



## Legislation Details (With Text)

**File #:** 22-688      **Version:** 3      **Name:**

**Type:** Ordinance      **Status:** Mayor's Office

**File created:** 10/12/2022      **In control:** City Council

**On agenda:** 2/14/2023      **Final action:** 2/14/2023

**Title:** Ordinance No. 23-02 Creating Section 305 (Service; Extension Limitation) of Part 3 (Water Service) of Article 4 (Water Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, As Amended, Pertaining to the Extension of Water Service.

**Presenter:**  
Abigail Ortega, General Manager of Infrastructure and Resource Planning, Colorado Springs Utilities  
Travas Deal, Acting Chief Executive Officer, Colorado Springs Utilities

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD. 23 - 02 clean .pdf, 2. 10.A. 22-688 Ordinance No. 23-02.pdf, 3. Utilities-WaterServiceExtORD-2022-12-20, 4. WaterSystem\_RMD\_ModelingSensitivity\_FactSheet\_2022, 5. Signed Ordinance No. 23-02.pdf

Date	Ver.	Action By	Action	Result
2/14/2023	3	City Council	finally passed	Pass
1/24/2023	1	City Council	postpone to a date certain	Fail
1/24/2023	1	City Council	approved	Pass
1/24/2023	1	City Council	approved on first reading	Pass
1/24/2023	1	City Council	approved	Fail
1/10/2023	1	City Council	denied	Fail
1/10/2023	1	City Council	denied	Fail
1/10/2023	1	City Council	approved on first reading	Pass
1/10/2023	1	City Council	approved on first reading	Pass
10/24/2022	1	City Council Work Session	referred	

Ordinance No. 23-02 Creating Section 305 (Service; Extension Limitation) of Part 3 (Water Service) of Article 4 (Water Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, As Amended, Pertaining to the Extension of Water Service.

**Presenter:**

Abigail Ortega, General Manager of Infrastructure and Resource Planning, Colorado Springs Utilities  
Travas Deal, Acting Chief Executive Officer, Colorado Springs Utilities

**Summary:**

This Ordinance would increase the approval requirements for extensions of Colorado Springs Utilities' water service boundary.

**Background:**

As a result of persistent drought in the western United States and Colorado River Basin and due to increasing demands on the City's water supply, which is reliant on the Colorado River Basin, attached for consideration is a proposed ordinance requiring that any extension of Colorado Springs Utilities' water service boundary be approved by a supermajority vote of Councilmembers present and supported by a written record demonstrating that: (1) the City's available water supply is sufficient to meet at least 130% of all water service obligations, including existing demand and the projected demand for water services within the proposed extension(s) of services, and the area's perimeter shares at least 25% contiguity with the City boundary; (2) a unique and extraordinary event or circumstance necessitates an extension of water services to serve critical interests of the City; or (3) the area is entirely contained within the City limits, or the area is owned or leased by the City, or the extension of water service to the area has a de minimis impact on the overall City's available water supply.

**Previous Council Action:**

N/A

**Financial Implications:**

If approved, this Ordinance will limit Utilities' water and wastewater revenue growth resulting from expansion of Utilities' water service boundary.

**City Council Appointed Board/Commission/Committee Recommendation:**

N/A

**Stakeholder Process:**

Presented at Utilities Board October, November and December; also multiple meetings with HBA.

**Alternatives:**

Approve, deny or modify the proposed Ordinance Creating Section 305 (Service; Extension Limitation) of Part 3 (Water Service) of Article 4 (Water Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, As Amended, Pertaining to the Extension of Water Service or not approve the proposed Ordinance.

**Proposed Motion:**

Approve the proposed Ordinance Creating Section 305 (Service; Extension Limitation) of Part 3 (Water Service) of Article 4 (Water Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, As Amended, Pertaining to the Extension of Water Service

Requires that extensions of Colorado Springs Utilities' water service boundary be approved by a supermajority vote of Councilmembers present and supported by a written record demonstrating that: (1) the City's available water supply is sufficient to meet at least 130% of all water service obligations, including existing demand and the projected demand for water services within the proposed extension(s) of services, and the area's perimeter shares at least 25% contiguity with the City boundary; (2) a unique and extraordinary event or circumstance necessitates an extension of water services to serve critical interests of the City; or (3) the area is entirely contained within the City limits, or the area is owned or leased by the City, or the extension of water service to the area has a de minimis impact on the overall City's available water supply. This requirement will supersede other requirements of City Code and existing policy pertaining to the extension of Utilities' water service boundaries.