

ORDINANCE NO. 16-\_\_\_\_\_

AN ORDINANCE APPROVING INCLUSION OF A PORTION OF THE CITY OF COLORADO SPRINGS, COLORADO WITHIN THE LOWER FOUNTAIN METROPOLITAN SEWAGE DISPOSAL DISTRICT UPON THE TERMS AND CONDITIONS SET FORTH BY THE BOARD OF DIRECTORS OF THE LOWER FOUNTAIN METROPOLITAN SEWAGE DISPOSAL DISTRICT.

WHEREAS, the City Council of the City of Colorado Springs, Colorado, ("City Council") is authorized pursuant to § 32-4-513, C.R.S., to include all or a portion of the City of Colorado Springs ("City") within a metropolitan sewage disposal district for purposes of providing wastewater collection and treatment services to the area included; and

WHEREAS, the City Council hereby determines that inclusion of a portion of the City within the Lower Fountain Metropolitan Sewage Disposal District ("Lower Fountain") is in the best interests of the City of Colorado Springs and its utilities enterprise, Colorado Springs Utilities ("Utilities") and Utilities' ratepayers; and

WHEREAS, the City Council further determines that inclusion of a portion of the City within Lower Fountain is necessary for the public health, safety, and general welfare.

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

Section 1. City Council hereby determines on behalf of Utilities that the portion of the City identified as the "Current Proposed LFMSDD Inclusion Area" in Exhibit "A" attached hereto and incorporated herein by reference shall be included within the Lower Fountain Metropolitan Sewage Disposal District for purposes of receiving wastewater treatment and collection service upon the terms and conditions set forth by the Board of Directors of Lower Fountain in the Sewage Treatment and Disposal Agreement attached hereto and incorporated herein as Exhibit "B".

Section 2. Council approves and authorizes the President of City Council to execute on behalf of the City and Utilities, the Lower Fountain Sewage Treatment and Disposal Agreement, attached hereto as Exhibit "B".

Section 3. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 4. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2016.

**Finally passed:** \_\_\_\_\_

\_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
Sarah B. Johnson, City Clerk