

A RESOLUTION AUTHORIZING AND DIRECTING THE CHIEF EXECUTIVE OFFICER OF COLORADO SPRINGS UTILITIES TO ENTER INTO AN AGREEMENT FOR CONVEY, TREAT, AND DELIVER REGIONAL WATER SERVICE BETWEEN COLORADO SPRINGS UTILITIES AND TRIVIEW METROPOLITAN DISTRICT

WHEREAS, City Code §12.4.304 and Colorado Springs Utilities' Tariffs allow Colorado Springs Utilities to provide by contract for the use of or connection to its water supply system by institutions, plants, districts, governments, municipal corporations, or other similar users located outside the corporate limits of the City; and

WHEREAS, Triview Metropolitan District is a Colorado metropolitan district authorized under C.R.S. §32-1-1001 et seq., that provides water, wastewater, and stormwater services to a 2,590 acre service area with approximately 2,100 taps in the Colorado Springs metropolitan area in northern El Paso County; and

WHEREAS, Triview Metropolitan District owns or otherwise controls renewable water supplies and intends to increase and further diversify its water supplies with additional renewable supplies to meet its long-term water needs and reduce its historic and current reliance on non-renewable groundwater resources; and

WHEREAS, Triview Metropolitan District does not have the necessary infrastructure to convey its renewable water supplies to its service area and has requested Convey, Treat, and Deliver Regional water service from Colorado Springs Utilities under which its renewable water supplies will be treated and delivered through Colorado Springs Utilities' infrastructure to a single point of delivery between Colorado Springs Utilities' water system and Triview Metropolitan District's water system to be constructed in the future subject to volumetric limitations; and

WHEREAS, Colorado Springs Utilities currently has sufficient infrastructure capacity in its water system; water transportation displacement, and storage capacity not including UTILITIES' excess capacity storage space in the Fryingpan-Arkansas Project; and water treatment capacity to provide interruptible Convey, Treat, and Deliver Regional water service to Triview Metropolitan District; and

WHEREAS, in exchange for Convey, Treat, and Deliver Regional Water Service, Triview Metropolitan District has agreed to pay the rates and fees set forth in Colorado Springs Utilities' Tariffs for such service; and

WHEREAS, the Utilities Board recommended that City Council approve a long-term Agreement for Convey, Treat, and Deliver Regional Water Service with Triview Metropolitan District; and

WHEREAS, Colorado Springs Utilities requests that City Council authorize and direct the Chief Executive Officer of Colorado Springs Utilities to enter into a long-term Agreement for Convey, Treat, and Deliver Regional Water Service with Triview 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 Agreement for Convey, Treat, and Deliver Regional Water Service between Colorado Springs Utilities and Triview 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. City Council further finds and determines that a long-term Agreement for Convey, Treat, and Deliver Regional Water Service between Colorado Springs Utilities and Triview Metropolitan District will have a de minimis impact on the overall City's available water supply since Colorado Springs Utilities will primarily be delivering renewable water supplies owned by Triview Metropolitan District under the Agreement.

Section 3. The Chief Executive Officer of Colorado Springs Utilities is authorized and directed to enter into a long-term Agreement for Convey, Treat, and Deliver Regional Water Service with Triview Metropolitan District in a form substantially similar to that attached hereto.

Section 4. This Resolution shall be in full force and effect immediately upon its adoption.

Dated at Colorado Springs, Colorado this \_\_\_\_ day of April, 2023.

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Council President

ATTEST:

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Sarah B. Johnson, City Clerk