

RESOLUTION NO. 2016-078

A RESOLUTION APPROVING THE TOWN OF CASTLE ROCK / DOMINION WATER AND SANITATION DISTRICT CANYONS PIPELINE CAPACITY LICENSE AGREEMENT

WHEREAS, the Town of Castle Rock (“Town”) and Dominion Water and Sanitation District (“Dominion”) have agreed to the terms and conditions of the Canyons Pipeline Lease Purchase Agreement (“Agreement”); and

WHEREAS, the Town and Dominion, through the South Metro WISE Authority (the “WISE Authority”), are participants in the "WISE Partnership - Water Delivery Agreement between Denver Water, the City of Aurora, acting by and through its Utility Enterprise, and the South Metro WISE Authority" ("WDA") which provides for delivery of water from Denver Water/Aurora Water to the WISE Authority;

WHEREAS, the Town has entered into the Canyons Pipeline IGA (as defined herein) which provides for the construction, and the Town’s acquisition of capacity in a 36-inch waterline and related infrastructure to be constructed by Parker Water and Sanitation District, as further described in the Canyons Pipeline IGA;

WHEREAS, the Town and Dominion support regional water supply projects, recognizing such projects benefit participants by reducing duplication of facilities and operations, thereby reducing the costs to the customers of the Town and Dominion;

WHEREAS, Dominion and the Town seek to identify infrastructure that they may use jointly or cooperatively to facilitate efficient and cost-effective delivery of water service to their customers;

WHEREAS, Dominion has determined that it needs capacity in the Canyons Pipeline (as defined herein) in order to utilize water it will receive under the WDA;

WHEREAS, Dominion desires to secure 4.2 million gallons per day (“MGD”) of the Town’s license to utilize capacity in the Canyons Pipeline;

WHEREAS, the parties have reached agreement on the terms and conditions of such license to Dominion of a portion of the designated Canyons Pipeline interest of the Town.

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

Section 1. Approval. The License Capacity Agreement, in the form attached as *Exhibit 1* is hereby approved. The Mayor and other proper Town officials are hereby authorized to execute the Agreement by and on behalf of the Town of Castle Rock, Colorado, including any non-substantive changes approved by Legal and staff.

Section 2. Encumbrance and Authorization for Payment. In order to meet the Town's initial financial obligation under the Agreement, the Town Council authorizes the expenditure and payment from the following 2016 appropriation accounts: account #211-4375-443.77-72 WR WLI in an amount not to exceed \$10,824,700 unless authorized in writing by the Town of Castle Rock.

PASSED, APPROVED AND ADOPTED this 16th day of August, 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