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MEMORANDUM

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P.O. Box 4100 ♦ FRISCO, COLORADO 80443

**TO: MAYOR AND TOWN COUNCIL**  
**FROM: CHRIS MCGINNIS, PUBLIC WORKS DIRECTOR/TOWN ENGINEER**  
**RE: 19 VIERLING WAY EXTRA-TERRITORIAL WATER SERVICE AGREEMENT**  
**DATE: AUGUST 27, 2024**

**Summary and Background:**

In 2023, Ordinance 23-05 was approved, which modified Chapter 171 of the Town code by adding an application process for Extra-Territorial water taps. The new process requires prospective water users outside the Town of Frisco to submit a written application, dedicate water rights, submit a written will-serve letter from Frisco Sanitation District, and other conditions per the ordinance. Town Council will then grant denial or approval with conditions based on the “best interest of Town residents”. In addition, the ordinance states that the Council will consider whether the request will result in detrimental secondary impacts to Town or its residents. If Council approves a request, the applicant is required to meet all conditions, dedicate water rights or pay an in-lieu fee, pay all fees and reimbursements, and execute the Extra-Territorial Tap Contract.

On July 25, 2024, the owner of 19 Vierling Way submitted an extra-territorial water application for the property. The application is for 1 EQR for a new single-family home located near the intersection of 7th Ave and Vierling Way. The property is in unincorporated Summit County. There is an existing water main line in 7<sup>th</sup> Ave, which currently dead ends at Vierling Way. The property owner would install a new service line, approximately 100 feet in length, from the main line to the new home. All costs of construction and maintenance of the service line and any other required infrastructure will be the responsibility of the property owner. The property is not currently connected to sanitary sewer, but a will serve letter was received from the Frisco Sanitation District and a condition is included in the agreement to connect to the Sanitation District prior to the Town providing service. The application elects to pay in-lieu fees in place of dedicating water rights.

**Analysis:**

The Extra-Territorial Water Application for 19 Vierling Way meets the code requirements listed in Chapter 171 for providing extra-territorial water. The Town’s Water Division has determined that the Town’s system possesses the water rights and capacity to provide 1 EQR to 19 Vierling Way.

**Financial Impact:**

The extra-territorial in-lieu fee, plant investment fee, and water rates have been determined to

cover costs associated with additional water service. Therefore, the revenues are expected to match the increased costs of 19 Vierling Way and no financial impacts are anticipated.

**Alignment with Strategic Plan:**

Water service to 19 Vierling Way aligns with Core Services of the Strategic Plan by expanding water service to properties adjacent to the Town of Frisco.

**Environmental Sustainability:**

Providing water service would allow the property to be connected to Town of Frisco water and Frisco Sanitation District Sewer, which would eliminate the need for a well and septic on the property, ensuring protecting of water resources in the area.

**Staff Recommendation:**

Staff recommends that the Town Council approve the proposed agreement and authorize the Mayor to sign the water service agreement for 19 Vierling Way.

**Reviews and Approvals:** This report has been reviewed and approved by:

Tom Fisher, Town Manager  
Diane McBride, Assistant Town Manager  
Leslie Edwards, Finance Director

**Attachments:**

Attachment 1: Agreement for Extra-Territorial Water Service at 0019 Vierling Way (CR 1029)

Attachment 2: 19 Vierling Way Extra-Territorial Water Application