

RESOLUTION NO. ____ - 26

A RESOLUTION AUTHORIZING COLORADO SPRINGS UTILITIES TO ENTER INTO A SPECIAL CONTRACT FOR AUGMENTATION SERVICE BETWEEN COLORADO SPRINGS UTILITIES AND CHEYENNE MOUNTAIN SPACE FORCE STATION

WHEREAS, City Code § 12.4.304 allows Colorado Springs Utilities (“Utilities”) to provide by contract for the use of or connection to its water supply system by institutions, organized special districts, governments, municipal corporations, or other similar users located outside the corporate limits of the City of Colorado Springs (“City”), subject to City Council approval and other requirements; and

WHEREAS, City Code § 12.4.305 provides that extending water service beyond the existing water service boundary requires City Council approval and that such approval must be based on a substantiated and written record demonstrating one of a number of criteria, including that extension of the water service area will have a de minimis impact on the overall City’s available water supply; and

WHEREAS, Cheyenne Mountain Space Force Station (“CMSFS”) does not have the necessary water rights to augment out-of-priority depletions caused by the operation of CMSFS well located within Cheyenne Mountain, located near Colorado Springs, Colorado; and

WHEREAS, CMSFS requires releases of up to 5.0 acre-feet per year of reusable water (“Reusable Water”) to Fountain Creek to offset out-of-priority depletions due to the operation of CMSFS well; and

WHEREAS, CMSFS desires to purchase by special contract for augmentation service (“Special Contract”), sufficient Reusable Water from Utilities to be used to offset depletions caused by CMSFS well pumping; and

WHEREAS, Utilities currently has sufficient Reusable Water to offset out-of-priority depletions caused by the operation of CMSFS well; and

WHEREAS, the Utilities water system, as currently existing and planned, is sufficient to meet the present and projected water supply needs for the foreseeable future of all users of the water system located within and outside the corporate limits of the City including the CMSFS; and

WHEREAS, the service provided by the Special Contract will not interfere with the City’s ability to provide service to in-City customers in accordance with the standards adopted by Utilities and the City’s existing contractual obligations; and

WHEREAS, in exchange for entering into the Special Contract, CMSFS has agreed to pay all applicable Utilities’ fees including the rates and fees set forth in Utilities’ Tariffs for such service; and

WHEREAS, the Utilities Board has recommended that City Council approve a Special Contract between Utilities and CMSFS; and

WHEREAS, Utilities requests that City Council authorize Utilities to enter into a Special Contract between Utilities and CMSFS.

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

Section 1. City Council finds and determines that a Special Contract between Utilities and CMSFS complies with City Code § 12.4.304 and will benefit the public health, safety and welfare of the surrounding community and is in the best interest of the City.

Section 2. City Council further finds and determines that a Special Contract between Utilities and CMSFS complies with City Code § 12.4.305 based on the substantiated and written record that such extension of the water service boundary will have a de minimis impact on the overall City's available water supply.

Section 3. The Chief Executive Officer of Utilities is authorized to enter into a Special Contract with CMSFS 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