

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, APPROVING THE AGREEMENT BETWEEN THE CITY OF BRIGHTON AND URBAN DRAINAGE AND FLOOD CONTROL DISTRICT REGARDING DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS TO SECOND CREEK, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY

WHEREAS, the City of Brighton, Colorado (“City”), and Urban Drainage and Flood Control District (“District”) participated in a joint planning study titled “Second Creek Major Drainageway Plan Alternatives Analysis,” dated November 2018; and

WHEREAS, pursuant to the results of said study, the parties now desire to enter into this Agreement No. 19-01.21 in order to proceed with the design and construction of drainage and flood control improvements for Second Creek from 120<sup>th</sup> Avenue to Potomac Street; and

WHEREAS, District shall manage the design and construction of said improvements for an administrative fee to cover the additional project management costs; and

WHEREAS, City will use \$28,816 in developer funding for the conceptual design phase; and

WHEREAS, City Council believes that it is in the best interest of the City to approve Agreement No. 19-01.21 between the City and the District.

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

Section 1. Agreement No. 19-01.21 between the City and the District is hereby approved.

Section 2. The City Manager and the City Clerk are hereby authorized to execute and deliver such agreement on behalf of the City in substantially the form presented at this meeting with such technical additions, deletions and variations as the City Attorney may deem necessary or appropriate and not inconsistent with this Resolution.

RESOLVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

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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JACK D. BAJOREK, City Attorney