

**RESOLUTION 2023-05**

**ST. VRAIN WATER AUTHORITY**  
**BOULDER, LARIMER AND WELD COUNTIES, COLORADO**

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**A RESOLUTION ESTABLISHING WATER RATES, FEES, AND CHARGES  
FOR ST. VRAIN WATER AUTHORITY FOR CALENDAR YEAR 2023**

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**WHEREAS**, the St. Vrain Water Authority (“Authority”) is a quasi-municipal corporation and political subdivision of the State of Colorado established pursuant to the St. Vrain Water Authority Establishing Contract dated April 24, 2019 (“Establishing Contract”) entered into by and between the Town of Firestone (“Firestone”) and the Little Thompson Water District (“Thompson Water”); and

**WHEREAS**, Firestone and Thompson Water each have entered into a Member Agreement with the Authority (singularly a “Member Agreement” and collectively the “Member Agreements”); and

**WHEREAS**, pursuant to Article IV, Section 4.1.10 of the Establishing Contract, the Authority’s Board of Directors (“Board”) is authorized to fix, maintain, and revise rates, fees, and charges for functions, services, or facilities provided by the Authority; and

**WHEREAS**, pursuant to Article IX of the Member Agreements, the Board is to establish rates, fees, and charges sufficient to defray all costs of operating the Authority and operating, maintaining, repairing, replacing, and expanding the Authority’s water treatment facilities, including providing for appropriate reserves, contingencies, and any other financial obligations of the Authority; and

**WHEREAS**, the Authority has recently completed construction of a reverse osmosis water treatment plant, deep injection well and related facilities (“Water Treatment Facilities”); and

**WHEREAS**, the Water Treatment Facilities are or will soon be operational and in order to collect sufficient revenues for the operation of the Authority and the Authority’s Water Treatment Facilities, it is necessary for the Board to adopt and assess water rates and charges; and

**WHEREAS**, under the Authority’s Establishing Contract and Member Agreements, the Board is charged with adopting water rates and charges to fully recover the Authority’s costs of treating and delivering water as determined by the Board in the reasonable exercise of its discretion; and

**WHEREAS**, under the Member Agreements, the Board is authorized to adopt and assess a Fixed Service Charge and a Volumetric Charge; and

**WHEREAS**, the Fixed Service Charge is intended to recover that portion of the fixed costs of the Authority, including the Water Treatment Facilities, which the Board determines appropriate, even if no water is produced; and

**WHEREAS**, the Volumetric Charge is intended to recover among other things, the Authority's variable costs and to supplement, to the extent necessary, the revenue produced by the Authority's Fixed Service Charge to ensure that the Authority receives sufficient revenue to fully recover the Authority's costs, including the cost of operating, maintaining, repair, and replacing the Water Treatment Facilities; and

**WHEREAS**, after considering the Authority's revenue requirements for the balance of calendar year 2023, the Board has determined that the Authority's Fixed Service Charge needs to be sufficient to recover, during calendar year 2023, \$278,835.36 from and after July 1, 2023; and

**WHEREAS**, the Board has further determined that the Fixed Service Charge should be assessed in proportion to each Members share of the capacity of the Water Treatment Facilities with Firestone currently being entitled to 5/6<sup>th</sup> of said capacity and Thompson Water being entitled to 1/6<sup>th</sup> of the capacity of the Water Treatment Facilities; and

**WHEREAS**, each 1/6<sup>th</sup> interest in the capacity of the Water Treatment Facilities for purposes of the Authority's rates and charges is hereinafter referred to as a "Unit of Capacity"; and

**WHEREAS**, after considering the Authority's revenue requirements for the balance of 2023, the Board has determined that it is necessary to adopt and assess water rates and charges as hereinafter provided.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the St. Vrain Water Authority, with territory lying within portions of Boulder, Larimer, and Weld Counties, Colorado, as follows:

**Section 1. Fixed Service Charge.** From and after July 1, 2023, the Authority's Fixed Service Charge shall be and is hereby assessed at the rate of \$7,745.43 per Unit of Capacity to generate a total of \$46,472.56 per month being allocated amongst the Members in accordance with their respective Units of Capacity in the Water Treatment Facilities. By way of explanation, Firestone shall be assessed monthly for five Units of Capacity or \$38,727.13 and Thompson Water shall be assessed monthly for one Unit of Capacity or \$7,745.43.

**Section 2. Volumetric Charge.** From and after July 1, 2023, for water delivered, if any, during June of 2023, each Member of the Authority that receives treated water from the Authority's Water Treatment Facilities shall pay a Volumetric Charge in the amount of \$4.50 per 1,000 gallons of treated water delivered to the Member.

**Section 3. Monthly Assessment and Collection.** All Authority Fixed Service Charges and Volumetric Charges shall be assessed and billed monthly and shall be due and payable no later than 25 days after the date on the invoice. Said charges shall remain in full force and effect until further action by the Board.

**Section 4. Effective Date.** The rates and charges as adopted by this Resolution shall remain in effect for the balance of calendar year 2023, unless and until modified by the Board.

**Section 5. Public Health and Necessity.** The Board hereby finds and determines that the adoption of this Resolution is necessary for and promotes the public health welfare and safety of the Authority and its Members.

Adopted on this 12th of June 2023 by the Board of Directors of the St. Vrain Water Authority.

**ST. VRAIN WATER AUTHORITY**

By: \_\_\_\_\_

  
Julie Svaldi, President

Attest:

  
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David Lindsay, Secretary