

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

A RESOLUTION DIRECTING THE CHIEF EXECUTIVE OFFICER OF COLORADO SPRINGS UTILITIES TO EXECUTE AN AGREEMENT FOR REGIONAL FULL SERVICE WATER BETWEEN COLORADO SPRINGS UTILITIES AND ROCK CREEK METROPOLITAN DISTRICT

WHEREAS, City Code §12.4.304 allows Colorado Springs Utilities to provide by contract for the use of or connection to the Utility supply system by institutions, plants, districts, governments, municipal corporations, or other similar users; and

WHEREAS, the Rock Creek Metropolitan District, a statutory metropolitan district that was formed in 2018, is anticipated to require up to 244 acre-feet per year of water service to meet the demands of its service area, and has service boundaries located generally south of Cheyenne Mountain State Park and west of Highway 115; and

WHEREAS, Rock Creek Metropolitan District will construct, operate, and maintain a water distribution system that will deliver water to customers; and

WHEREAS, Rock Creek Metropolitan District has a need for water to supply its customers and has requested a 25-year regional Water Service Agreement for regional full water service from Colorado Springs Utilities; and

WHEREAS, in exchange for regional full water service, Rock Creek Metropolitan District has agreed to pay the Tariff Rates and Fees for regional water service; and

WHEREAS, Colorado Springs Utilities requests that City Council authorize and direct the Chief Executive Officer for Colorado Springs Utilities to execute a regional Water Service Agreement for full service water service with Rock Creek Metropolitan District; and

WHEREAS, City Council recognizes that approving a regional Water Service Agreement for full service water to Rock Creek Metropolitan District does not set precedent for future requests for regional water service; and

WHEREAS, City Council finds that it is in the best interest of the City and the surrounding community for Colorado Springs Utilities to enter into a long-term regional Water Service Agreement with Rock Creek Metropolitan District.

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

Section 1. City Council finds and determines that a long-term regional Water Service Agreement between Colorado Springs Utilities and the Rock Creek Metropolitan

District will benefit the public health, safety and welfare of the surrounding community and is in the best interest of the City.

Section 2. The Chief Executive Officer for Colorado Springs Utilities is authorized and directed to enter into a long-term regional Water Service Agreement with the Rock Creek Metropolitan District in a form substantially similar to that attached hereto.

Section 3. This Resolution shall be in full force and effect immediately upon its adoption.

Dated at Colorado Springs, Colorado this 13<sup>th</sup> day of December, 2022.

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Council President

ATTEST:

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Sarah B. Johnson, City Clerk