

RESOLUTION NO. _____ - 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 _____ day of _____, 2026.

ATTEST:

Lynette Crow-Iverson, Council President

Sarah B. Johnson, City Clerk