

A BILL FOR AN ORDINANCE

ORDINANCE NO. 02

SERIES OF 2023

INTRODUCED BY: COUNCILMEMBER WIESNER

AN ORDINANCE ESTABLISHING THE CIMARRON DRIVE LOCAL IMPROVEMENT DISTRICT PURSUANT TO THE GREENWOOD VILLAGE MUNICIPAL CODE FOR THE PURPOSE OF FINANCING THE COST OF UNDERGROUNDING ELECTRIC POWER TRANSMISSION LINES AND RELATED FACILITIES

WHEREAS, Chapter 4, Article 9 of the Greenwood Municipal Code authorizes the City Council to create local improvement districts for the construction, installation or improvement of public improvements which serve a municipal purpose and confer a special benefit upon the property within the district and a general benefit upon the City as a whole; and

WHEREAS, the City Council has determined that it is in the best interests of the City and its residents to authorize, approve and create a local improvement district for the purpose of financing the cost of undergrounding electric power transmission lines and related facilities; and

WHEREAS, pursuant to Section 4-9-40 of the Greenwood Village Municipal Code, the creation of a local improvement district may be initiated by the filing of a written petition with the City Clerk signed by a majority of the owners of real property within the district designated in the petition containing a description of the area to be included within the district, a description of the improvements petitioned for and the location thereof, and names and addresses of the signers thereof, together with the legal description of the parcels of real property owned by each; and

WHEREAS, the City Council, having received a petition signed by a majority of property owners to be included within the Cimarron Drive Local Improvement District, adopted a Resolution declaring its intention to create the Cimarron Drive Local Improvement District January 9, 2023, setting the time and place for a public hearing thereon and directing the City Clerk to give public notice thereof; and

WHEREAS, notice of the public hearing concerning the creation of the District was published on the City's website no less than fifteen (15) days prior to the hearing; and

WHEREAS, notice was sent by mail, postage prepaid, to each of the property owners to be included in the District informing them of the description of the district, the description of the improvements, the estimated cost of the improvements excluding the cost of engineering, collection, inspection, incidentals and interest, the estimated total revenue to be raised by special assessment to be levied upon the real property within the district, the time and place set for public hearing, and any owner of real property to be assessed may appear at the public hearing and be heard; and

WHEREAS, at the time and place set forth in the notice, the City Council held a public hearing for the purposes of hearing any objections or protests to the creation of the District; and

WHEREAS, all objections and protests have been duly heard and considered, and the City Council has determined to proceed with the creation of the District for financing the costs of undergrounding electric power transmission lines and related facilities.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENWOOD VILLAGE, COLORADO, ORDAINS:

Section 1. Creation of District. The Cimarron Drive Local Improvement District is hereby created and established in accordance with the Greenwood Village Charter and Municipal Code and C.R.S. Title 31, Article 25, Part 5. The District shall consist of those properties more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference. All proceedings heretofore taken and adopted in connection with the District are hereby ratified, approved and confirmed.

Section 2. Improvements Authorized. The proposed undergrounding of certain electric power transmission lines and related facilities, as shown in the preliminary plans on file in the office of the City Clerk, is hereby authorized to be completed.

Section 3. Cost of Improvements. The estimated total cost of improvements including the cost of undergrounding the electric power transmission lines, engineering and surveying, and administrative costs, is \$32,209.72. The owners of real property within the District shall each be assessed as follows at an interest rate of 5% for a period of 10 years.

- 3 Cimarron Drive - \$5,000.00 (15.52%)
- 5 Cimarron Drive - \$7,986.47 (24.80%)
- 7 Cimarron Drive - \$7,986.47 (24.80%)
- 4 Cimarron Drive - \$11,236.47 (34.89%)

Actual costs will be determined at the project's end, at which time a final assessment will be adopted by ordinance and recorded with the County and assessed in the percentage of actual cost as set forth above.

Section 4. Benefits. The City Council hereby finds and determines that the proposed undergrounding of electric power transmission lines and related facilities will confer a special benefit upon the properties within the District and a general benefit upon the City as a whole.

INTRODUCED AND APPROVED ON FIRST READING ON THE 6TH DAY OF FEBRUARY, 2023, AND ORDERED PUBLISHED.

