

**RESOLUTION NO. 2016-**

**A RESOLUTION APPROVING THE RENEWAL TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF CASTLE ROCK, TOWN OF PARKER AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS FOR THE CONTINUED IMPLEMENTATION OF THE DOUGLAS COUNTY HABITAT CONSERVATION PLAN; AND AUTHORIZING THE APPLICATION FOR THE RENEWAL OF THE INCIDENTAL TAKE PERMIT WITH THE UNITED STATES FISH AND WILDLIFE SERVICE RELATED TO THE PREBLE'S MEADOW JUMPING MOUSE**

**WHEREAS**, the United States Fish and Wildlife Service (Service) designated the Preble's meadow jumping mouse (Preble's) as a threatened species protected under the Endangered Species Act; and

**WHEREAS**, the Town, Parker and Douglas County have a working Habitat Conservation Plan (HCP), approved by the United States Fish and Wildlife Service in 2006, that identifies activities to be conducted by the County and the Towns within a 10-year period that may impact potential Preble's habitat; and

**WHEREAS**, the Service issued Incidental Take Permits (ITP) in 2006 to the County and each of the Towns authorizing the take of Preble's and its potential habitat from certain public improvements outlined in the HCP; and

**WHEREAS**, the ITPs are set to expire on May 11, 2016 but can be renewed; and

**WHEREAS**, the Town of Castle Rock, in conjunction with Douglas County and the Town of Parker, has submitted an application to the Service for the renewal of the existing Incidental Take Permit for an additional 10 years to allow it to construct certain public improvements in areas that are potential habitat for Preble's; and

**WHEREAS**, County and Towns each entered into an Implementing Agreements (IA) with the Service in 2006 to implement the terms and conditions of the HCP, which does not expire; and

**WHEREAS**, the County and Towns each entered into an Intergovernmental Agreement (IGA) in 2007 to implement the terms of the HCP as well as the commitments of the ITP and IA; and

**WHEREAS**, the County and Towns have agreed to renew the terms of the IGA to continue to work cooperatively to coordinate efforts to comply with the HCP, IA and renewed ITP commitments; and

**WHEREAS**, governmental entities are authorized to enter into intergovernmental agreements pursuant to the provisions of Article XIV, Section 18(2)(a) of the Colorado Constitution and § 29-1-203, C.R.S.

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

**Section 1. Approval and Authorization.** The Intergovernmental Agreement between the Town of Castle Rock, the Town of Parker and the Board of County Commissioners of the County of Douglas, in the form attached as ***Exhibit 1*** is hereby approved. The Mayor and other Town officials are hereby authorized to execute the IGA by and on behalf of the Town of Castle Rock, Colorado. Town staff is authorized to submit an application for the renewal of the existing Incidental Take Permit with the United States Fish and Wildlife Service as it relates to the Preble's meadow jumping mouse.

**Section 2.** This resolution to be in full force and effect from and after is passage and approval.

**PASSED, APPROVED AND ADOPTED** this \_\_ day of \_\_\_\_\_ 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

\_\_\_\_\_  
Jeff Brauer, Director,  
Parks and Recreation