

RESOLUTION NO. ____ - 26

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COLORADO SPRINGS, COLORADO, ON BEHALF OF ITS ENTERPRISE COLORADO SPRINGS UTILITIES, AND THE SOUTHEASTERN COLORADO WATER CONSERVANCY DISTRICT

WHEREAS, the City of Colorado Springs (the "City"), on behalf of its enterprise Colorado Springs Utilities ("Springs Utilities"), is authorized to enter into intergovernmental agreements with other Colorado governmental entities with the approval of City Council; and

WHEREAS, the Southeastern Colorado Water Conservancy District ("SECWCD") is authorized to enter into intergovernmental agreements with other Colorado governmental entities with the approval of its Board of Directors; and

WHEREAS, Pueblo Reservoir is a key feature of the Fryingpan-Arkansas Project which is managed by SECWCD; and

WHEREAS, Springs Utilities is a participant in the Southern Delivery System ("SDS"), a non-federal regional water delivery project that consists of infrastructure at Pueblo Reservoir; and

WHEREAS, Contract Nos. 11XX6C0002 and 11XX6C0005 between Springs Utilities' and the United States Bureau of Reclamation ("BOR") govern Springs Utilities' storage of water in Pueblo Reservoir and the delivery of water from Pueblo Reservoir through infrastructure associated with the SDS; and

WHEREAS, Springs Utilities has developed a regional water service program under which it has and may in the future enter into agreements by which Springs Utilities provides water treatment and conveyance service to entities whose service areas are located outside SECWCD's boundaries and with other entities which serve areas located within SECWCD's boundaries (collectively "Regional Entities") that contemplate Springs Utilities' use of SDS infrastructure to facilitate water deliveries to the Regional Entities' respective service areas; and

WHEREAS, Springs Utilities and SECWCD have negotiated and now desire to enter into the attached intergovernmental agreement that memorializes Springs Utilities' and SECWCD's agreements related to the applicability of certain provisions of Contract No. 11XX6C0005 to Springs Utilities' Regional Service Agreements ("Regional IGA"); and

WHEREAS, the BOR is not a party to the Regional IGA but has indicated that it concurs with the terms of the Regional IGA; and

WHEREAS, Springs Utilities requests that City Council approve and authorize the Chief Executive Officer of Springs Utilities to enter into the Regional IGA.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The City Council hereby finds that the Regional IGA is in the best interests of the citizens of the City and the ratepayers of Springs Utilities and hereby approves the Regional IGA.

Section 2. The Chief Executive Officer of Springs Utilities is authorized and directed to enter into the Regional IGA in a form substantially similar to that attached hereto.

Section 3. This Resolution shall be in full force and effect immediately upon its adoption.

Dated at Colorado Springs, Colorado this _____ day of _____, 2026.

Lynette Crow-Iverson, Council President

ATTEST:

Sarah B. Johnson, City Clerk