

RESOLUTION NO. 2024-067

**A RESOLUTION APPROVING 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, C.R.S. § 29-1-203 authorizes local governments to cooperate and contract with one another regarding functions, services and facilities each is authorized to provide; and

WHEREAS, operates a wastewater collection system and owns wastewater treatment capacity in the Plum Creek Water Reclamation Authority (“PCWRA”) treatment facility to provide retail wastewater service to its customers; and

WHEREAS, on May 2, 2023, the Town of Castle Rock, acting by and through the Town of Castle Rock Water Enterprise (the “Town”), and the Board of County Commissioners of the County of Douglas (the “County”) entered into the Highway 85 Wastewater Collection and Treatment System (the “IGA”) for the purpose of using American Rescue Plan Act (“ARPA”) funding to design and construct a wastewater collection and treatment system along the Highway 85 corridor (the “Corridor”); and

WHEREAS, the Town and the County have since determined that available American Rescue Plan Act funding is not sufficient to fund the entire project as contemplated in the IGA; and

WHEREAS, instead, the County will use \$14,000,000.00 of ARPA Funds to finance the design and construction of a new lift station in the Town of Sedalia and a force main extending south along the Corridor to the PCWRA Wastewater Treatment Plant (the “Highway 85 Wastewater Collection and Treatment System” or “System”) and to acquire all easements, rights-of-way, and other real property interests as may be needed for the System; and

WHEREAS, the Town will continue to use its project engineering and management expertise to design and construct the System and to give the County full authority to allocate capacity in the System to existing and future customers of the System; and

WHEREAS, upon completion of the System, the Town will provide retail and/or wholesale wastewater service to System customers and will assume responsibility, as the owner of the System, for its operation and maintenance; and

WHEREAS, the Town and the County find and determine that it is in the best interests of their respective customers and citizens to enter into an Amended and Restated IGA for the System as presently constituted (the “Amended and Restated IGA”).

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

Section 1. Approval. The Amended and Restated IGA 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.

PASSED, APPROVED AND ADOPTED this 2nd day of July, 2024, 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