

RESOLUTION NO. \_\_\_\_-22

A RESOLUTION APPROVING ADDITIONAL PROPERTY INTO THE INCLUSION AREA BOUNDARIES OF PEAK METROPOLITAN DISTRICT NOS. 1-3 FOR A PROPERTY IN THE AIRPORT BUSINESS PARK AREA

WHEREAS, Section 32-1-207, C.R.S., provides that a special district may materially modify its service plan only upon petition to the governing body of the municipality within which the special district lies and adoption of resolution of approval by such governing body; and

WHEREAS, the City Council of the City of Colorado Springs approved the Service Plan for the Peak Metropolitan District Nos. 1-3 (“Districts”) on August 28, 2018 (the “Original Service Plan”); and

WHEREAS, City Council approved a First Amendment to the Service Plan (“First Amendment to Service Plan”) to authorize covenant enforcement as an operations and maintenance function, on February 12, 2019; and

WHEREAS, City Council approved a Second Amendment to the Service Plan (“Second Amendment to Service Plan”) which allows for a modification to the Districts’ “Inclusion Area Boundaries” and “Inclusion Area Boundary Map”, authorizes provision of limited security services, and addresses concealed carry firearm provisions on March 22, 2022; and

WHEREAS, the Districts have submitted for review and City Council has reviewed a request to include an additional approximately six (6) acres of property into the Inclusion Area Boundary Map of Peak Metropolitan District Nos 1-3, which property was inadvertently omitted from Exhibit A-2 “Legal Description of the Inclusion Area Boundaries” and Exhibit C-2 Inclusion Area Boundary Map” in the Second Amendment to Service Plan; and

WHEREAS, City Council considered testimony and evidence presented at a public hearing on July 26, 2022, to determine whether to authorize this limited addition of property into the Inclusion Area Boundaries of the Districts.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:**

Section 1. The above and foregoing recitals are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. Council hereby finds that approval of the addition of this property described in Exhibit 1, into the Inclusion Area Boundaries of the Districts, is in the best interests of the City and the District.

Section 3. With the exception of those modifications specifically addressed in the First and Second Amendments to Service Plan, the Original Service Plan shall remain in full

force and effect.

Section 4. All ordinances or resolutions, or parts thereof, in conflict with this Resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such Resolution nor revive any Resolution thereby.

Section 5. This Resolution shall be effective upon its approval by City Council.

DATED at Colorado Springs, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
Sarah Johnson, City Clerk