

A RESOLUTION AUTHORIZING AND DIRECTING THE CHIEF EXECUTIVE OFFICER OF COLORADO SPRINGS UTILITIES TO ENTER INTO AN AGREEMENT FOR REGIONAL WASTEWATER SERVICE BETWEEN COLORADO SPRINGS UTILITIES AND FALCON AREA WATER AND WASTEWATER AUTHORITY

WHEREAS, City Code § 12.5.304 allows Colorado Springs Utilities (“Utilities”) to provide by contract for the use of or connection to its wastewater system by institutions, plants, districts, governments, municipal corporations, or other similar users; and

WHEREAS, The Falcon Area Water and Wastewater Authority (“FAWWA”) is a Colorado statutory water and wastewater authority that was formed in 2017 with a planned service area of approximately 2,560 acres located 20 miles northeast of downtown Colorado Springs in unincorporated El Paso County with close proximity to Woodmen Road and Powers Boulevard, outside the City limits; and

WHEREAS, FAWWA desires to obtain wastewater treatment service from Utilities to provide wastewater treatment service to certain properties within FAWWA’s service area which are anticipated to contribute Maximum Allowable Flow of up to 0.29 Million Gallons Per Day to Utilities’ wastewater treatment system; and

WHEREAS, Utilities currently has sufficient infrastructure capacity in its wastewater system to provide regional wastewater service to FAWWA; and

WHEREAS, in exchange for regional wastewater service, FAWWA has agreed to pay the rates and fees set forth in Utilities’ Tariffs for such service; and

WHEREAS, Utilities requests that City Council approve Utilities’ provision of regional wastewater service to FAWWA and authorize and direct the Chief Executive Officer of Colorado Springs Utilities to enter into an agreement for regional wastewater service with FAWWA; and

WHEREAS, City Council recognizes that approving the provision of wastewater service to FAWWA does not set precedent for future requests for regional wastewater service.

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

Section 1. City Council finds and determines that Utilities’ provision of regional wastewater service to FAWWA will benefit the public health, safety and welfare of the

surrounding community and is in the best interest of Utilities and the City of Colorado Springs.

Section 2. City Council hereby approves Utilities' provision of regional wastewater service to FAWWA in accordance with the Wastewater Service Agreement attached hereto.

Section 3. The Chief Executive Officer of Colorado Springs Utilities is authorized and directed to enter into the Wastewater Service Agreement with FAWWA in a form substantially similar to that attached hereto.

Section 4. This Resolution shall be in full force and effect immediately upon its adoption.

Dated at Colorado Springs, Colorado this __ day of _____, 2024.

Council President

ATTEST:

Sarah B. Johnson, City Clerk