

MAY 2026 AMENDED AND RESTATED RESOLUTION OF THE EXECUTIVE BOARD OF THE FALCON AREA WATER AND WASTEWATER AUTHORITY, COUNTY OF EL PASO, STATE OF COLORADO, IMPOSING FEES

WHEREAS, the Falcon Area Water and Wastewater Authority, County of El Paso, Colorado (the “Authority”), is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, the Authority was organized in accordance with Section 29-1-204.2, Colorado Revised Statutes, as amended, and currently operates under the Amended and Restated Intergovernmental Agreement for the Establishment of The Falcon Area Water and Wastewater Authority, entered into on December 17, 2021 (the “Amended and Restated Establishment Agreement”); and

WHEREAS, in accordance with the Amended and Restated Establishment Agreement, the Service Area of the Authority shall mean the aggregate of the territory within any and all of the following: (a) the boundaries of a Member, (b) a defined area in which a Member or Members furnishes water service of any type by written agreement, and (c) a defined area of proposed future service in a Member’s Service Plan approved pursuant to C.R.S., Title 32.; and

WHEREAS, in accordance with Section 29-1-204.2, Colorado Revised Statutes, and the Amended and Restated Establishment Agreement, the Authority is authorized to acquire and develop water resources, systems, or facilities; and to acquire, hold, lease (as lessor or lessee), sell, or otherwise dispose of any real or personal property utilized only for the purposes of water treatment, distribution, and wastewater disposal; and

WHEREAS, pursuant to Section 29-1-204(3)(j), C.R.S., and the Amended and Restated Agreement, the Authority has the power to impose water and wastewater service fees, water availability and water acquisition fees, tap fees and other charges, assessments, fines, penalties and interest for the provision of water distribution and wastewater collection and treatment; and

WHEREAS, the Authority previously determined to impose certain one-time water tap fees, wastewater tap fees, and water acquisition fees on each residential, non-residential, and commercial unit built upon the property served by the Authority (“Unit”) at or prior to the issuance of a building permit for a Unit, to assist with the financing, planning, and development of water and wastewater improvements (“the Improvements”); and

WHEREAS, the property served by the Authority will be benefitted by the Improvements and the Authority has also determined to impose on-going service fees for the water and wastewater services provided to users of such services as set forth herein; and

WHEREAS, the Authority is authorized to utilize revenue from the water tap fees, wastewater tap fees, water acquisition fees, and wastewater facility fees for costs associated with the Improvements and/or to pledge the same for the repayment of principal and interest on bonds and to utilize on-going service charges and fees for any lawful purpose of the Authority; and

WHEREAS, the Authority’s Executive Board wishes to adopt a modified fee schedule for 2026 as set forth herein; and

WHEREAS, the Authority’s Executive Board previously adopted that certain 2026 Amended and Restated Resolution of the Executive Board of the Falcon Area Water and Wastewater Authority, County of El Paso, State of Colorado, Imposing Fees dated January 27, 2026 (the “2026 Fee Resolution”), which superseded and replaced prior Fee Resolutions adopted by the Board; and

WHEREAS, the Authority’s Executive Board desires to amend, restate, and replace in its entirety the 2026 Fee Resolution with this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE EXECUTIVE BOARD OF THE FALCON AREA WATER AND WASTEWATER AUTHORITY AS FOLLOWS:

