

A RESOLUTION AUTHORIZING AND DIRECTING THE CHIEF EXECUTIVE OFFICER OF COLORADO SPRINGS UTILITIES TO ENTER INTO AN ADDENDUM TO THE AGREEMENT FOR CONVEY, TREAT, AND DELIVER REGIONAL WATER SERVICE BETWEEN COLORADO SPRINGS UTILITIES AND TRIVIEW METROPOLITAN DISTRICT

WHEREAS, City Code §12.4.304 and Colorado Springs Utilities' Tariffs allow Colorado Springs Utilities to provide by contract for the use of or connection to its water supply system by institutions, plants, districts, governments, municipal corporations, or other similar users located outside the corporate limits of the City; and

WHEREAS, Triview Metropolitan District is a Colorado metropolitan district authorized under C.R.S. §32-1-1001 et seq., that provides water, wastewater, and stormwater services to a 2,590 acre service area with approximately 2,100 taps in the Colorado Springs metropolitan area in northern El Paso County; and

WHEREAS, Colorado Springs Utilities and Triview Metropolitan District entered into an Agreement for Convey, Treat and Deliver Regional Water Service dated April 12, 2023; and

WHEREAS, Article III.F of the Agreement for Convey, Treat and Deliver Regional Water Service limits Triview Metropolitan District's use of water delivered under the Agreement to: (1) serve properties located within its existing service area; (2) the current residential, commercial, industrial and contract customers of District; and (3) the Forest Lakes Metropolitan District; and

WHEREAS, Triview Metropolitan District has requested that Article III.F of the Agreement for Convey, Treat and Deliver Regional Water Service be amended to allow the use the water delivered under the Agreement to serve: (1) properties that are added to Triview Metropolitan District's Service Area in the future; (2) new residential, commercial and industrial customers located within Triview Metropolitan District's Service Area; (3) certain properties located outside of Triview Metropolitan District's Service Area; and (4) the Town of Monument in addition to the Forest Lakes Metropolitan District; and

WHEREAS, Colorado Springs Utilities requests that City Council authorize and direct the Chief Executive Officer of Colorado Springs Utilities to execute an addendum to the Agreement for Convey, Treat and Deliver Regional Water Service that accommodates Triview Metropolitan District's request.

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

Section 1. City Council finds that it is in the best interest of the City and the surrounding community for Colorado Springs Utilities to enter into such an addendum to the Agreement for Convey, Treat and Deliver Regional Water Service.

Section 2. The Chief Executive Officer of Colorado Springs Utilities is authorized and directed to enter into an addendum to the Agreement for Convey, Treat, and Deliver Regional Water Service with Triview Metropolitan District 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 ____th day of _____, 2024.

Council President

ATTEST:

Sarah B. Johnson, City Clerk