

RESOLUTION NO. 2016-

A RESOLUTION APPROVING THE EXECUTION OF THE INTERGOVERNMENTAL WATER INFRASTRUCTURE COST SHARING, CONSTRUCTION AND CAPACITY ALLOCATION AGREEMENT BETWEEN THE TOWN OF CASTLE ROCK AND PARKER WATER AND SANITATION DISTRICT

WHEREAS, the South Metro WISE Authority (“Authority”), Parker Water and Sanitation District (“PWSD”), Dominion Water & Sanitation District (“Dominion”), Denver Southeast Suburban Water and Sanitation District (d/b/a Pinery Water and Sanitation District), Stonegate Village Metropolitan District (“Pinery”), Stonegate Village Metropolitan District (“Stonegate”) and the Town of Castle Rock (“Castle Rock”) are party to this agreement; and

WHEREAS, as part of their participation in the regional Water Infrastructure and Supply Efficiency (“WISE”) Project, the Parties desire to cooperate in the construction of a water conveyance pipeline that is located on property commonly referred to as the Ridgeway development and which generally commences at E470 and continues south to the PWSD’s Rueter-Hess Water Purification Facility; and

WHEREAS, Castle Rock is a member of the WISE Project, and the WISE Project is a key component of Castle Rock’s long-term renewable water plan; and

WHEREAS, the Ridgeway Pipeline will be used to convey WISE Project water to the Parties, and constitutes Local Infrastructure, as that term is defined in the South Metro WISE Authority Formation and Organizational Intergovernmental Agreement (“Organizational Agreement”), to which all of the Parties are Members; and

WHEREAS, the Ridgeway Pipeline will convey Castle Rock’s WISE water and other water Castle Rock is acquiring through its long-term renewable water plan, specifically the Alternate Source of Supply Project; and

WHEREAS, PWSD will construct, own, operate, repair, maintain, and replace (as necessary) the Ridgeway Pipeline on behalf of the Parties, and the Parties shall share capacity in the Ridgeway Pipeline and the associated costs of the Ridgeway Pipeline for the benefit of their respective customers; and

WHEREAS, this Agreement sets forth the terms and conditions pursuant to which PWSD will construct and own the Ridgeway Pipeline and how capacity in the Ridgeway Pipeline shall be allocated between the parties; and

WHEREAS, regional cooperation in infrastructure as contemplated in this Agreement will spread the costs of long-term water amongst the region thereby benefiting the customers of Castle Rock Water.

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

Section 1. Approval. The Town Council hereby executes the Intergovernmental Water Infrastructure, Cost Sharing, Construction and Capacity Allocation Agreement in the form attached as *Exhibit 1*.

Section 2. Encumbrance and Authorization for Payment. In order to meet the Town's financial obligation under the contract, the Town Council authorizes the expenditure and payment from the 2016 appropriation account 211-4375-443-77.71 (WR WLI) in an amount not to exceed \$3,581,700, unless authorized in writing by the Town of Castle Rock.

PASSED, APPROVED AND ADOPTED this 19th day of April, 2016, 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

Sally A. Misare Town Clerk

Paul Donahue, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

Mark Marlowe, Utilities Director