1. The recitals above are incorporated by reference.
2. The 2026 Fee Resolution is hereby amended, restated, and replaced in its entirety by this Resolution, and the 2026 Fee Resolution shall no longer be of any force or effect.
3. The Authority’s Executive Board hereby determines that it is in the best interests of the Authority and its members to exercise its power to impose certain fees as set forth in **Exhibit A** hereto, which sets forth the fees to be imposed on any Unit desiring water service and wastewater service from the Authority, effective May 11, 2026 (“Fees”).
4. The Water Tap Fee, Wastewater Tap Fee, Water Acquisition Fee, Water and Sewer Administrative Fee, and the Wastewater Facility Fee are set forth in **Exhibit A**, as administratively updated on an annual basis, shall be due and payable from the developer or homebuilder at or prior to the time El Paso County issues a building permit for a Unit. No connections shall be made to the Authority water or wastewater systems until applications for service have been made to the Authority and all applicable fees of the Authority have been paid.
5. A condition of service is that each owner of property outside of Authority then current boundaries dedicate all necessary water rights appurtenant to the land to be served, and in the event such water is not sufficient to provide service to the property, then the property owner may be required to make a cash payment in lieu of such dedication the amount of which will be determined by the Authority at the time of application for service based upon the specific use requested and associated water demands.
6. The Authority will bill all monthly service fees as set forth in **Exhibit A** in arrears and the property owner shall pay the full amount within fifteen (15) days of the date shown on the statement.
7. The Authority reserves the right to amend this Resolution at any time in the future to change the amount of any or all of the Fees.
8. The Fees shall be imposed as stated herein, beginning upon the effective date of this Resolution.
9. Failure to make payment of the Fees due hereunder shall constitute a default in the payment of such Fees. Upon a default, interest shall accrue on such total amount of Fees due at the

rate of twelve percent (12%) per annum and the Authority shall be entitled to institute such remedies and collection proceedings as may be authorized under Colorado law. The defaulting property owner shall pay all costs, including attorneys' fees, the Authority incurs in connection with the foregoing.

10. All fees, assessments, charges, and penalties owed to the Authority under this Resolution shall be and constitute a perpetual lien against the property being served which lien shall commence, without notice or recording, at the time such fees, assessments, charges, penalties and obligations are incurred. The perpetual lien of the Authority shall be collectible in the same manner as set forth in Section 32-1-1006, C.R.S.

11. In addition to any other means of collecting delinquent fees, rates, tolls, penalties, charges or assessments made or levied solely for water and sewer service, including charges for availability of such service, the Authority may certify the delinquent amounts to the El Paso County Treasurer for collection in the same manner as property taxes. The Authority shall charge a fee as otherwise determined by the Authority Board for the administrative costs of this collection method, which fee shall be added to all delinquent amounts, including other penalties and interest charges, before certification.

12. Judicial invalidation of any of the provisions of this Resolution or of any paragraph, sentence, clause, phrase or word herein, or the application thereof in any given circumstances, shall not affect the validity of the remainder of this Resolution, unless such invalidation would act to destroy the intent or essence of this Resolution.

RESOLUTION APPROVED AND EFFECTIVE this 11th day of May, 2026.

FALCON AREA WATER AND WASTEWATER
AUTHORITY

Douglas Stimple

By: _____
President

ATTEST *Peggy Libbey*

Secretary

EXHIBIT A

2026 FEE SCHEDULE – Effective May 11, 2026

Falcon Area Water and Wastewater Authority
Builder Fees
2026

Updated 5/11/26

	RATE	TERMS
RESIDENTIAL		
Water Tap Fees	12,943.35	one time, due at permit
Water Acquisition Fees	6,955.64	one time, due at permit
Wastewater Tap Fees	12,943.35	one time, due at permit
Wastewater Facility Fee		
Per unit for single family lots of 5,000 SF or greater	3,000.00	one time, due at permit
Per unit for single family lots of less than 5,000 SF	2,000.00	one time, due at permit
Per unit for apartments or condominium units	1,000.00	one time, due at permit
Water Meter Install Fee	1,520.00	one time, due at permit
Water and Sewer Admin Fee	230.00	one time, due at permit
COMMERCIAL / NON-RESIDENTIAL		
3" Water Tap (inclusive of sewer)	375,000.00	one time, due at permit
2" Water Tap (inclusive of sewer)	175,000.00	one time, due at permit
1.5" Water Tap (inclusive of sewer)	75,000.00	one time, due at permit
1" or less Water Tap (inclusive of sewer)	45,000.00	one time, due at permit

MULTI-FAMILY

Multi-family Water Tap, Wastewater Tap and Water Acquisition fees will be evaluated based on specific use proposed and determination by the Authority engineer of project requirements and approved by the Executive Board of the Authority on a case by case basis.

