

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, APPROVING AN AMENDMENT “G” TO THE INTERGOVERNMENTAL AGREEMENT NO. 06-01.25 REGARDING DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR THE NORTH OUTFALL BETWEEN THE CITY OF BRIGHTON AND URBAN DRAINAGE AND FLOOD CONTROL DISTRICT; AUTHORIZING THE CITY’S CONTRIBUTION UNDER AMENDMENT “G” IN THE AMOUNT OF TWO MILLION DOLLARS (\$2,000,000); AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID INTERGOVERNMENTAL AGREEMENT AMENDMENT “G” ON BEHALF OF THE CITY.

RESOLUTION NO. 2018-09

WHEREAS, Brighton and the Urban Drainage and Flood Control District (“UDFCD”) parties have entered into an Intergovernmental Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for the North Outfall, City of Brighton (Agreement No. 0601.25) dated April 14, 2006, as amended, which Agreement has been amended periodically to add subsequent phases to the construction of the Outfall related improvements and to acknowledge the financial contributions by the City and UDFCD to those improvements; and

WHEREAS, the next phase of improvements includes, generally, the installation of a 72” storm sewer line under the railroad spur line servicing Amalgamated Sugar Company located at 701 N. Main and the installation of the storm sewer line under five Union Pacific main lines and the Fulton Lateral Ditch; and

WHEREAS, Brighton and UDFCD have agreed to increase the level of funding by two million five hundred and twenty-five thousand dollars (\$2,525,000), with UDFCD contributing \$525,000 and the City contributing \$2,000,000; and

WHEREAS, the City’s contribution of \$2,000,000 is in the City’s Capital Improvement Plan and the funding is in the adopted 2018 Budget; and

WHEREAS, Urban Drainage and Flood Control District’s Board of Directors has authorized additional Urban Drainage and Flood Control District financial participation for the Project; and

WHEREAS, the City Council and the Board of Directors of Urban Drainage and Flood Control District have authorized, by appropriation or resolution, all of the project costs of the respective parties.

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 Amendment to Intergovernmental Agreement No. 06-01.25 (Amendment G) regarding design and construction of drainage and flood control improvements for the North Outfall attached hereto between the City of Brighton and Urban Drainage and Flood Control District is hereby approved.
2. The City's contribution of Two Million Dollars (\$2,000,000) as set forth in Amendment G, is hereby approved.
3. That the City Manager is hereby authorized to execute said Intergovernmental Agreement Amendment G for and behalf of the City of Brighton.

RESOLVED THIS 16th DAY OF January, 2018.

CITY OF BRIGHTON, COLORADO

Kenneth J. Kreutzer, Mayor

Attest:

Approved as to Form:

Natalie Hoel, City Clerk

Margaret R. Brubaker, Esq.
City Attorney