

RESOLUTION NO. _____ - 19

**A RESOLUTION DIRECTING THE CHIEF EXECUTIVE OFFICER OF
COLORADO SPRINGS UTILITIES TO EXECUTE AN AGREEMENT
FOR INTERIM WASTEWATER SERVICE WITH STERLING RANCH
METROPOLITAN DISTRICT NO. 1**

WHEREAS, City Code § 12.5.304 allows Colorado Springs Utilities to provide by contract for the use of or connection to its wastewater system by institutions, plants, districts, governments, municipal corporations, or other similar users; and

WHEREAS, Sterling Ranch Metropolitan District No. 1 (District) is a Colorado statutory water and sanitation district with service boundaries located generally north of Woodmen Road, east of Vollmer Road, and west of Banning Lewis Parkway in El Paso County; and

WHEREAS, District has represented that 287 lots have been platted within the District's service area pursuant to Homestead Filing Nos. 1 & 2 and Branding Iron Filing Nos. 1 & 2 (Platted Lots); and

WHEREAS, District has requested that Colorado Springs Utilities accept and treat District's wastewater flows from the Platted Lots through Colorado Springs Utilities' Wastewater Treatment System on an interim basis pending annexation discussions between property owners within the District for annexation of all or a portion of the Sterling Ranch Master Plan area and certain adjacent properties; and

WHEREAS, Colorado Springs Utilities is in a position to supply wastewater treatment service to Sterling Ranch for the Platted Lots without compromising service for inside City wastewater customers; and

WHEREAS, Colorado Springs Utilities recommends that City Council authorize and direct the Chief Executive Officer for Colorado Springs Utilities to execute an agreement for interim wastewater service with District in a form substantially similar to the draft interim wastewater services agreement attached hereto as Exhibit A; and

WHEREAS, Colorado Springs Utilities further recommends that City Council authorize the Chief Executive Officer of Colorado Springs Utilities to execute an agreement for interim wastewater service with District in a form substantially similar to Exhibit A.

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

Section 1. City Council finds and determines that an interim wastewater services agreement between Colorado Springs Utilities and 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 an interim wastewater services agreement with District in a form substantially similar to Exhibit A.

Section 3. The Chief Executive Officer of Colorado Springs Utilities is authorized to administer any interim wastewater services agreement with District entered into pursuant to this resolution.

Section 4. The City Attorney's Office is authorized to make necessary revisions to the Exhibit A agreement without seeking additional City Council authorization, but shall provide City Council with notice of any substantive revisions to the Exhibit A agreement.

Section 5. This Resolution shall be in full force and effect immediately upon its adoption.

Dated at Colorado Springs, Colorado this _____ day of _____, 2019.

Council President

ATTEST:

Sarah B. Johnson, City Clerk