

RESOLUTION NO. _____ - 26

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF COLORADO SPRINGS UTILITIES TO ENTER INTO AN AGREEMENT FOR REGIONAL WASTEWATER TREATMENT SERVICE BETWEEN COLORADO SPRINGS UTILITIES AND THE GARDEN VALLEY WATER AND SANITATION DISTRICT

WHEREAS, City Code § 12.5.304 allows Colorado Springs Utilities (“Springs 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 Garden Valley Water and Sanitation District (“Garden Valley”) is a Colorado Water and Sanitation District that currently provides wastewater collection services to a customer base located within an unincorporated enclave in the southern portion of the City of Colorado Springs (“City”); and

WHEREAS, Garden Valley owns, operates and maintains a wastewater collection system located within Garden Valley’s service area; and

WHEREAS, Springs Utilities currently accepts and treats Garden Valley’s wastewater pursuant to an agreement dated February 3, 2000 which has expired (“Original Agreement”); and

WHEREAS, Springs Utilities and Garden Valley desire for Springs Utilities to continue to accept and treat Garden Valley’s wastewater flows through its wastewater treatment system; and

WHEREAS, Springs Utilities currently has sufficient infrastructure capacity in its wastewater treatment system to provide regional wastewater treatment service to Garden Valley; and

WHEREAS, Springs Utilities and Garden Valley are currently in negotiations to resolve disputes between the parties that arose under the Original Agreement; and

WHEREAS, Springs Utilities requests that City Council approve Springs Utilities’ provision of regional wastewater treatment service to Garden Valley and authorize the Chief Executive Officer of Springs Utilities to enter into the wastewater treatment service agreement with Garden Valley attached as Exhibit A (“Wastewater Service Agreement”); and

WHEREAS, the Wastewater Service Agreement allows Springs Utilities to terminate the agreement if the disputes that arose under the Original Agreement are not resolved; and

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

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

Section 1. City Council finds and determines that Springs Utilities' provision of regional wastewater treatment service to Garden Valley will benefit the public health, safety and welfare of the surrounding community and is in the best interest of Springs Utilities and the City.

Section 2. City Council hereby approves Springs Utilities' provision of regional wastewater treatment service to Garden Valley in accordance with the Wastewater Service Agreement.

Section 3. The Chief Executive Officer of Springs Utilities is authorized to enter into the Wastewater Service Agreement with Garden Valley 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 _____, 2026.

Lynette Crow-Iverson, Council President

ATTEST:

Sarah B. Johnson, City Clerk