

RESOLUTION NO. 2024-014

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR THE OPERATION OF SHARED INFRASTRUCTURE BY AND BETWEEN THE MEMBERS OF THE CHERRY CREEK PROJECT WATER AUTHORITY

WHEREAS, the Cherry Creek Project Water Authority (“CCPWA”) is a group of water providers that has formed a water authority for the purpose of constructing and operating a water project, which project consists of renewable water and Denver Basin water in the Cherry Creek Basin with an annual yield between approximately 500- and 2,000-acre feet (the “Project”); and

WHEREAS, at present, the Town of Castle Rock, acting by and through the Castle Rock Water Activity Enterprise (the “Town”) has a 41.25% share in the Project; and

WHEREAS, CCPWA is nearing completion of the construction of the Walker Reservoir, a water storage facility located approximately ½-mile northwest of Franktown; and

WHEREAS, Walker Reservoir will serve multiple functions by being able to store both tributary and non-tributary water and to release water for direct use, augmentation and release and re-diversion downstream to Rueter-Hess Reservoir; and

WHEREAS, the Town owns 150-acre feet, or approximately 23%, of the Walker Reservoir’s total 650-acre foot (AF) capacity; and

WHEREAS, the Town wishes to enter into an Intergovernmental Agreement with CCPWA and its other three members for the operation of the Walker Reservoir and other shared infrastructure (the “IGA”); and

WHEREAS, the Town Council finds and determines that it is in the best interests of the Town and its residents to authorize the execution of the IGA.

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

Section 1. Approval. The Agreement for the Operation of Shared Infrastructure by and between the Town, CCPWA, Inverness Water and Sanitation District, Denver Southeast Suburban Water and Sanitation District, and Cottonwood Water and Sanitation 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.

Section 2. Encumbrance and Authorization for Payment. In order to meet the Town's financial obligations under the Agreement, the Town Council authorizes the expenditure

and payment from the CC Basin Infrastructure Account in an amount not to exceed \$680,625.00, unless otherwise authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this 20th day of February, 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