



Colorado Springs Utilities  
*It's how we're all connected*

# **Outside City Water & Wastewater Service & Agreement to Annex**

October 24, 2023, City Council Meeting

Todd Sturtevant, Manager

Customer Utilities Connections

# Service Request

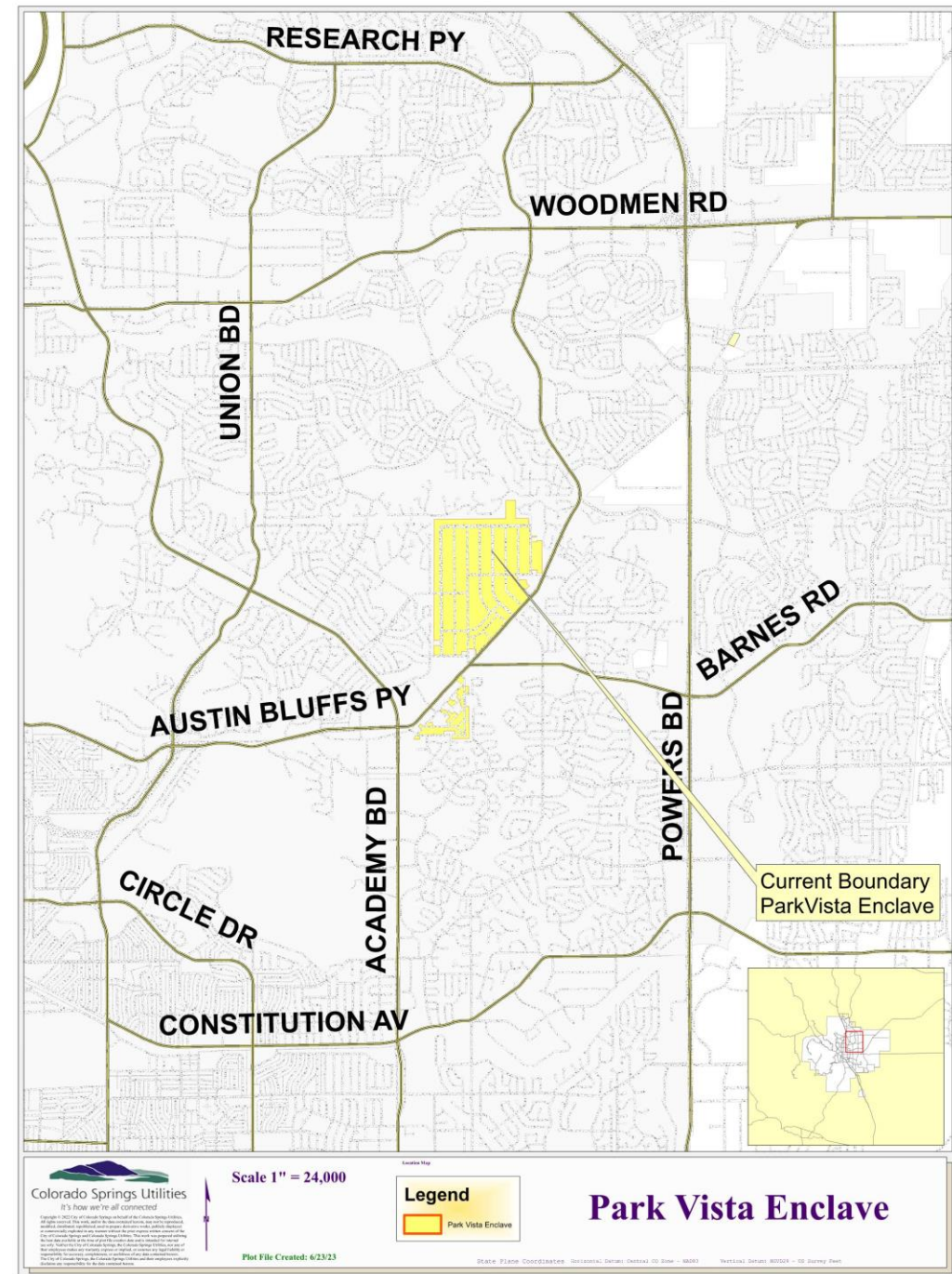
Owners of 5315 Silver Drive have requested Springs Utilities water service for single-family residential use

Property's well has failed

Located in Park Vista Estates, which is a 372-acre, 558 lot enclave, located north of Austin Bluffs Pkwy and Barnes Road

Area situated between City Council District 5 and 6

Springs Utilities provides natural gas and electric service to property and enclave





# Provision of Water/Wastewater Service

- Property not contiguous with City limits
  - Ineligible for annexation under Colorado Revised Statutes
- City Code 7.5.701.J: Service Without Annexation
  - Springs Utilities may provide water and wastewater services upon approval of City Council through an Agreement to Annex
  - City Planning supports

