

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT
FOR IRRIGATION AND MAINTENANCE OF THE BELLEVIEW MEDIANS

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 furnishing or receiving services; and

WHEREAS, certain medians have been installed between Monaco Boulevard and South University Boulevard in the middle of East Belleview Avenue, a highway owned and maintained by the State of Colorado through its Department of Transportation (the "Belleview Medians"); and

WHEREAS, the Colorado Department of Transportation has asserted that it does not have adequate funds to maintain landscaping in the Belleview Medians; and

WHEREAS, the Belleview Medians lie within the jurisdictions of both Cherry Hills Village and Greenwood Village; and

WHEREAS, Cherry Hills Village and Greenwood Village agree there is a public safety and welfare need to improve and maintain the Belleview Medians (the "Project"); and

WHEREAS, Cherry Hills Village and Greenwood Village are home rule cities organized pursuant to Article 20 of the Colorado Constitution, and are authorized by C.R.S. § 29-1-203 to enter into an agreement under which they will share the responsibilities for the Project; and

WHEREAS, the City Council desires to approve the Intergovernmental Agreement for Irrigation and Maintenance of the Belleview Medians with Greenwood Village to allocate responsibilities for design, construction, and ongoing maintenance and irrigation of the Project.

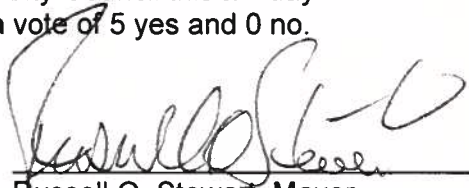
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO THAT:

Section 1. The City Council accepts and approves the Intergovernmental Agreement for Irrigation and Maintenance of the Belleview Medians with Greenwood Village, in substantially the same form as set forth in **Attachment A**, attached hereto and incorporated herein by reference, subject to minor modifications and revisions approved by the City Manager and City Attorney that do not increase the City's financial obligations, and authorizes the Mayor to execute the same.

Section 2. This Resolution is effective upon adoption.

Introduced, passed and adopted at the
regular meeting of the City Council this 2nd day
of October, 2019, by a vote of 5 yes and 0 no.

(SEAL)




Russell O. Stewart, Mayor

ATTEST:

APPROVED AS TO FORM:



Laura Gillespie, City Clerk



Kathie B. Guckenberger, City Attorney

**ATTACHMENT A
INTERGOVERNMENTAL AGREEMENT FOR IRRIGATION AND MAINTENANCE
OF THE BELLEVIEW MEDIANS**

