

RESOLUTION NO. _____ - 24

A RESOLUTION OF THE CITY OF COLORADO SPRINGS
APPROVING A SERVICE PLAN FOR THE PERCHERON PARK
AND RECREATION DISTRICT LOCATED IN THE NORTH
PORTION OF BANNING LEWIS RANCH ON THE NORTH AND
SOUTH SIDES OF WOODMEN ROAD

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, Section 32-1-1005, C.R.S., provides for the creation of park and recreation districts and describes the powers and limitations of park and recreation districts; and

WHEREAS, the City passed Resolution No. 111-22 adopting a Special District Policy (the "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 "Model Service Plan"); and

WHEREAS, while not entirely aligned with the Policy, City Council has agreed that the District's total mill levy, five (5) mills for debt service and five (5) mills for operations and maintenance, should not count against any mill levy limit of any other special district which it overlaps; and

WHEREAS, the City has considered the Service Plan for the Percheron Park and Recreation District (the "District") with the requested mill levies and all other testimony and evidence presented at the Council meeting.

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

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 of the City of Colorado Springs, having reviewed the Service Plan for Percheron Park and Recreation District (the "Service Plan"), as submitted by the petitioner, has determined, based solely upon the Service Plan and evidence presented to City Council in support of said Service Plan, that it is consistent with the Policy.

Section 3. The Service Plan for the District, attached hereto as Exhibit 1 and incorporated herein, is hereby approved.

Section 4. The District shall clearly and affirmatively disclose the property tax mill levy increase associated with this Service Plan to all existing and future contract purchasers of property within the District.

Section 5. The District shall comply with all statutory and other legal processes and procedures to effectuate any increase in property tax mill levies allowed by the Service Plan.

Section 6. The City's approval of the Service Plan is not a waiver of, nor a limitation upon, any power that the City is legally permitted to exercise with respect to the property subject to the District.

Section 7. This Resolution shall be in full force and effect immediately upon its adoption.

DATED at Colorado Springs, Colorado, this _____ day of _____ 2024.

Randy Helms, Council President

ATTEST:

Sarah Johnson, City Clerk