CITY COUNCIL OF THE
CITY OF Greenwood Village, COLORADO
George Lantz, Mayor

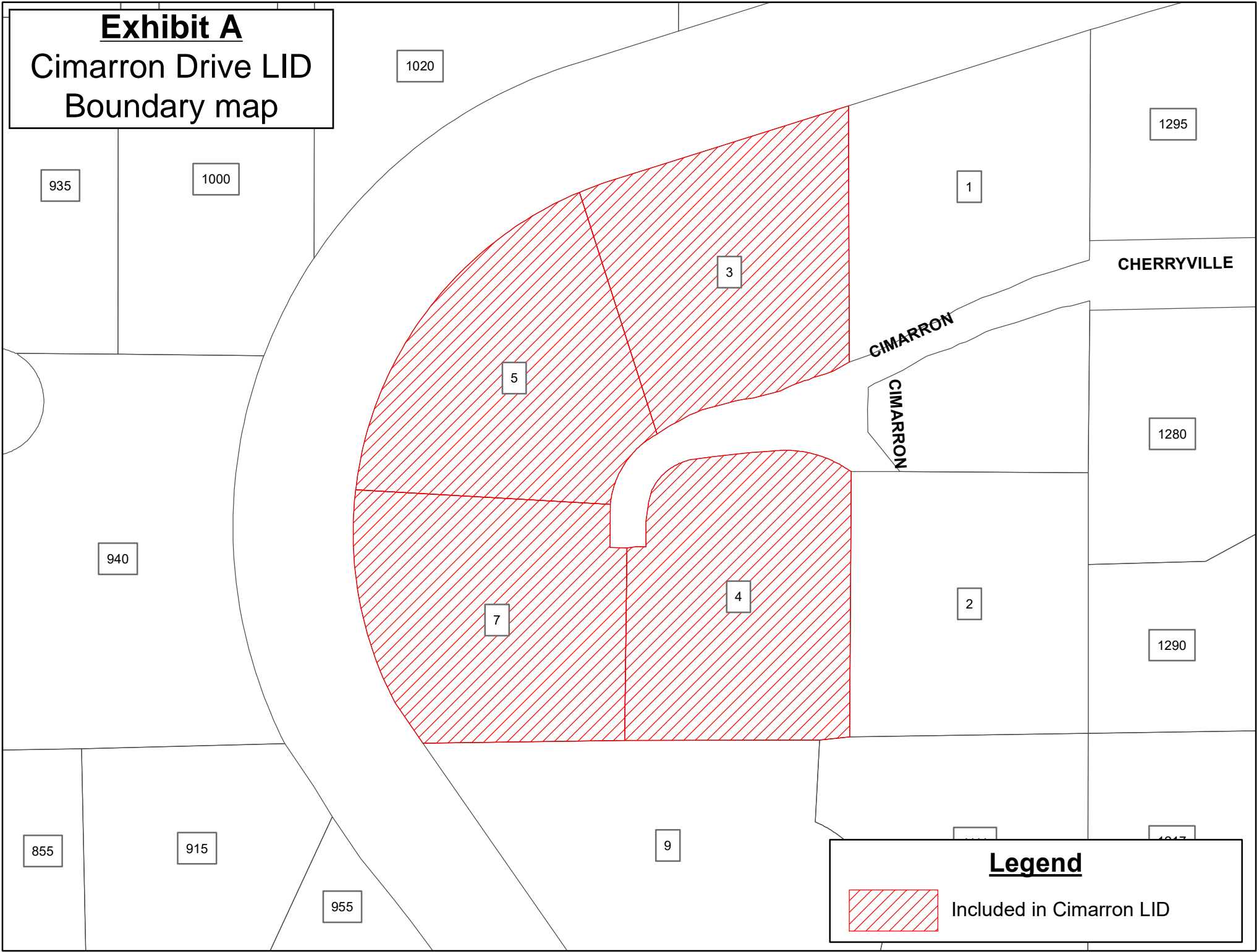
ATTEST: Susan M. Ortiz, City Clerk

APPROVED AS TO FORM: Tonya Haas Davidson, City Attorney

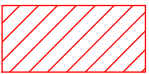
Date Published: February 7, 2023

Published at: www.greenwoodvillage.com

Exhibit A
Cimarron Drive LID
Boundary map



Legend

 Included in Cimarron LID

**LEGAL DESCRIPTIONS
OF ALL PROPERTIES INCLUDED IN THE CIMARRON DRIVE
LOCAL IMPROVEMENT DISTRICT
FOR UNDERGROUND BURIAL OF OVERHEAD UTILITY LINES**

1. Property: 3 CIMARRON DRIVE, GREENWOOD VILLAGE, COLORADO 80121 – TRACT B
CIMARRON SUBDIVISION
2. Property: 4 CIMARRON DRIVE, GREENWOOD VILLAGE, COLORADO 80121 – TRACT E-1
CIMARRON SUBDIVISION AMENDMENT NO. 1
3. Property: 5 CIMARRON DRIVE, GREENWOOD VILLAGE, COLORADO 80121 – TRACT C
CIMARRON SUBDIVISION
4. Property: 7 CIMARRON DRIVE, GREENWOOD VILLAGE, COLORADO 80121 – TRACT D
CIMARRON SUBDIVISION