

RESOLUTION NO. 23
SERIES 2019

INTRODUCED BY: KATY BROWN
SECONDED BY: RANDY WEIL

A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
APPROVING AN AMENDMENT TO THE AGREEMENT
WITH URBAN DRAINAGE AND FLOOD CONTROL DISTRICT REGARDING FINAL DESIGN,
RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION OF DRAINAGE AND FLOOD
CONTROL IMPROVEMENTS FOR GREENWOOD GULCH AT QUINCY AVENUE

WHEREAS, C.R.S. Section 29-1-203 authorizes governments to cooperate or contract with one another to provide any function, service, or facility; and

WHEREAS, Section 13.6 of the Cherry Hills Village Home Rule Charter authorizes the City Council, by resolution or by ordinance, to enter into contracts or agreements with other governmental units or special districts for receiving services; and

WHEREAS, in 2017 the City of Cherry Hills Village ("City") entered into an "Agreement Regarding Final Design, Right-of-Way Acquisition and Construction of Drainage and Flood Control Improvements for Greenwood Gulch at Quincy Avenue, City of Cherry Hills Village," dated December 13, 2017 ("Agreement No. 17-11.16") with Urban Drainage and Flood Control District ("UDFCD"), pursuant to which UDFCD agreed to contribute up to \$100,000 in matching funds to the City for work related to Greenwood Gulch, the floodplain within John Meade Park/Alan Hutto Memorial Commons, and the Village Center property ("Project"), as set forth in **Attachment A**; and

WHEREAS, the City is committed to improving the floodplain in and around John Meade Park/Alan Hutto Memorial Commons and the Village Center; and

WHEREAS, UDFCD has agreed to contribute an additional \$100,000 in matching funds to the City for the Project in 2019; and

WHEREAS, the City desires to continue partnering with UDFCD by accepting these additional matching funds from UDFCD as part of UDFCD's capital improvement program for 2019 in an amount not to exceed Two Hundred Thousand Dollars and No Cents (\$200,000.00) and approving the Amendment to Agreement No. 17-11.16 ("Amendment") attached hereto as **Attachment B**.

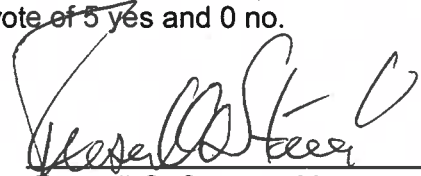
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cherry Hills Village, Colorado that:

Section 1. The City Council hereby approves the Amendment to Agreement No. 17-11.16 in substantially the same form attached hereto as **Attachment B**, subject to minor modifications that do not increase the City's maximum financial obligation related to the Village Center and Park improvement projects, and authorizes the Mayor to execute such Amendment on behalf of the City.

Section 2. This Resolution shall be effective immediately.

Introduced, passed and adopted at the
regular meeting of City Council this 6th day
of August, 2019, by a vote of 5 yes and 0 no.

(SEAL)



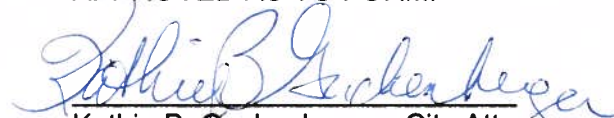
Russell O. Stewart, Mayor

ATTEST:



Laura Gillespie, City Clerk

APPROVED AS TO FORM:



Kathie B. Guckenberger, City Attorney

Attachment A
Agreement with Urban Drainage and Flood Control District Regarding Final Design,
Right-of-Way Acquisition, and Construction of Drainage and Flood Control
Improvements for Greenwood Gulch at Quincy Avenue



Attachment B
Amendment to the Agreement with Urban Drainage and Flood Control District Regarding
Final Design, Right-of-Way Acquisition, and Construction of Drainage and Flood Control
Improvements for Greenwood Gulch at Quincy Avenue