICT  
HAYDEN TOWN HALL – 178 WEST JEFFERSON AVENUE  
THURSDAY, September 7, 2023  
7:00 P.M.

ATTENDEES/COUNCIL MAY PARTICIPATE VIRTUALLY VIA ZOOM WITH THE INFORMATION BELOW:

Join Zoom Meeting

<https://us02web.zoom.us/j/81996476776?pwd=N284bThVSlc4amplZ3oyb0VMTUNKUT09>

Meeting ID: 819 9647 6776

Passcode: 700776

One tap mobile

+16699009128,,81996476776#,,,,,0#,,700776# US (San Jose)

+12532158782,,81996476776#,,,,,0#,,700776# US (Tacoma)

THE TOWN WILL ALSO BROADCAST MEETINGS ON FACEBOOK LIVE AT THE TOWN'S FACEBOOK PAGE AT <https://www.facebook.com/coloradohayden/>

**\*OFFICIAL RECORDINGS AND RECORDS OF MEETINGS WILL BE THE ZOOM RECORDING AND NOT FACEBOOK LIVE. FACEBOOK LIVE IS MERELY A TOOL TO INCREASE COMMUNITY INVOLVEMENT AND IS NOT THE OFFICIAL RECORD. \***

REGULAR MEETING – 7:00 P.M.

1a. CALL TO ORDER

1c. PLEDGE OF ALLEGIANCE

1d. ROLL CALL

2. PUBLIC COMMENTS

Citizens are invited to speak to the Commissioners on items that are not on the agenda. There is a 3 minute time limit per person, unless otherwise noted by the Chair. Please note that no formal action will be taken on these items during this time due to the open meeting law provision; however, they may be placed on a future posted agenda if action is required.

3. CONSENT ITEMS

Consent agenda items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a Board of Director or staff requests the Board of Directors to remove an item from the consent agenda.

4. OLD BUSINESS

5. NEW BUSINESS

A. Review and Consider for Approval of Authorizing Resolution 2023-03

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6. STAFF AND COMMISSIONER REPORTS (CONTINUED, IF NECESSARY)

7. EXECUTIVE SESSION (IF NECESSARY)

8. ADJOURNMENT

*NOTICE: Agenda is subject to change. If you require special assistance in order to attend any of the GID's public meetings or events, please notify the GID at (970) 276-3741 at least 48 hours in advance of the scheduled event so the necessary arrangements can be made*

## **RESOLUTION NO. 2023-03**

### **A RESOLUTION OF THE NORTHWEST COLORADO GENERAL IMPROVEMENT DISTRICT (NO. 1-2022) CALLING AN ELECTION ON NOVEMBER 7, 2023; SUBMITTING THE BALLOT QUESTION SET FORTH HEREIN TO A VOTE OF THE REGISTERED ELECTORS OF THE DISTRICT; AND AUTHORIZING THAT ALL NECESSARY ACTIONS BE TAKEN RELATING TO THE ELECTION.**

WHEREAS, the Northwest Colorado General Improvement District (No. 1-2022) (the “District”), in the Town of Hayden, Colorado (the “Town”), duly organized as a general improvement district pursuant to Ordinance No. 720 adopted by the Town Council of the Town on September 1, 2022, is a quasi-municipal subdivision of the State of Colorado and a body corporate with limited proprietary powers set forth in Part 6, Article 25, Title 31, Colorado Revised Statutes (“C.R.S.”), as amended; and

WHEREAS, the Town Council of the Town is ex-officio the Board of Directors of the District (the “Board”); the presiding officer of the Town Council is ex-officio the presiding officer of the District; and the Town Clerk is ex-officio the Secretary of the District; and

WHEREAS, at an election of the qualified electors of the District, duly called and held on Tuesday, November 8, 2022 (the “2022 Election”), in accordance with law and pursuant to due notice, a majority of those qualified to vote and voting at the Election voted in favor of, among other items, (i) the levy of an ad valorem property tax of the District for (A) all or a portion of the cost of the financing and constructing public infrastructure within the District, including without limitation roadway, water, sewer and other improvements for the benefit of the taxpayers, property owners and residents of the area within and surrounding the District, and (B) any other legally permitted public purposes (the “Projects Tax”), (ii) the levy of an ad valorem property tax of the District to provide funds for the payment of operation and maintenance expenses of and the accumulation of repair and replacement reserves for improvements financed by the District (the “Operations Tax”), and (iii) the issuance of bonds or other obligations of the District secured by a pledge of all or a portion of the ad valorem property tax described in clause (i) of this paragraph to the payment of such obligations for the purpose of constructing and installing public infrastructure within the District, including without limitation roadway, water, sewer and other improvements; and

WHEREAS, the potential passage of Proposition HH, a ballot measure referred to statewide election on November 7, 2023, would, among other things, reduce the assessment rates for residential property classes and increase the dollar amount of the related valuation reduction, which changes would reduce the amount of revenue generated by the taxes approved in the 2022 Election; and

WHEREAS, accordingly, the Board deems it necessary and appropriate to call an election on November 7, 2023 and to submit to the registered electors of the District, at the election, a ballot question calling for the authorization to levy the District’s Projects Tax at a rate sufficient to offset any revenue losses that would otherwise occur due to any reduction in

the valuation for assessment for residential real property that may be required by Proposition HH or other state law so that the amount of revenue generated by such mill levy is the same as the revenue that would have been generated had such reduction not occurred.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, IN ITS EX-OFFICIO CAPACITY AS THE BOARD OF DIRECTORS OF THE NORTHWEST COLORADO GENERAL IMPROVEMENT DISTRICT (NO. 1-2022), AS FOLLOWS:**

**Section 1.** Northwest Colorado General Improvement District (1-2022) is hereby declared to be organized. The District shall possess all of the powers set forth in Part 6 of Article 25 of Title 31, C.R.S., subject to each of the conditions set forth in the Petition.

