



## Legislation Details (With Text)

**File #:** 19-428      **Version:** 2      **Name:**

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

**File created:** 7/24/2019      **In control:** City Council

**On agenda:** 11/12/2019      **Final action:** 11/12/2019

**Title:** Ordinance No. 19-80 amending Sections 107 (Authorities, Powers and Duties of Utilities Chief Executive Officer), 112 (User Charges for Utility Service), and 120 (Residential Stormwater Service Fee Billing) of Article 1 (General Provisions) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, pertaining to changes related to Stormwater billing

**Presenter:**  
Christopher Bidlack, Senior Attorney, City Attorney's Office-Utilities Division  
Aram Benyamin, Chief Executive Officer

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CSU-StormwaterBillingCh12ORD-2019-07-18, 2. Signed Ordinance 19-80.pdf

Date	Ver.	Action By	Action	Result
11/12/2019	1	City Council	finally passed	Pass
10/22/2019	1	City Council	approved on first reading	Pass

Ordinance No. 19-80 amending Sections 107 (Authorities, Powers and Duties of Utilities Chief Executive Officer), 112 (User Charges for Utility Service), and 120 (Residential Stormwater Service Fee Billing) of Article 1 (General Provisions) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, pertaining to changes related to Stormwater billing

**Presenter:**

Christopher Bidlack, Senior Attorney, City Attorney's Office-Utilities Division  
Aram Benyamin, Chief Executive Officer

**Summary:**

At the October 22nd City Council Regular Meeting, the City Attorney's Office - Utilities Division will present proposed changes to the City Code, Chapter Twelve, intended to facilitate flexibility in Colorado Springs Utilities' ("Utilities") invoicing, billing, and collecting (collectively "billing") of Stormwater service fees by removing the restriction of billing to residential customers. Similar proposals to the Utilities Rules and Regulations will be presented through Utilities' 2020 Rate Case.

**Previous Council Action:**

Ordinance 18-48 approved City Code changes to facilitate Utilities' billing residential Stormwater service fees.

**Background:**

Following the Stormwater Ordinance approved by the voters of Colorado Springs on November 7, 2017, and agreement between the City of Colorado Springs (“City”) and Utilities, Utilities commenced billing of residential Stormwater services fees on July 1, 2018. The residential stormwater billing required City Code changes that were approved through Ordinance 18-48.

The City and Utilities now seek additional flexibility in the relevant City Code provisions that would allow non-residential Stormwater service fee billing by Utilities. To facilitate that, the proposed City Code changes remove the word “residential” as a qualifier to permitted billing in several locations throughout Chapter 12 of the City Code. The proposed changes have been vetted by both Utilities and the City.

**Financial Implications:**

The proposed changes are necessary for Utilities to begin non-residential and residential Stormwater service fees.

**Board/Commission Recommendation:**

N/A

**Stakeholder Process:**

Presented to the Utilities Board on August 21, 2019.

**Alternatives:**

Rejection of the proposed City Code changes will limit Utilities to billing only residential Stormwater service fees.

**Proposed Motion:**

Move to approve.

Proposed changes to City Code, Chapter Twelve to add flexibility to Utilities right to bill Stormwater service fees.