

RESOLUTION NO. 2025-__

**A RESOLUTION APPROVING THE FIRST AMENDMENT TO THE
AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT
BETWEEN THE TOWN OF CASTLE ROCK AND DOUGLAS COUNTY
FOR THE HIGHWAY 85 WASTEWATER COLLECTION AND
TREATMENT SYSTEM**

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) entered into the Amended and Restated Intergovernmental Agreement Between the Town of Castle Rock and Douglas County for the Highway 85 Wastewater Collection and Treatment System (the “Agreement”) with Douglas County (the “County”); and

WHEREAS, the Agreement provides fourteen million dollars (\$14,000,000.00) of American Rescue Plan Act funding for completion of the Highway 85 Wastewater Collection and Treatment System Project (the “Project”); and

WHEREAS, the latest engineering cost estimate for the Project indicates the Project may cost as much as eighteen million, eight-hundred thousand dollars (\$18,800,000.00) to complete; and

WHEREAS, the Town is in a position to provide funding in the amount of four million, eight-hundred thousand dollars (\$4,800,000.00) to cover the difference between the funds available under the Agreement and the updated Project estimate; and

WHEREAS, the Town wishes to provide this funding to the Project as long as the Agreement provides that the Town will be reimbursed for the same; and

WHEREAS, the Town has agreed to the terms and conditions by which the Town will provide this additional funding for the Project, all of which shall be incorporated into the Agreement upon the Town’s and the County’s execution of the First Amendment to the Amended and Restated Intergovernmental Agreement Between the Town of Castle Rock and Douglas County for the Highway 85 Wastewater Collection and Treatment System (the “First Amendment”).

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:

Section 1. Approval. The First Amendment between the Town and the County is hereby approved in substantially the same form as presented at tonight’s meeting, with such technical changes, additions, modifications, deletions, or amendments as the Town Manager may approve upon consultation with the Town Attorney. The Mayor and other proper Town officials are hereby authorized to execute the Agreement and any technical amendments thereto by and on behalf of the Town.

Section 2. Encumbrance and Authorization for Payment. In order to meet the Town’s

financial obligations under the First Amendment, the Town Council authorizes the expenditure and payment in an amount not to exceed \$4,800,000.00, unless otherwise authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2025, by the Town Council of the Town of Castle Rock, Colorado, on first and final reading, by a vote of ____ for and ____ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to content:

Michael J. Hyman, Town Attorney

Mark Marlowe, Director of Castle Rock Water