

RESOLUTION NO. ____-15

A RESOLUTION APPROVING AN AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COLORADO SPRINGS, COLORADO, AND THE COLORADO CENTRE METROPOLITAN DISTRICT FOR WATER DISTRIBUTION AND WASTEWATER COLLECTION, TREATMENT, AND DISPOSAL.

WHEREAS, the City of Colorado Springs (“City”), on behalf of its enterprise Colorado Springs Utilities (“Utilities”), entered into an intergovernmental agreement for provision of interim water and wastewater service with the Colorado Centre Metropolitan District (“CCMD”) on August 11, 2009 (“Original IGA”) under which the City and Utilities authorized CCMD to provide interim water and wastewater service to an area located within the dual jurisdiction of the City and CCMD; and

WHEREAS, the Original IGA is no longer sufficient to address the interim water and wastewater service needs of owners of property covered by the Original IGA and requires revision; and

WHEREAS, the City and Utilities are willing to allow CCMD to provide, and CCMD is willing to provide, interim water and wastewater service in accordance with terms and conditions of the attached Amended and Restated Intergovernmental Agreement for Water Distribution and Wastewater Collection, Treatment, and Disposal (“Amended IGA”); and

WHEREAS, the City Council recognizes that development within the area covered by the Amended IGA is in the best interest of the citizens of the City of Colorado Springs and ratepayers of Colorado Springs Utilities; and

WHEREAS, the City Council of the City of Colorado Springs (“City Council”) further recognizes that approval of the Amended IGA is necessary to allow development of property within the City that is unlikely to be developed without approval of the Amended IGA.

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

Section 1. The City Council hereby finds that amending and replacing the Original IGA with the Amended IGA and establishing a new plan for interim water and wastewater service in the interim service territory defined in the Amended and Restated Intergovernmental Agreement for Water Distribution and Wastewater Collection, Treatment, and Disposal, attached hereto as Attachment A and incorporated herein by reference is in the best interests of the citizens of the City of Colorado Springs and ratepayers of Colorado Springs Utilities. Further, the City Council hereby approves on behalf of its enterprise, Colorado Springs Utilities, the attached Amended and Restated

Intergovernmental Agreement for Water Distribution and Wastewater Collection, Treatment, and Disposal.

Section 2. The City Council hereby authorizes the Chief Executive Officer of Colorado Springs Utilities to execute the Amended and Restated Intergovernmental Agreement for Water Distribution and Wastewater Collection, Treatment, and Disposal attached to this Resolution on behalf of Colorado Springs Utilities.

Dated at Colorado Springs, Colorado, this _____ day of _____, 2015.

Merv Bennett, Council President

ATTEST:

Sarah Johnson, City Clerk