

RESOLUTION NO. 2026-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, CONCERNING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BRIGHTON AND SCHOOL DISTRICT 27J WAIVING CERTAIN WATER USAGE FEES, AUTHORIZING THE CITY MANAGER TO EXECUTE SAID MEMORANDUM OF UNDERSTANDING AND TO UNDERTAKE SUCH TASKS AND EXECUTE SUCH DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT SAID MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE CITY

WHEREAS, the City of Brighton ("City") is the utility service provider for water, wastewater, and storm drainage services throughout its city limits and School District 27J ("District") maintains school facilities throughout the City that are connected to municipal utilities; and

WHEREAS, all utility customers in the City are required to pay fees for water usage, as well as other fixed fees associated with utility service; and

WHEREAS, as a result of a faulty meter and changes in irrigated area, fees for the District's Overland Trail Middle School ("Water Usage Fees") were neither properly assessed by the City nor timely paid by the District; and

WHEREAS, the District also owes outstanding payments for fixed charges associated with water and wastewater systems at the District's Prairie View High School and Brighton High School (the "Fixed Charges"); and

WHEREAS, City staff negotiated with the District to resolve the Water Usage Fees, the Fixed Charges and other matters related to utility services, and recommend approval of the Memorandum of Understanding ("MOU") whereby the City waives the Water Usage Fees and the District reconciles the Fixed Charges; and

WHEREAS, pursuant to Colo. Rev. Stat. § 29-1-201, *et seq.*, local governmental entities are encouraged and authorized to cooperate by contracting with one another for their mutual benefit; and

WHEREAS, the City Council finds and determines that the MOU is in the best interests of the City's residents because it provides for the continued use of District facilities which serve to educate the City's youth.

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

Section 1. The MOU is hereby approved.

Section 2. The City Manager is hereby authorized to execute and deliver such MOU 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.

Section 3. The City Manager is hereby authorized to undertake such tasks and execute such documents as may be required to implement said MOU on behalf of the City.

Section 4. This Resolution is effective as of the date of its adoption.

RESOLVED this 3rd day of February 2026.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

YASMINA GIBBONS, Deputy City Attorney