

RESOLUTION NO. 2025-099

A RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN CASTLE PINES METROPOLITAN DISTRICT, CASTLE PINES NORTH METROPOLITAN DISTRICT, HIGHLANDS RANCH WATER AND SANITATION DISTRICT, DOMINION WATER AND SANITATION DISTRICT, AND THE TOWN OF CASTLE ROCK, ACTING BY AND THROUGH THE CASTLE ROCK WATER ENTERPRISE, REGARDING THE PLUM CREEK STREAM GAGE

WHEREAS, the Town of Castle Rock, acting by and through the Castle Rock Water Enterprise (the “Town”), Castle Pines Metropolitan District, Castle Pines North Metropolitan District, Highlands Ranch Water and Sanitation District, and Dominion Water and Sanitation District (collectively, the “Douglas County Water Providers”) own and operate water rights and/or carry reusable effluent return flows in Plum Creek in Douglas County; and

WHEREAS, the Water Court decrees for such water rights and/or stream administration by the Division Engineer generally require or will require the operation of a stream flow measuring device on Plum Creek, near the point where Plum Creek is crossed by Titan Road; and

WHEREAS, in order to record more accurate streamflow measurements, the Colorado Division of Water Resources (CDWR) has previously installed a cantilever radar over existing grade controls within Plum Creek and developed a stage/discharge rating to measure streamflow in the creek at a location that is a short distance north of Titan Road (the “Plum Creek Gage”); and

WHEREAS, CDWR is willing to donate the Plum Creek Gage to the Town and the other water providers, in exchange for the Parties’ agreement to perform on-going operation, maintenance, repair, and recalibration, and, in the future, replacement, removal, and other capital improvements; and

WHEREAS, in addition, to restore functionality to the Plum Creek Gage, the Plum Creek stream channel (the “Stream Channel”) must be dredged and reconstructed, requiring, among other things, Section 404 permitting from the United States Army Corps of Engineers and design, dredge and re-construction by a qualified stream restorationist (collectively, the “Stream Channel Restoration”); and

WHEREAS, after the Stream Channel Restoration, the Stream Channel will require on-going maintenance and repair; and

WHEREAS, the Town and the other Douglas County Water Providers have agreed, in principle, to reimburse or contribute funds, on a pro-rata basis, for the operation and maintenance of the Plum Creek Gage, Stream Channel Restoration and the maintenance and repair of the Stream Channel; and

WHEREAS, the Town Council hereby finds and determines that it is in the best interests of the Town and its residents to enter into an Intergovernmental Agreement for this purpose.

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

Section 1. Approval. The Intergovernmental Agreement by and between Castle Pines Metropolitan District, Castle Pines North Metropolitan District, Highlands Ranch Water and Sanitation District, and Dominion Water and Sanitation District, and the Town of Castle Rock, acting by and through the Castle Rock Water Enterprise, 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.

PASSED, APPROVED AND ADOPTED this 2nd day of September, 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, Castle Rock Water