



Legislation Text

File #: 16-583, **Version:** 1

A Resolution Authorizing the Executive Director of Colorado Springs Utilities to Execute Agreements Providing Water Service and/or Wastewater Service for Single-Family Residential Uses to Land Located Outside the City Limits of the City of Colorado Springs and Agreement to Annex for Properties Located in the Park Vista Estates and Park Vista Estates Addition Subdivisions

Presenter:

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Summary:

At the June 2016 Utilities Board meeting, Colorado Springs Utilities staff was directed to evaluate whether there was a means for City Council to approve requests for single-family residential water and/or wastewater service in the Park Vista Estates and Park Vista Estates Addition enclaves without having to approve each request. In response, a template agreement ("Agreement") that can be used for such requests and a proposed resolution authorizing the Executive Director of Colorado Springs Utilities ("Utilities Executive Director") to execute such agreements with property owners within the Park Vista enclaves upon the satisfaction of certain conditions without further City Council authorization has been prepared for consideration by City Council.

Previous Council Action:

In the past two years, City Council approved water and/or wastewater service requests and agreements to annex for six (6) residences in the Park Vista Estates and Park Vista Estates Addition enclaves.

Background:

Water and wastewater service has not been provided to customers outside of the City limits unless pursuant to a prior contractual obligation or specific approval by the Colorado Springs City Council pursuant to City Code requirements.

Under the Agreement, the subject property owners will irrevocably consent to annexation of their property to the City in the future and will agree to convey groundwater rights to the City as a condition of receiving service. The Agreement limits development of properties to single-family residential use and it requires that the property owners comply with all codes, ordinances, rules, regulations and policies of the City including, but not limited to, the City's Subdivision Code, Building Code, Fire Code, Drainage Ordinance, Utilities Line Extension Standards and Ordinances, Zoning Code and Landscape Code.

Pursuant to the Agreement, Colorado Springs Utilities' fees will cover the cost of service. For service outside of the City limits, the Water and Wastewater Development Charges and water and

wastewater rates are 1.5 times higher than the inside City rates. Through the Agreement, property owners will agree to pay the School, Park, Bridge and Drainage Basin Fees and will also agree to participate in their pro rata share of a future improvement district, as necessary, for any required capital improvements. Since City services will not be extended to the subject properties, the City will not receive any taxes until such time as the subject properties are annexed into the City.

The proposed resolution authorizes the Utilities Executive Director to execute the Agreement with property owners as long as the following conditions have been met: (1) the owners of the subject property within the Park Vista enclaves have submitted a request to Colorado Springs Utilities for water and/or wastewater service for single-family residential uses; (2) the City's Planning Department has been given the opportunity to review and comment on the request; (3) Colorado Springs Utilities has provided evidence that there is sufficient water capacity and pressure available to serve the subject property and/or that there is sufficient wastewater treatment capacity available to serve the subject property; and (4) the owners of the subject property have executed the template Agreement to Annex.

Financial Implications:

N/A

Board/Commission Recommendation:

N/A

Stakeholder Process:

N/A

Alternatives:

Approve Resolution 16-583 and the Agreement or direct Colorado Springs Utilities staff to continue to seek City Council's approval of individual requests for water and/or wastewater service in the Park Vista Enclaves.

Proposed Motion:

Approval of Resolution 16-583 authorizing the Utilities Executive Director to execute the Agreement with property owners in the Park Vista Enclaves.

N/A