

COUNCIL COMMUNICATION

Meeting Date: August 17, 2010	1 st Reading _____ 2 nd Reading _____	Legal Review:	Work Plan #	Agenda Location: Public Hearing	Agenda Item: 9A
Subject: A RESOLUTION APPROVING THE SERVICE PLANS FOR BRAMMING FARM METROPOLITAN DISTRICT NOS. 1 AND 2 AND THE INTERGOVERNMENTAL AGREEMENTS BETWEEN THE CITY OF THORNTON AND BRAMMING FARM METROPOLITAN DISTRICT NOS. 1 AND 2 REGARDING THE SERVICE PLANS FOR THE DISTRICTS.					
Prepared by: Karen Widomski		Approved by: Jack Ethredge		Ordinance previously introduced by: _____	
Reviewed by: Jeff Coder		Presented by: Glenda Lainis Policy Planning Manager			

KEY CONSIDERATIONS:

- As required by the City Code and State law, the City placed a notice of tonight’s public hearing in the July 22, 2010 Northglenn-Thornton Sentinel and the applicant mailed notices of the hearing on July 19, 2010 to all property owners within the proposed Bramming Farm Metropolitan District Nos. 1 and 2 (Districts) boundaries and the governing body of any existing municipality or special district which has levied an ad valorem tax within the next preceding tax year and which has boundaries within a radius of three miles of the proposed Districts’ boundaries. Public hearing notices are required by State law to be mailed and published between 20 - 30 days prior to the public hearing date.
- Both the published notice and the mailed notices contained an error regarding the description of the location of the Districts. City Code and State law require that the correct location of the Districts be identified in the public hearing notice.
- The error was discovered 18 days prior to tonight’s public hearing and therefore the City and applicant were not able to re-publish and re-mail corrected notices within the timeframe required by State law to conduct a public hearing on the Districts on August 17, 2010.
- The City and applicant have corrected the error and published a new notice in the August 5, 2010 edition of the Northglenn-Thornton Sentinel and re-mailed a notice on August 11, 2010 in order to meet the notification timeframe required to hold an August 31, 2010 public hearing.
- The Council should not take action on the application other than to postpone the public hearing to the August 31, 2010 meeting date.

BUDGET/STAFF IMPLICATIONS:

- None.

RECOMMENDATION:

- Staff recommends that Council open the public hearing and approve a motion to continue the public hearing until August 31, 2010.