

RESOLUTION NO. 2020-94

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, APPROVING AMENDMENT I TO THE AGREEMENT BETWEEN THE CITY OF BRIGHTON AND URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE HIGH FLOOD DISTRICT REGARDING DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR THE NORTH OUTFALL, AND AUTHORIZING THE ACTING CITY MANAGER TO EXECUTE SAID AMENDMENT ON BEHALF OF THE CITY

WHEREAS, the City of Brighton, Colorado (“City”), and the Urban Drainage and Flood Control District (“District”) entered into an 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; and

WHEREAS, Urban Drainage and Flood Control District (“District”) is now known as Urban Drainage and Flood Control District d/b/a Mile High Flood District and this amendment shall reflect this change; and

WHEREAS, the parties now desire to amend the Agreement in order to increase the level of funding by Six Million One Hundred Sixteen Thousand Five Hundred Ninety-One Dollars (\$6,116,591), with the City’s contribution of Five Million Four Hundred Sixteen Thousand Five Hundred Ninety-One Dollars (\$5,416,591), in order to construct the improvements along the North Outfall at Midland Street (“Project”); and

WHEREAS, design and replacement of aging waterlines in the Project area shall be replaced as part of the scope of the Project.

WHEREAS, Four Million Five Hundred Thousand Dollars (\$4,500,000) will come from the Storm Drainage Fund and One Million Three Hundred Ninety-Six Thousand Three Hundred Seventy-Eight Dollars (\$1,396,378) will come from the Water Fund for the design and construction of the waterline design.

WHEREAS, the Amendment is known as Agreement No. 06-01.25I; and

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

WHEREAS, Brighton City Council and the District Board of Directors 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, AS FOLLOWS:

Section 1. Agreement No. 06-01.25I between the City and the District is hereby approved.

Section 2. The Acting 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 15th DAY OF September 2020

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

JACK D. BAJOREK, City Attorney