

RESOLUTION NO. \_\_\_\_-16

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COLORADO SPRINGS, COLORADO, THE CITY OF FOUNTAIN, COLORADO, THE SECURITY WATER DISTRICT, AND THE PUEBLO WEST METROPOLITAN DISTRICT FOR THE OPERATIONS, MAINTENANCE, REPLACEMENT AND EXPANSION OF THE SOUTHERN DELIVERY SYSTEM, AND AUTHORIZING EXECUTION OF SUCH INTERGOVERNMENTAL AGREEMENT**

**WHEREAS**, the City Council of the City of Colorado Springs, Colorado (“City Council”) is authorized, pursuant to § 29-1-203, Colorado Revised Statutes, to enter into intergovernmental agreements with other governmental entities; and

**WHEREAS**, the City of Colorado Springs (“City”), on behalf of its enterprise Colorado Springs Utilities (“Utilities”), previously entered into that certain Intergovernmental Agreement for Construction of the Southern Delivery System, effective August 1, 2003, as amended, (the “Construction IGA”) with the City of Fountain, the Security Water District, and the Pueblo West Metropolitan District for the design, acquisition, construction, and installation of the Southern Delivery System (“SDS”); and

**WHEREAS**, the Construction IGA contemplated that near the end of construction and installation of the SDS, the parties to the Construction IGA would need to enter into a subsequent intergovernmental agreement for operation, maintenance, replacement, and expansion of the SDS; and

**WHEREAS**, Utilities is willing and desires to perform the obligations of the City identified in the attached Intergovernmental Agreement for the Operations, Maintenance, Replacement and Expansion of the Southern Delivery System (“O&M IGA”); and

**WHEREAS**, approval of the O&M IGA is in the best interests of the citizens of the City of Colorado Springs and the ratepayers of Colorado Springs Utilities and provides for effective delivery of SDS water to Utilities’ water customers.

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

Section 1. The City Council hereby approves on behalf of its enterprise, Colorado Springs Utilities, the Intergovernmental Agreement for the Operations, Maintenance, Replacement and Expansion of the Southern Delivery System, attached hereto as Attachment “A” and incorporated herein by reference.

Section 2. The City Council hereby authorizes the Chief Executive Officer of Colorado Springs Utilities or his designee to execute the Intergovernmental Agreement

for the Operations, Maintenance, Replacement and Expansion of the Southern Delivery System on behalf of the City of Colorado Springs and Colorado Springs Utilities.

Dated at Colorado Springs, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Merv Bennett, Council President

ATTEST:

\_\_\_\_\_  
Sarah Johnson, City Clerk