**Section 2.** The real property included within the boundaries of the District is shown on the vicinity map and the legal description filed with the Town Clerk and presented to the Council at this meeting.

**Section 3.** The Council shall constitute ex-officio the Board of Directors of the District (the "Board"). Pursuant to Section 31-25-609, C.R.S., the Mayor shall be ex-officio the presiding officer, the Town Clerk shall be ex-officio the secretary, and the Town Manager shall be ex-officio the treasurer of the Board and the District. Notice of each meeting of the Board shall be posted within the boundaries of the District at a location to be designated in writing by the Town Clerk.

**Section 4.** The Town shall provide to the District all services necessary and appurtenant to the public purposes authorized herein or by law, all for the benefit of the District's taxpayers and the property owners and residents of the District and surrounding area, and shall, at all times, act as the authorized agent of the District in the performance of such services.

**Section 5.** An election shall be held on Tuesday, November 7, 2023 (the "Election") as a mail ballot election pursuant to the provisions of Section 31-25-601, C.R.S., et. seq. and the Uniform Election Code of 1992, Articles 1 to 13 of Title 1, C.R.S., at which Election the following question shall be submitted to a vote of the registered electors of the District:

WITHOUT ANY NET TAX REVENUE GAIN TO THE DISTRICT AND IN ORDER TO MAINTAIN FUNDING FOR DISTRICT CAPITAL INFRASTRUCTURE, SHALL NORTHWEST COLORADO GENERAL IMPROVEMENT DISTRICT (NO. 1-2022) BE AUTHORIZED TO ADJUST ITS AD VALOREM PROPERTY TAX MILL LEVY TO OFFSET ANY REVENUE LOSSES THAT WOULD OTHERWISE OCCUR DUE TO ANY REDUCTION IN THE VALUATION FOR ASSESSMENT FOR RESIDENTIAL OR NONRESIDENTIAL REAL PROPERTY THAT MAY BE REQUIRED BY PROPOSITION HH OR OTHER STATE LAW SO THAT THE AMOUNT OF REVENUE GENERATED BY SUCH MILL LEVY IS THE SAME AS THE REVENUE THAT WOULD HAVE BEEN GENERATED HAD SUCH

REDUCTION NOT OCCURRED, AND SHALL THE PROCEEDS OF SUCH TAXES AND ANY INVESTMENT INCOME THEREON BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT IN FISCAL YEAR 2023 AND IN EACH FISCAL YEAR THEREAFTER AS A VOTER-APPROVED REVENUE CHANGE WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, THE LIMITS IMPOSED ON INCREASES IN PROPERTY TAXATION BY SECTION 29-1-301, C.R.S., IN ANY YEAR, OR ANY OTHER LAW WHICH PURPORTS TO LIMIT THE DISTRICT'S REVENUES OR EXPENDITURES AS IT CURRENTLY EXISTS OR AS IT MAY BE AMENDED IN THE FUTURE, ALL WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT?

YES \_\_\_ NO \_\_\_”

**Section 6.** The above question is hereby submitted pursuant to the requirements of Article X, Section 20(4)(b) of the Colorado Constitution, and Section 31-25-607(4)(a), C.R.S. The adjustment of the rate of mill levy of such taxes shall be authorized upon a majority vote of the registered electors of the District voting at the District’s election on November 7, 2023.

**Section 7.** The Town Clerk, in her capacity as the designated election official for the November 7, 2023, District election, shall conduct the District election, tally the votes in favor of and opposed to the above question, and certify the same to the Council following the election as required by Section 1-11-103(2), C.R.S.

**Section 8.** The Town Clerk is hereby directed to transmit a copy of this Resolution to the Clerk and Recorder of Routt County for recording in the real property records of such County. In accordance with the requirements of Section 39-1-110(1)(a), C.R.S., the Town Clerk is further directed to notify the Assessor, the Division of Local Government, and the Board of County Commissioners of Routt County of the filing of the Petition and the boundaries of the District.

**Section 9.** The officers and employees of the District are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

**Section 10.** All Resolutions, bylaws, orders and other instruments, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any Resolution, bylaw, order or other instrument, or part thereof, heretofore repealed.

**Section 11.** If any section, subsection, paragraph, clause or other provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity to

unenforceability thereof shall not affect any of the remaining sections, subsections, paragraphs, clauses or provisions of this Resolution.

**Section 12.** This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED at a regular meeting this 7th day of September, 2023.

[SEAL]

Northwest Colorado General Improvement  
District (No. 1-2022)

By: \_\_\_\_\_  
President of the District

Attest:

By: \_\_\_\_\_  
Secretary of the District