

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 CITY OF AURORA, ACTING THROUGH ITS UTILITIES ENTERPRISE, AURORA WATER

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 for the provision of any function or service with the approval of City Council; and

WHEREAS, the City of Aurora, Colorado, acting through its Utility Enterprise, Aurora Water, is authorized to enter into intergovernmental agreements with other Colorado governmental entities with the approval of Aurora’s City Council; and

WHEREAS, the City and the City of Aurora, executed an intergovernmental agreement on June 18, 1962 (the “Homestake IGA”) wherein the parties agreed to jointly own and divide equally all waters produced, collected, and diverted from the Homestake Project (the “Project”), and to share equally all costs and expenses of common facilities for the collection, storage, and diversion of water associated with the Project; and

WHEREAS, the Homestake IGA established a governing body for the Project, the Homestake Steering Committee; and

WHEREAS, Springs Utilities and Aurora Water are generally referred to as the Homestake Partners (the “Homestake Partners”) when acting jointly in the operation of the Project; and

WHEREAS, the Otero Pipeline is a part of the Project, which is used to deliver water derived from the Project to the water systems of each of the Homestake Partners; and

WHEREAS, Aurora Water is in the process of planning, designing, and constructing Wild Horse Reservoir, an off-channel reservoir that will be filled using deliveries of Aurora Waters’ water through the Otero Pipeline; and

WHEREAS, to make deliveries through the Otero Pipeline to Wild Horse Reservoir, Aurora Water requires, and requested from Springs Utilities, through the Homestake Steering Committee, Springs Utilities’ consent for Aurora Water to install a new junction, an isolation valve, and a new tap extending from the Otero Pipeline to the planned Wild Horse Reservoir (the “Aurora Improvements”); and

WHEREAS, as a condition of its consent to the Aurora Improvements, the Homestake Steering Committee required Aurora Water to install a second isolation valve on the Otero Pipeline to meet Homestake Project safety requirements, including to allow for work on the Otero Pipeline upstream and downstream of the Aurora Improvements; and

WHEREAS, Aurora Water has completed the design and installation of the second isolation valve as part of ongoing construction of the Aurora Improvements; and

WHEREAS, Aurora Water and Spring Utilities desire that the second isolation valve become part of the Homestake Project infrastructure, consistent with the Homestake IGA; and

WHEREAS, Springs Utilities and Aurora Water have negotiated and now desire to enter into the attached intergovernmental agreement memorializing their agreement for the installation of the second isolation valve, the repayment of costs therefore by Springs Utilities, and setting forth the responsibilities for the operation, maintenance, repair, and replacement thereof (the "Second Isolation Valve IGA"); and

WHEREAS, Springs Utilities requests that City Council approve and authorize the Chief Executive Officer of Springs Utilities to enter into the Second Isolation Valve 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 Second Isolation Valve IGA is in the best interests of the citizens of the City and the ratepayers of Springs Utilities and hereby approves the Second Isolation Valve IGA.

Section 2. The Chief Executive Officer of Springs Utilities is authorized and directed to enter into the Second Isolation Valve 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