



Legislation Text

File #: ID-281-22, **Version:** 1

Department of Utilities

Reference: Update to Municipal Code Article 13-6 Regarding Groundwater

To: Mayor Gregory Mills and Members of City Council

Through: Michael Martinez, City Manager

Prepared By: Alicia Calderón, City Attorney

Marc Johns, Acting Utility Director

Date Prepared: July 27, 2022

PURPOSE

To update the municipal code and correct errors in a citation to a state statute and to clarify that upon annexation all groundwater under the annexed property can be used by the City of Brighton.

STRATEGIC FOCUS AREA

Innovative, Data-Driven, Results-Focused City Government
Supportive, Sustainable Infrastructure

BACKGROUND

Upon reviewing Article 13-6 in the Brighton Municipal Code ("Code"), it came to our attention that the language in annexation agreements referenced the appropriation of groundwater pursuant to the Code but the Code itself only addressed the boundaries of the City prior to 1985. Additionally, a state statute was incorrectly cited. This ordinance ratifies annexation of development agreements after 1985 that acknowledged the City would be appropriating groundwater upon annexing. The ordinance adds a section to clarify that when property annexes to the City, groundwater is annexed, and it removes the incorrect reference to a state statute.

FINANCIAL IMPACT

None

STAFF RECOMMENDATION

Adoption of this ordinance.

OPTIONS FOR COUNCIL CONSIDERATION

Adopt the Ordinance as written.
Modify the Ordinance.
Deny passage of the Ordinance.

ATTACHMENTS

Ordinance