

RESOLUTION NO. 2024-047

**A RESOLUTION APPROVING A WASTEWATER CAPACITY
RESERVATION AGREEMENT BETWEEN THE TOWN OF CASTLE ROCK
AND THE SILVER HEIGHTS WATER AND SANITATION DISTRICT**

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) is a member of the Plum Creek Water Reclamation Authority (the “Authority”) pursuant to the Plum Creek Water Reclamation Authority Establishing Agreement dated December 14, 1989, by and among the Town, Castle Pines Metropolitan District and Castle Pines North Metropolitan District; and

WHEREAS, as a member of the Authority, the Town is entitled to wastewater treatment services on a volume basis at the Authority’s Plum Creek Wastewater Treatment Plant (the “Plant”); and

WHEREAS, the Silver Heights Water and Sanitation District (the “District”) receives wastewater treatment services on a volume basis from the Authority pursuant to (i) the Special Connector's Agreement between the District and the Authority, dated July 23, 1991, as most recently amended on August 23, 2022, and (ii) the Agreement Concerning Wastewater Treatment with the Town and Castle Pines Holdings, Inc., dated July 26, 1991 (collectively, the “Plum Creek Agreements”); and

WHEREAS, under the Plum Creek Agreements, the District is currently entitled to 48,740 gallons per day capacity in the Town's wastewater collection system and the Plant; and

WHEREAS, the volume of wastewater treatment capacity allocated to the District by the Plum Creek Agreements is insufficient to serve the District’s anticipated demands for wastewater treatment services; and

WHEREAS, the Town is willing to enter into an agreement with the District for the purpose of reserving a portion of its unused wastewater treatment capacity in the Plant for future sale to the District.

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

Section 1. Approval. The Wastewater Capacity Reservation Agreement between the Town and the District 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 7th day of May, 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