

RESOLUTION NO. ____-15

**A RESOLUTION DIRECTING THE CHIEF EXECUTIVE OFFICER OF
COLORADO SPRINGS UTILITIES TO EXECUTE AN AGREEMENT FOR
MONTH-TO-MONTH WATER SERVICE WITH DONALA WATER AND SANITATION
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 Donala Water and Sanitation District is a Colorado statutory water and sanitation district with service boundaries located generally in the area of Gleneagle outside of, but adjacent to, the City of Colorado Springs; and

WHEREAS, the Donala Water and Sanitation District was formed on November 30, 1972 and provides water service to approximately 2,600 taps within the Colorado Springs metropolitan area; and

WHEREAS, the Donala Water and Sanitation District has acquired and is continuing to acquire new, renewable water rights for its existing and future municipal uses; and

WHEREAS, the Donala Water and Sanitation District does not currently have the infrastructure to deliver its renewable water to its service territory and is currently able to use those water rights by utilizing a special contract for short term water service it has had with Colorado Springs Utilities since 2011 that expires on December 31, 2015; and

WHEREAS, the Donala Water and Sanitation District is making good faith efforts to obtain all permits and approvals needed to become a Southern Delivery System project beneficiary in order for it to be able to use the Southern Delivery System project to deliver water to its service territory; and

WHEREAS, the Donala Water and Sanitation District has a continuing need for water to supply its customers and has requested month-to-month water service from Colorado Springs Utilities until the Southern Delivery System becomes commercially operational; and

WHEREAS, Colorado Springs Utilities is in a position to supply water service to the Donala Water and Sanitation District on a month-to-month basis; and

WHEREAS, in exchange for month-to-month water service, the Donala Water and Sanitation District has agreed to pay a water rate plus a system usage fee based on applicable outside City rates and an option to purchase return flows at the applicable augmentation rate; and

WHEREAS, Colorado Springs Utilities requests that City Council authorize and direct the Chief Executive Officer for Colorado Springs Utilities to execute an agreement for month-to-month water service with the Donala Water and Sanitation District; and

WHEREAS, the 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 month-to-month water services agreement with the Donala Water and Sanitation District.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The City Council finds and determines that a month-to-month water services agreement between Colorado Springs Utilities and the Donala Water and Sanitation 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 month-to-month water services agreement with the Donala Water and Sanitation 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 _____ day of _____, 2015

ATTEST:

Merv Bennett, Council President

Sarah B. Johnson, City Clerk