

RESOLUTION NO. _____ - 23

A RESOLUTION AUTHORIZING THE CITY OF COLORADO SPRINGS TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS BETWEEN THE CITY OF COLORADO SPRINGS BY AND THROUGH ITS STORMWATER ENTERPRISE AND NON-STANDARD PERMITTEES CONCERNING THE COORDINATION AND IMPLEMENTATION OF THE COR070000 NON-STANDARD MS4 PERMIT

WHEREAS, municipal separate storm sewer systems (“MS4”) are systems of storm sewers, gutters, storm drain inlets, and similar features that are owned by cities, counties, and other government entities. They collect and discharge stormwater to local waterbodies; and

WHEREAS, there are individual MS4 permits, where an entity is large and needs their own permit to cover the work they do, such as the City of Colorado Springs (“City”); and

WHEREAS, the Statewide non-standard MS4 general permit (COR070000) (“Non-Standard”) is held by entities that are smaller governmental agencies, school districts, recreation districts, and similar, with a publicly owned system that has stormwater conveyances in an urban area and serves at least 1,000 people; and

WHEREAS, Non-Standard permittees oftentimes do not have the necessary stormwater administrative infrastructure to implement and enforce all aspects of the Non-Standard; and

WHEREAS, the Non-Standard permittee may enter into an agreement with another MS4 permittee for implementation of construction and/or post construction programs; and

WHEREAS, the purpose of an intergovernmental agreement (“IGA”) between the City’s Stormwater Enterprise and a Non-Standard permittee is to detail the joint enforcement and compliance of the Non-Standard; and

WHEREAS, the Non-Standard permittee and the City, collectively referred to herein as “Parties,” are authorized to enter into intergovernmental agreements pursuant to Article XIV, Section 18 of the Colorado Constitution and Title 29, Article 1, Part 2 of the Colorado Revised Statutes, C.R.S.; and

WHEREAS, City Council believes it is appropriate for the City to enter into Intergovernmental Agreements with Non-Standard permittees to address the coordination and implementation of the CO07000 Non-Standard MS4 Permit.

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

Section 1. The City Council of Colorado Springs hereby approves IGAs between the City of Colorado Springs by and through its Stormwater Enterprise and Non-Standard permittees within the City’s MS4 Permit boundary concerning the coordination and implementation of the COR070000 Non-Standard MS4 Permit in substantially the same form as Exhibit A.

Section 2. The City of Colorado Springs Stormwater Enterprise Manager is authorized to execute, administer, and amend the IGA, as necessary.

Dated at Colorado Springs, Colorado this ____ day of _____, 2023.

Randy Helms, Council President

ATTEST:

Sarah B. Johnson, City Clerk