

RESOLUTION NO. 2022-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF BRIGHTON AND THE SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

WHEREAS, the City of Brighton (“City”) and the South Adams County Water and Sanitation District (“South Adams”) desire to enter into an Intergovernmental Agreement (“IGA”) to replace previous IGAs entered into in June of 1997 and August of 2010 regarding utility service to customers in certain areas in the southern part of Brighton; and

WHEREAS, the City wishes to extend its service area as contemplated in the previous agreements and to create an interconnection to allow for a lease of water from the City and County of Denver; and

WHEREAS, the IGA addresses the connections needed to provide service to the Fuller Estates Subdivision, the 27J School District Maintenance Facility, and Shiraba Park; and

WHEREAS, the IGA sets forth clear terms and conditions for the City to assume service for its residents and businesses in south Brighton and for South Adams to transfer infrastructure, and the parties desire to cooperate under the terms negotiated in the attached **Exhibit A**; and

WHEREAS, Section 18(2) of Article XIV of the Colorado Constitution and Sections 29-1-201, *et seq.*, and 29-20-105 of the Colorado Revised Statutes authorize and encourage local governmental entities to cooperate by contracting with one another for their mutual benefit.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. The IGA between the City of Brighton and South Adams is hereby approved.

Section 2. The City Manager is authorized to execute said IGA on behalf of the City, after consultation with the City Attorney, to modify the IGA in the best interests of the City, and undertake such tasks and execute such documents as may be required to implement said IGA on behalf of the City.

Section 3. This Resolution is effective as of the date of its adoption.

RESOLVED THIS 17th DAY OF May, 2022.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

ALICIA CALDERÓN, City Attorney