

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING AN AMENDED AGREEMENT AMONG THE CITY OF NORTHGLENN, RALSTON HOUSE, THE CITIES OF WESTMINSTER, THORNTON, FEDERAL HEIGHTS, BRIGHTON, COMMERCE CITY AND AURORA, THE CITY AND COUNTY OF BROOMFIELD AND THE COUNTY OF ADAMS REGARDING CONSTRUCTION AND CONSTRUCTION MANAGEMENT OF THE NORTHGLENN RALSTON HOUSE (“THE PHASE 2 AGREEMENT”); APPROVING THE CITY’S CONTRIBUTION UNDER THE IGA IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-THREE THOUSAND FOUR HUNDRED FIFTY-FIVE DOLLARS (\$123,455); AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY; AND SETTING FORTH OTHER DETAILS RELATED THERETO.

RESOLUTION NO. 2017-131

WHEREAS, the City of Northglenn ("Northglenn") is the owner of a certain parcel of Property located within the City of Northglenn; and

WHEREAS, Ralston House is a child advocacy center which for many years has provided professional and comprehensive services for sexually, physically, and emotionally abused children and their families; and

WHEREAS, the Ralston House provides a valuable public service which preserves and promotes the safety, health, and welfare of the citizens within their communities; and

WHEREAS, Ralston House currently provides these services through its Jefferson County facilities, and recently through a facility located on the Property; and

WHEREAS, based on the services currently being provided, Brighton, and the City of Northglenn, Ralston House, a Colorado Nonprofit Corporation ("Ralston House") and Westminster, Thornton, Federal Heights, Brighton, Commerce City and Aurora, the City and County of Broomfield and the County of Adams (the "Municipal Parties") entered into an Intergovernmental Agreement in 2016 whereby each contributed to the cost for developing the design of a new child advocacy center facility to be known as the "Northglenn Ralston House" (the "Phase 1 Agreement"); and

WHEREAS, the contribution of the Municipal Parties under the Phase 1 Agreement was Two Hundred and Seventy Thousand Dollars (\$270,000.00), of which Brighton contributed Thirty Thousand Dollars (\$30,000); and

WHEREAS, based on the resulting design drawings and associated construction cost estimates, and consistent with Section 3 of the Phase 1 Agreement, Brighton and the Municipal Parties have negotiated the terms of a subsequent Agreement to address the construction and construction management of the Northglenn Ralston House and the financial contributions of each entity (the "Phase 2 Agreement"); and

WHEREAS, the total project cost for the design, construction, and construction management of the Northglenn Ralston House has been estimated at the cost of One Million, Nine Hundred Forty Eight Thousand Five Hundred Seventy-Two Dollars (\$1,948,572.00) (the "Total Revised Project Cost"); and

WHEREAS, pursuant to the terms of the Amended Phase 2 Agreement, the Municipal Parties will fund the construction and construction management of the Northglenn Ralston House in the revised additional amount of One Million Six Hundred Seventy-Eight Thousand Five Hundred Seventy-Two Dollars (\$1,678,572.00), which includes a contingency amount of approximately Ninety-Two Thousand, Seven Hundred Eighty-Nine Dollars (\$92,789) (the “Contingency Amount”);

WHEREAS, the City Council finds and determines that the services provided by the Ralston House are important, effective and are a benefit to the citizens of Brighton; and

WHEREAS, the City Council further finds and determines that the terms and provisions of the subject amended Phase 2 Agreement with the Municipal Parties are reasonable and that it is in the best interest of the City that it enter into the Agreement.

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

1. The *AGREEMENT BY AND AMONG THE CITY OF NORTHGLENN, RALSTON HOUSE, THE CITIES OF WESTMINSTER, THORNTON, FEDERAL HEIGHTS, BRIGHTON, COMMERCE CITY AND AURORA, THE CITY AND COUNTY OF BROOMFIELD AND THE COUNTY OF ADAMS REGARDING THE CONSTRUCTION AND CONSTRUCTION MANAGEMENT OF THE NORTHGLENN RALSTON HOUSE*, a copy of which is attached hereto as Exhibit A, and incorporated herein by this reference, is hereby approved.
2. The City’s requisite contribution of One Hundred Twenty-Three Thousand Four Hundred Fifty-Five Dollars (\$123,455) pursuant to the terms of the amended Phase 2 Agreement, is hereby approved.
3. The Mayor is authorized to execute said amended Phase 2 Agreement on behalf of the City and the City Clerk to attest thereto.

RESOLVED THIS 21st DAY OF November, 2017.

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Margaret R. Brubaker, City Attorney