

RESOLUTION NO. 2025-053

**A RESOLUTION APPROVING A SECOND AMENDMENT TO
INTERGOVERNMENTAL AGREEMENT FOR WATER SERVICE
BETWEEN DOMINION WATER AND SANITATION DISTRICT,
ACTING IN ITS CAPACITY AS A WATER ACTIVITY ENTERPRISE,
AND THE TOWN OF CASTLE ROCK, ACTING THROUGH THE TOWN
OF CASTLE ROCK ENTERPRISE**

WHEREAS, the Town of Castle Rock, Colorado, by and through the Town of Castle Rock Water Enterprise (the “Town”), and the Dominion Water and Sanitation District, acting in its capacity as a water activity enterprise (“Dominion”) are parties to an Intergovernmental Agreement dated January 7, 2014, which provides for the joint or cooperative use of infrastructure to facilitate the efficient and cost-effective delivery of water to their customers (the “Agreement”); and

WHEREAS, the Agreement was amended on May 21, 2019, to clarify the Agreement’s delivery infrastructure, the method for reimbursing future capital costs associated with the infrastructure, the water transmission rates, and the notice provision; and

WHEREAS, the Agreement provides that, in the event Dominion develops or acquires different or additional water sources to support its commitments under the Agreement, the Town shall not unreasonably withhold its consent to allow those sources to be incorporated into the Agreement; and

WHEREAS, Dominion has acquired two additional water sources it wishes to use to satisfy its commitments under the Agreement; and expects deliveries under the Agreement to commence on May 1, 2025; and

WHEREAS, the Town wishes to require notice forty-eight hours’ notice from Dominion for flow change requests; and

WHEREAS, the Town and Dominion have agreed to the terms and conditions by which these changes shall be incorporated into the Agreement, memorialized in the Second Amendment to Intergovernmental Agreement for Water Service Between Dominion Water and Sanitation District, acting in its capacity as a Water Activity Enterprise, and the Town of Castle Rock, acting through the Town of Castle Rock Water Enterprise (the “Second Amendment”).

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

Section 1. Approval. The Second Amendment to the Agreement 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 Second Amendment and any technical amendments thereto by and on behalf

of the Town.

PASSED, APPROVED AND ADOPTED this 15th day of April, 2025, by the Town Council of the Town of Castle Rock 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