

RESOLUTION NO. 15- _____

**A RESOLUTION DIRECTING THE CHIEF EXECUTIVE OFFICER OF
COLORADO SPRINGS UTILITIES TO EXECUTE AN AUGMENTATION WATER LEASE
BETWEEN COLORADO SPRINGS UTILITIES AND PF, LLC**

WHEREAS, City Code § 12.4.304 allows Colorado Springs Utilities to provide by contract a connection to the City's water supply system by institutions, organized special districts, governments, municipal corporations, or other similar users, and

WHEREAS, PF, LLC, a subsidiary of the Broadmoor Hotel, is the owner of that certain property in the mountains southwest of the City of Colorado Springs upon which the attraction known as Seven Falls is located, and

WHEREAS, PF, LLC has an immediate need for up to 15 acre feet annually of fully consumable water to replace out-of-priority depletions to the Fountain Creek Basin resulting from the use of water at the Seven Falls attraction and has requested that Colorado Springs Utilities lease water to it for such purposes, and

WHEREAS, Colorado Springs Utilities is in a position to supply up to 15 acre feet annually of fully consumable water to replace out-of-priority depletions resulting from the use of water at the Seven Falls attraction, and

WHEREAS, Colorado Springs Utilities requests that City Council authorize and direct the Chief Executive Officer of Colorado Springs Utilities to execute an augmentation water lease with PF, LLC, and

WHEREAS, the City Council finds that it is in the best interest of the City of Colorado Springs and the surrounding community for Colorado Springs Utilities to enter into such an augmentation water lease with PF, LLC.

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

SECTION 1. The Chief Executive Officer of Colorado Springs Utilities is authorized and directed to enter into and administer an augmentation water lease with PF, LLC in a form substantially similar to that attached hereto.

SECTION 2. This Resolution shall be in full force and effect immediately upon its adoption.

Dated at Colorado Springs, Colorado, this ___ day of December, 2015.

Merv Bennett, Council President

ATTEST:

Sarah B. Johnson, City Clerk