

RESOLUTION NO. 2024-044

**A RESOLUTION APPROVING THE INTERGOVERNMENTAL WATER
INFRASTRUCTURE COST SHARING, CONSTRUCTION, AND
CAPACITY ALLOCATION AGREEMENT REGARDING THE WISE
PUMP STATION AND INFRASTRUCTURE**

WHEREAS, Section 29-1-203, C.R.S., authorizes the Town of Castle Rock, acting by and through the Castle Rock Water Enterprise (the “Town”), the South Metro WISE Authority (the “Authority”), Dominion Water & Sanitation District (“Dominion”), and the Parker Water and Sanitation District (“PWSD”) to cooperate and contract with one another regarding functions, services and facilities each are authorized to provide; and

WHEREAS, the Authority exists to facilitate the acquisition, construction, and operation of a water delivery system to its members, and the Town, Dominion, and PWSD are members of the Authority; and

WHEREAS, as part of their participation in the regional Water Infrastructure and Supply Efficiency (“WISE”) program, the Authority, the Town, Dominion, and PWSD wish to enter into an intergovernmental agreement (the “IGA”) regarding the construction of the WISE Pump Station and additional infrastructure needed at and around the Rueter-Hess Water Purification Facility (collectively the “Pump Station Infrastructure”); and

WHEREAS, the Pump Station Infrastructure will be used to convey WISE water to the Town, Dominion, and PWSD and, as such, constitutes Local Infrastructure, as that term is defined in the South Metro WISE Authority Formation and Organizational Intergovernmental Agreement; and

WHEREAS, PWSD will construct, own, operate, repair, maintain, and replace (as necessary) the Pump Station Infrastructure on its own behalf and the behalf of the Town and Dominion; and

WHEREAS, the Town, Dominion, and PWSD shall share capacity in the Pump Station Infrastructure and the associated costs of the Pump Station Infrastructure; and

WHEREAS, as a party to the IGA, the Authority shall ensure compatibility with the overall WISE system, but shall not be an owner or otherwise a party to the Pump Station Infrastructure; and

WHEREAS, the Town Council finds and determines that the approval and execution of the IGA is in the best interest of the Town, its customers and constituents.

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

Section 1. Approval. The Intergovernmental Water Infrastructure Cost Sharing, Construction, and Capacity Allocation Agreement Regarding the Wise Pump Station and Infrastructure between the Town, the Authority, Dominion, and PWSD 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 of an amount not to exceed \$8,823,605.00, unless otherwise authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this 16th day of April, 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 Castle Rock Water