

## RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, AUTHORIZING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF BRIGHTON AND SCHOOL DISTRICT 27J FOR THE DISTRICT'S DESIGN AND CONSTRUCTION OF A TEMPORARY DEAD END PUBLIC WATERLINE FOR THE PURPOSE OF PROVIDING FIRE PROTECTION TO THE DISTRICT'S BUS BARN AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID MOU ON BEHALF OF THE CITY AND TO UNDERTAKE SUCH TASKS AS MAY BE REQUIRED TO IMPLEMENT THE PROVISIONS OF THE MOU ON BEHALF OF THE CITY.**

### **RESOLUTION NO. 2018-53**

**WHEREAS**, School District 27J believes that it is important for the safety of its facilities that it construct a water line to provide fire protection services to the +/- 19.9 acre property located at 1170 Potomac Street, Henderson, Colorado 80640 (the "Property"); and

**WHEREAS**, there is currently no municipal water line in the vicinity of the Property that would allow for the District's waterline to be looped, so District is desirous of installing a *temporary* water line subject to certain conditions as more specifically set forth herein; and

**WHEREAS**, the City is amenable to permitting the District to install a *temporary* fire protection waterline so long as the District installs the requisite backflow prevention devices to ensure water quality and satisfies other certain conditions as more specifically set forth herein; and

**WHEREAS**, the Parties hereto are desirous of setting forth in writing their understandings and agreements with regard to said *temporary* fire protection line; and

**WHEREAS**, the City Council finds and determines that the terms of the Memorandum of Understanding are reasonable and that the Memorandum of Understanding is beneficial to both parties and is in the best interest of the City.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH THE WATER ACTIVITY ENTERPRISE, AS FOLLOWS:**

1. The Memorandum of Understanding between the City of Brighton and the School District 27J for the District's design and construction of a temporary dead end public waterline for the purpose of providing fire protection to the District's bus barn is hereby approved.
2. The City Manager is hereby authorized to execute said Memorandum of Understanding for and on behalf of the City of Brighton and to undertake such tasks as may be required to implement the terms of said MOU.

**RESOLVED THIS 1<sup>st</sup> DAY OF May, 2018.**

**CITY OF BRIGHTON, COLORADO**

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Kenneth J. Kreutzer, Mayor

Attest:

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Natalie Hoel, City Clerk

*Approved as to Form:*

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Margaret R. Brubaker, Esq.  
City Attorney