

RESOLUTION NO. 37
SERIES OF 2015

INTRODUCED BY: MARK GRIFFIN
SECONDED BY: MIKE GALLAGHER

**A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
APPROVING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN
THE CITY OF CHERRY HILLS VILLAGE AND THE CITY AND
COUNTY OF DENVER ACTING BY AND THROUGH
ITS BOARD OF WATER COMMISSIONERS
REAFFIRMING, AMENDING AND EXTENDING THAT CERTAIN LEASE
AGREEMENT FOR RECREATIONAL USE OF THE HIGH LINE CANAL**

WHEREAS, pursuant to C.R.S. § 29-1-203, governments are authorized to cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each government; and

WHEREAS, the City of Cherry Hills Village ("City") and the City and County of Denver, acting by and through its Board of Water Commissioners ("Denver Water") entered into a lease agreement for recreational use with Denver Water dated July 13, 2005 ("Lease"); and

WHEREAS, the Lease expired as of July 13, 2015; and

WHEREAS, the City and Denver Water desire to reaffirm, modify and extend the Lease for an additional term; and

WHEREAS, the City and Denver Water further desire to memorialize their mutual agreement to refrain from taking any action to alter the legal status of the High Line Canal as it runs through the City.

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

Section 1. The City Council approves the Intergovernmental Agreement by and between the City of Cherry Hills Village and the City and County of Denver acting through its Board of Water Commissioners Reaffirming, Amending, and Extending that Certain Lease Agreement for Recreational Use of the High Line Canal, as set forth in **Exhibit A**, attached hereto and incorporated herein, and authorizes the Mayor to execute the same.

Section 2. Effective Date. This Resolution shall be effective immediately.

Introduced, passed and adopted at the regular meeting of the City Council this 1st day of September, 2015, by a vote of 6 yes and 0 no.



(SEAL)



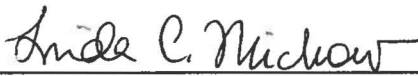
Laura Christman, Mayor

ATTEST:

Approved as to form:



Laura Smith, City Clerk



Linda C. Michow, City Attorney

EXHIBIT A

RESOLUTION 37, SERIES 2015
PAGE 2 OF 2

RESOLUTION 37, SERIES 2015
PAGE 2 OF 2

WHEREAS, the Board of Directors of the City of Chicago has determined that it is in the best interests of the City to enter into a contract with the City of Chicago for the purpose of providing for the maintenance and repair of the City's infrastructure;

AND WHEREAS, the Board of Directors has determined that the terms and conditions of the contract are fair and reasonable and that the contract is in the best interests of the City;

AND WHEREAS, the Board of Directors has determined that the contract is in the best interests of the City and that the terms and conditions of the contract are fair and reasonable;

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AND WHEREAS, the Board of Directors has determined that the contract is in the best interests of the City and that the terms and conditions of the contract are fair and reasonable;

IN WITNESS WHEREOF, the Board of Directors has caused this Resolution to be signed by its Clerk and the same to be attested to by its Secretary, this 1st day of May, 2015.

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