

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

November 17, 2020

Waterview II Metropolitan District
Attn: Sean Allen
2154 E. Commons Avenue Suite 2000
Centennial, CO 80122

RE: ADM-20-038; Waterview II Administrative Determination

This letter is in response to your request for an administrative determination regarding the proposed amendments to the Waterview II Metropolitan District Service Plan. The proposed amendment would give the District the authority to adjust the 40 mills allocated to debt service and operation and maintenance in response to any adjustments required by the Gallagher Amendment, regardless of the outcome of the 2020 ballot measure or any other future ballot measure. The Gallagher Amendment was successfully repealed in the 2020 election. The District has also requested to add the service of Covenant Enforcement to their powers.

Section 9.3.2 of the El Paso County Land Development Code (2019) defines a material modification as follows:

A material modification of a final service plan shall be a change of a basic or essential nature, including but not limited to the following:

- Any addition to the types of services provided by the special district;
- A decrease in the level of services provided by the special district;
- A decrease in the financial ability of the district to discharge the existing or proposed indebtedness;
- A decrease in the existing or projected need for organized service in the area;
- Any service provided outside of the district boundaries or approved service area which reduces service capabilities within the district; or
- Any modification that is contrary to a condition imposed by the BoCC in the final service plan or which is identified as a material modification within the final service plan.

The proposed amendments will result in an additional service being provided by the District and will also result in a modification that is contrary to the condition imposed by the BoCC in regards to the maximum mill levy. The proposed amendment is a material modification; therefore, El Paso County requires submission of an application to amend the service plan. This amendment process must begin with an Early Assistance meeting. If you have any questions or concerns regarding this determination, please contact Nina Ruiz, at (719) 520-6313.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Dossey". The signature is fluid and cursive, with the first name "Craig" and last name "Dossey" clearly distinguishable.

Craig Dossey, Executive Director
El Paso County Planning and Community Development Department