



Legislation Text

File #: 15-00665, **Version:** 2

Ordinance No. 15-99 amending Section 417 (Disconnection) of Part 4 (Connection and Installation of System) of Article 4 (Water Code); Section 201 (Definitions) of Part 2 (Definitions) of Article 5 (Wastewater Treatment Code); and Section 413 (Disconnection) of Part 4 (Connection and Installation) of Article 5 (Wastewater Treatment Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the transfer of credits associated with water and wastewater development charges

From:

Jerry Forte, P.E., CEO, Colorado Springs Utilities

Summary:

At the November 24, 2015 City Council Meeting, City Council approved the attached Ordinance on first reading. The Ordinance changes City Code to permit limited Water and Wastewater Development Charge credit transfers. This change is proposed in tandem with changes made to Utilities Rules and Regulations ("URR") facilitating such credit transfers in the 2016 Rate Case.

Previous Council Action:

N/A

Background:

Based on the request of local developers and through the advocacy of Councilmember Gaebler, Colorado Springs Utilities ("Utilities") evaluated the existing prohibition of transferring Water and Wastewater Development Charge credits from one property to another. Through internal and external discussions and evaluations, Utilities determined that permitting transfer of Water and Wastewater Development Charge credits can be accomplished subject to a number of limitations. The limitations, which are addressed in URR, require common ownership between the donor and recipient property, prohibit the sale of the credits, mandate that the donor premises be vacant, require the recording of the transaction on both properties, and include several other standards.

To implement the proposed change, modifications are required to both the Colorado Springs City Code and Utilities' URR. The proposed City Code changes delete the complete prohibition on credit transfers and state that transfers may be made in accordance with Utilities' Tariffs. The URR changes address the specific details of the proposed transfer. Utilities presented the proposal along with the necessary URR and code changes to the Utilities Board Finance Committee on August 18, 2015, and the Utilities Board on September 16, 2015.

The proposed URR changes were addressed on November 24, 2015 through the 2016 Rate Case.

Financial Implications:

The proposed change will create a net benefit to Utilities' system.

Board/Commission Recommendation:

N/A

Stakeholder Process:

The issue has been discussed with local developers and through the Infill Committee process.

Alternatives:

Maintain the current complete prohibition on any Water and Wastewater Development Charge credit transfers. Doing so would necessitate the same decision in the 2016 Rate Case.

Proposed Motion:

Approve the proposed City Code changes.

An Ordinance amending the Code of the City of Colorado Springs 2001, as amended, pertaining to the transfer of credits associated with water and wastewater development charges