

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: July 13, 2011

Board Item: V-A-4

AGREEMENT WITH CITY AND COUNTY OF DENVER FOR WATER SERVICE AT CHERRY CREEK PARK, AGREEMENT NO. 13699A

Action by Consent

Action

Information

Background:

On December 26, 1986, the City and County of Denver ("City") entered into an agreement with Taubman-Cherry Creek Limited Partnership, a Colorado Limited Partnership for the redevelopment of the Cherry Creek Neighborhood. On June 30, 1987 those parties signed a subsequent cooperative agreement involving Cherry Creek Park, located within the boundaries of the City and County of Denver.

On May 8, 1990 the City and the Board entered into a 20-year agreement for the supply of non-potable water through the Cherry Creek Well for the purpose of irrigation of Cherry Creek Park and use in decorative fountains. The water from Cherry Creek Well was used pursuant to a substitute water supply plan, and is now being used pursuant to a plan for augmentation obtained by the Board and approved by the Water Court in Case No. 89CW198 WD1.

The May 8, 1990 Agreement has since expired and the City has requested that the Board enter into a new agreement for water service at Cherry Creek Park.

Description of Agreement:

The attached Agreement between the Board and the City provides for water service at Cherry Creek Park as follows:

- Supply of Irrigation Water. The Board agrees to provide non-potable water to supply Cherry Creek Park in accordance with the decree entered in Case No. 89CW198.
- Rate. The City will be charged at the rate for the City and County of Denver for non-potable water served from the Cherry Creek Well, unless potable water is required temporarily in which case the City will be charged the potable water rate. As the rate is changed, such change shall automatically become a part of the Agreement.

Description	Adopted 2011
Monthly Service Charge, \$ per bill	\$5.58
Volume Rate, \$ per 1,000 gallons	
Potable Water	
Domestic	\$2.04
Irrigation Winter	1.03
Irrigation Summer	2.58
Recycled	0.35
Raw	0.24

- Length. The Agreement does not include a termination date, although it may be terminated by non-curable default or by mutual consent of the City and the Board.
- Board Costs. The Board, at its sole cost, will be responsible for the water accounting, operation and maintenance of the irrigation pump, irrigation pump control panel, irrigation piping inside the vault, and the removable spool for treated water back up.
- Conservation Plan and Decree. Parks agrees to use water at the park consistent with the Board's conservation plan.

Recommendation:

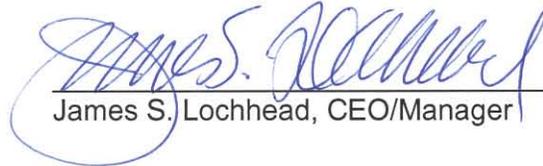
It is recommended that the Board approve the Agreement No. 13699A.

Approvals:

Respectfully submitted,



Director of Planning



James S. Lochhead, CEO/Manager



General Counsel