

RESOLUTION NO. 06 - 26

A RESOLUTION OF THE CITY OF COLORADO SPRINGS
APPROVING A LIMITED SECOND AMENDMENT TO THE
AMENDED AND RESTATED SERVICE PLAN FOR THE
BRADLEY HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2, AND
3

WHEREAS, Section 32-1-204.5, C.R.S., provides that no special district shall be organized within a municipality except upon adoption of a resolution approving or conditionally approving the service plan of a proposed special district; and

WHEREAS, the City of Colorado Springs ("City") passed Resolution No. 111-22 adopting a Special District Policy to be applied to applications to create or modify a district authorized under Titles 31 and 32 of the Colorado Revised Statutes and adopting model service plans to be used in establishing and modifying metropolitan districts (the "Policy and Model Service Plan"); and

WHEREAS, the City originally approved a service plan prior to creation of the Bradley Heights Metropolitan District Nos. 1, 2, and 3 (the "Districts"), on September 13, 2005, per Resolution No. 163-05; and

WHEREAS, the City approved an amended and restated consolidated service plan for the Districts ("Amended and Restated Service Plan") on May 11, 2010, by Resolution No. 67-10; and

WHEREAS, the City considered and approved a First Amendment to the Amended and Restated Consolidated Service Plan on December 12, 2023, by Resolution No 205-23; and

WHEREAS, the City has considered this limited Second Amendment ("Second Amendment") to the Amended and Restated Service Plan for the Districts with the recommended changes to the description of permitted services and all other testimony and evidence presented at the Council meeting. ; and

WHEREAS, it appears to the City Council that the provisions of this limited Second Amendment to the Amended and Restated Service Plan are consistent with the Policy and Model Service Plan.

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. The City Council, having reviewed the Second Amendment to the Amended and Restated Service Plan for the Districts, as submitted by the petitioner, has determined, based solely upon the Second Amendment and evidence presented to City Council

in support of said Second Amendment, that it is consistent with the Policy and Model Service Plan.

Section 3. The Second Amendment to the Amended and Restated Service Plan for the Districts, attached as Exhibit 1, is hereby approved.

Section 4. The City's approval of the Second Amendment to the Amended and Restated Service Plan is not a waiver of, nor a limitation upon, any right or power that the City is legally permitted to exercise with respect to the property subject to the Districts.

Section 5. This Resolution shall be in full force and effect immediately upon its adoption.

Dated at Colorado Springs, Colorado this 24th day of February 2026.


Lynette Crow-Iverson, Council President

ATTEST:


Sarah B. Johnson, City Clerk



**SECOND AMENDMENT
TO
AMENDED AND RESTATED SERVICE PLAN
FOR
BRADLEY HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2 AND 3
IN THE CITY OF COLORADO SPRINGS, COLORADO**

Prepared

By

WSDM Managers
3204 N. Academy Blvd., Ste. 100
Colorado Springs, CO 80917

and

WBA, PC
2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122

January 23, 2026

I. Introduction

The original Consolidated Service Plan for Bradley Heights Metropolitan District Nos. 1-3 [originally named Rancho Colorado] was approved by the City of Colorado Springs (the “City”) on September 13, 2005, pursuant to City Resolution No. 163-05. The City approved an Amended and Restated Consolidate Service Plan on May 11, 2010, pursuant to City Resolution No. 67-10. On December 12, 2023, the City approved the limited First Amendment to the Amended and Restated Consolidated Service Plan (“First Amendment”) for the Bradley Heights Metropolitan District (the “Districts”) pursuant to City Resolution No. 205-23 to amend the Maximum Operating Mill Levy for the payment of the Districts’ administrative, operation and maintenance expenses to what is authorized and permitted by Section G.1.2 of the City’s Special District Policy.

This limited Second Amendment to the Amended and Restated Consolidated Service Plan is submitted accordance with the requirements of Section 32-1-207(2) of Title 32, Colorado Revised Statutes, and the City’s Special District Policy, specifically Section E.19 “Limited Service Plan Amendment”. The singular purpose of this limited Second Amendment is to amend **Exhibit D** of the Amended and Restated Consolidated Service Plan describing the permitted services to be provided by the Districts to also include ownership, operation and maintenance of trails, open space, parks, landscape, internal alleyways and private streets located within the boundaries of the Districts.

The remainder of the Amended and Restated Consolidate Service Plan is left unchanged by this limited Second Amendment.

II. Description of Proposed Powers, Improvements and Services-Powers of the Districts and Service Plan Amendment-Operations and Maintenance Limitation [Section V.A.1]

The Districts shall not be authorized to operate and maintain any part or all of the Public Improvements after such dedication, including park and recreation improvements, unless the provision of such ongoing operation and maintenance is specifically identified in **Exhibit D** attached hereto. In the City’s sole discretion, an IGA between the City and the District may be required in order to better describe the conditions under which these permitted services will be provided by the District.

This Second Amendment amends and restates Exhibit D as follows:

EXHIBIT D

Description of Permitted Services to be Provided by the Districts

Description of Services

IGA Required (Yes or No)

Maintenance of entry features, landscaping and right-of-way landscaping, streetscapes, drainage/detention facilities, trails, open space, parks, including, but not limited to, two five-acre parks

No

Maintenance of internal alleyways and private streets located within the Districts including, but not limited to, the Bradley Heights Filing 5 alleyways: Bolte Grove, Hodges Grove, Kenney Grove, Halsip Grove, and Vanfleet Grove as shown on enclosed map

No



III. Conclusion

This limited Seconded Amendment, along with the First Amendment and the Amended and Restated Consolidated Service Plan, as required by § 32-1-203(2), C.R.S., has established that:

(a) There is sufficient existing and projected need for organized service in the area served by the Districts (established by Amended and Restated Consolidated Service Plan);

(b) The existing service in the area served by the Districts is/was inadequate for present and projected needs (established by Amended and Restated Consolidated Service Plan);

(c) The Districts are capable of providing economical and sufficient service to the area within their boundaries;

(d) The area included in the Districts does have the financial ability to discharge the outstanding and proposed indebtedness on a reasonable basis (established by Amended and Restated Consolidated Service Plan);

(e) Adequate service is not, and will not be, available to the area through the City or County or other existing municipal or quasi-municipal corporations, including other existing special districts, within a reasonable time and on a comparable basis (established by Amended and Restated Consolidated Service Plan);

(f) The facility and service standards of the Districts are compatible with the facility and service standards of the City within which the special district is to be located and each municipality which is an interested party under Section 32-1-204(1), C.R.S. (established by Amended and Restated Consolidated Service Plan);

(g) The proposal is in substantial compliance with the Comprehensive Plan adopted pursuant to the City Code (established by Amended and Restated Consolidated Service Plan);

(h) The proposal is in compliance with any duly adopted City, regional or State long- range water quality management plan for the area (established by Amended and Restated Consolidated Service Plan); and

(i) The creation of the Districts was in the best interests of the area proposed to be served (established by Amended and Restated Consolidated Service Plan).