

RESOLUTION NO. 2020-____

RESOLUTION APPROVING THE PARTICIPATION AGREEMENT BETWEEN THE CHERRY CREEK BASIN WATER QUALITY AUTHORITY AND THE TOWN OF CASTLE ROCK FOR THE DESIGN OF STREAM RECLAMATION IMPROVEMENTS FOR THE McMURDO GULCH PRIORITY 2 PROJECT

WHEREAS, the Town of Castle Rock (“Town”) has determined that drainageway improvements are needed along McMurdo Gulch to address significant erosion, improve water quality and preserve open space; and

WHEREAS, the Cherry Creek Basin Water Quality Authority (“Authority”) recognizes that reclaiming streams tributary to Cherry Creek helps to preserve and protect water quality in Cherry Creek and in Cherry Creek Reservoir (“Reservoir”) by reducing the phosphorus loads and concentrations in both Cherry Creek and the Reservoir; and

WHEREAS, the Town has partnered with the Authority on a number of projects since 2011 on McMurdo Gulch; and

WHEREAS, the Authority wishes to contribute \$75,000.00 to the Town for the preparation of preliminary and final design and construction documents for the reclamation of approximately 3,700 linear feet of McMurdo Gulch (“Project”); and

WHEREAS, design of the Project is well under way; and

WHEREAS, the Town anticipates awarding a contract for the construction of the Project before the end of 2021, with a construction completion date in the summer of 2022; and

WHEREAS, the Town anticipates that the Authority will contribute an additional \$540,000.00 of funds, previously budgeted by the Authority, for construction of this Project for 2021 with the understanding that the Authority would contribute 25 percent of the Total Project Cost (i.e. the cost of design and construction), but that the Authority’s total contribution toward the Total Project Cost will not exceed \$615,000.00; and

WHEREAS, the Parties desire to provide for the Authority’s contribution of \$75,000.00 for the preparation of preliminary and final design and construction documents of the Project.

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

Section 1. Approval. The Participation Agreement between the Town of Castle Rock and the Cherry Creek Basin Water Quality Authority 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.

PASSED, APPROVED AND ADOPTED this 20th day of October, 2020, 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