Falcon Area Water and Wastewater Authority
Resident Fees
2026

Updated 5/11/26

		RATE	DESCRIPTION
MONTHLY FEES			
Basic Water Meter Fee		35.39	Base fee to maintain the water system and provide water, water operator, etc
Water Use Fee Tier 1 (0 - 5,000 gallons)	Tier 1	18.54	Minimum water usage fee to pump water out of the ground and treat it for drinking water; includes first 5,000 gallons of usage.
Tier 2 (5,001 - 10,000 gallons)	Tier 2	11.56	Water usage fee per 1,000 gallons of water for Tier 2
Tier 3 (10,001 - 15,000 gallons)	Tier 3	15.59	Water usage fee per 1,000 gallons of water for Tier 3
Tier 4 (15,001 - 20,000 gallons)	Tier 4	28.79	Water usage fee per 1,000 gallons of water for Tier 4
Tier 5 (Over 20,000 gallons)	Tier 5	33.28	Water usage fee per 1,000 gallons of water for Tier 5
Basic Sewer Fee		46.07	Base sewer fee to maintain the sewer system and treatment of waste, per single family equivalent
Billing Service Fee		5.75	Fee to pay AmCoBi for billing services
Meter Reading Fee		4.95	Fee to pay PCI and Force BB to maintain the fiber network and roll trucks if needed
Under Drain Fee		3.00	Fee collected for the maintenance of the sewer main
CMD Clean Water fee		14.00	Per single family equivalent. Fee collected and remitted to Meridian SMD for reimbursement to Cherokee MD. Increases \$1.00/year per treatment contract until 2027 and then adjusted per agreement terms.

OTHER FEES

Water Service Turn Off Fee	140.00	Charged when customer is not paying bill and water is shut off
Water Service Turn On Fee	100.00	Fee to turn water back on when account is current
Late Payment Fee	15.00	
Return Check Fee	50.00	
After Hours Fee, per hour	85.00	Hourly fee to cover cost of after-hours response
Water and Sewer Admin Fee	230.00	AmCoBi and FAWWA administrative fee to cover switching ownership of accounts

Meter reading: 1st of each month. Billing: 5th of each month. Payment due: 25th of each month.

Minimum Monthly Bill per Residential User:

Basic Water Meter Fee	35.39	
Water Use Fee Tier 1 (0 - 5,000 gallons)	18.54	
Basic Sewer Fee	46.07	
Billing Service Fee	5.75	
Meter Reading Fee	4.95	
Under Drain Fee	3.00	
CMD Clean Water fee	14.00	
Total Minimum Monthly Bill	127.70	
Metro District Open Space Fee	6.00	These are on FAWWA bill but are remitted to Sterling Ranch Metro Districts or
Metro District Street Lighting Fee	4.25	Prairie Ridge Metro Districts.
Total Minimum with Metro District fees	137.95	

**Falcon Area Water and Wastewater Authority
Construction and Non-Residential Fees
2026**

Updated 5/11/26

		RATE	DESCRIPTION
MONTHLY BULK RATE			Contractor hydrant use; district tract or park irrigation
Bulk rate 0 - 40,000 gallons	Tier 1	318.00	
40,001 - 100,000 gallons of usage	Tier 2		
In District per 1,000 gallons		4.24	
Out of District per 1,000 gallons		6.36	
Over 100,000 gallons of usage	Tier 3		
In District per 1,000 gallons		7.95	
Out of District per 1,000 gallons		11.93	
OTHER FEES			
After Hours Fee, per hour		85.00	
Late Reporting on Hydrant Meter Reading		500.00	
Hydrant Deposit		2,500.00	Deposit and approved hydrant use permit are required prior to accessing water from a hydrant. Damage to the hydrant or hydrant meter will be deducted from the deposit fee or added to the final bill.
Unauthorized Access of Hydrant without Permit		2,500.00	
Unauthorized Connection Fee - Twice the then current Tap Fee amount that would be due and payable for the property			
Re-inspection Trip Fee		175.00	Charge to builders/contractors when additional inspections are needed, per trip.