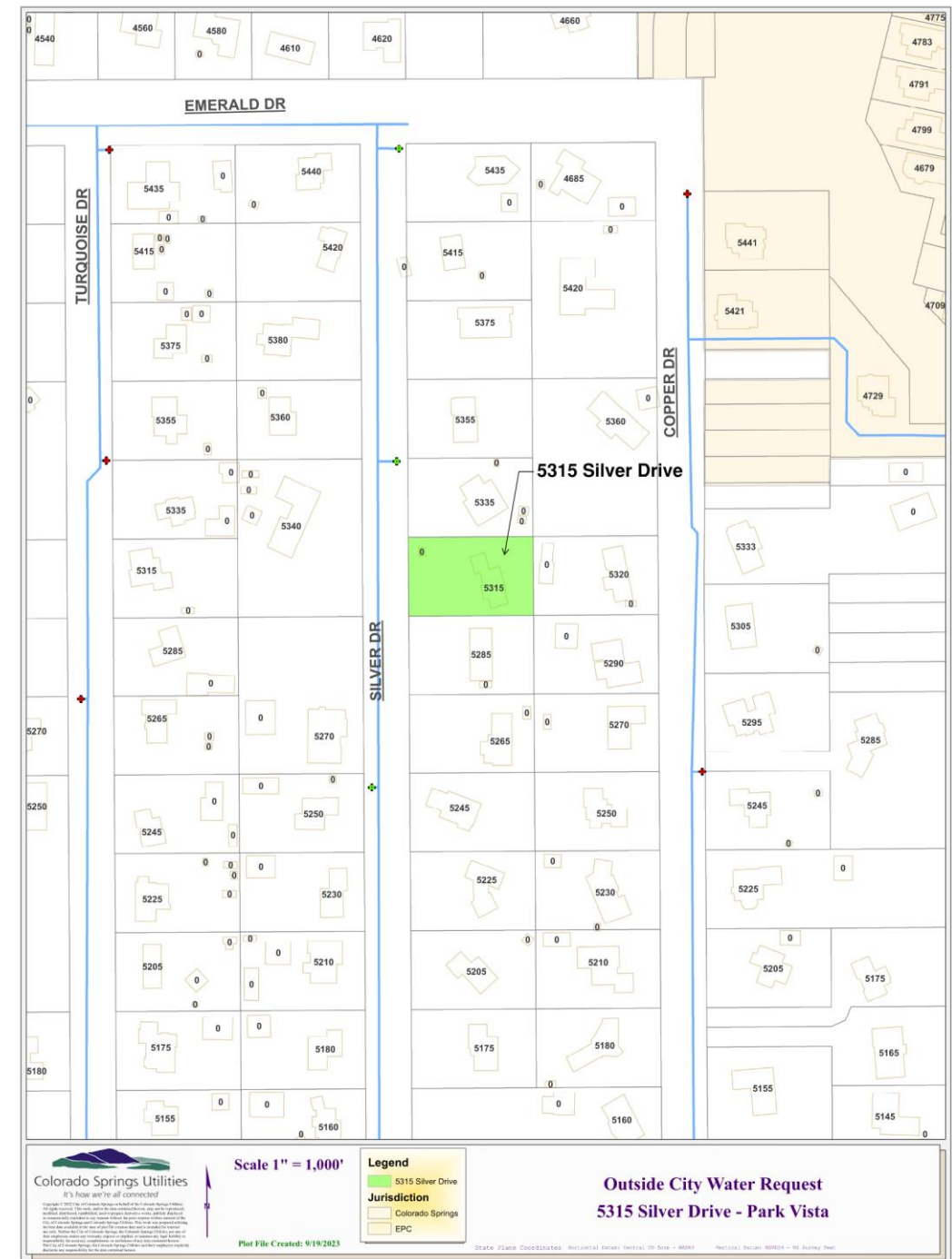
# Springs Utilities Considerations 7.5.701.J.

Existing water main located in Silver Drive

Sufficient capacity exists at time of application

Agreement to Annex includes provisions for future wastewater service

- No existing wastewater mains
- Service available on a first-come first-serve basis subject to available capacity
- Avoids future revision or new Agreement to Annex



# Agreement to Annex

- Standard form Agreement to Annex
  - ✓ Executed by Owner/Applicant
  - ✓ Specific to single-family residential use
  - ✓ Irrevocable consent to annex when/if property becomes eligible for annexation
  - ✓ Deed all groundwater rights to the City
  - ✓ At the time of annexation, owner agrees to pay all applicable City charges and fees
  - ✓ Runs with the land and shall be binding upon future owner(s)

# City Code 12.4.305

- Requires Utilities Board to recommend and City Council approval to provide water service outside City limits
- Utilities Board made a recommendation of approval on October 18, 2023, based on:
  - Area will have de minimis impact on the overall City's available water supply – City Code section 12.4.305.B.3.

# City Council Action

- Per City Code 7.5.701.J. Service Without Annexation:
  - In its legislative discretion, the City Council may authorize water and/or wastewater service without annexation when a property is legally ineligible for annexation or when City Council determines that annexation is not in the best interests of the City
  - The owner of the land to be served has executed an Agreement to Annex in the form required by the City

## Next Steps

1. City Council vote on resolution approving an agreement to annex and to provide water and wastewater service outside the City limits to 5315 Silver Drive





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# Questions?