

AMENDMENT TO  
AGREEMENT REGARDING FUNDING OF  
MAJOR DRAINAGEWAY PLANNING  
AND FLOOD HAZARD AREA DELINEATION FOR  
BRANTNER GULCH AND TRIBUTARIES

Agreement No. 18-04.01A  
Project No. 106971  
Agreement Amount \$40,000

THIS AGREEMENT, by and between URBAN DRAINAGE AND FLOOD CONTROL DISTRICT (hereinafter called "DISTRICT"), CITY OF THORNTON (hereinafter called "THORNTON"), CITY OF NORTHGLENN (hereinafter called "NORTHGLENN"), and ADAMS COUNTY (hereinafter called "ADAMS"); hereinafter THORNTON, NORTHGLENN, and ADAMS shall be collectively known as "PROJECT SPONSORS" and DISTRICT and PROJECT SPONSORS shall be collectively known as "PARTIES";

WITNESSETH THAT:

WHEREAS, PARTIES entered into "Agreement Regarding Funding of Major Drainageway Planning and Flood Hazard Area Delineation for Brantner Gulch and Tributaries" (Agreement 18-04.01) dated July 17, 2018; and

WHEREAS, PROJECT was extended to include the South Platte River South Tributary 6 and the South Platte River North Tributary 7 in the master plan and FHAD, which requires additional funds.

NOW, THEREFORE, in consideration of the mutual promises contained herein, PARTIES hereto agree as follows:

1. Paragraph 6. FINANCIAL COMMITMENTS OF PARTIES shall be deleted and replaced as follows:

6. FINANCIAL COMMITMENTS OF PARTIES

PARTIES shall each contribute the following percentages and maximum amounts for PROJECT costs as defined in Paragraph 6:

	MP Percentage Share	Previous MP Contributed	Additional MP Contribution	Total MP Contribution	FHAD
DISTRICT	41.67%	\$100,000	-	\$100,000	\$60,000
THORNTON	38.33%	\$80,000	\$12,000	\$92,000	-
NORTHGLENN	2.08%	\$5,000	-	\$5,000	-
ADAMS	17.92%	\$15,000	\$28,000	\$43,000	-
TOTAL	100.00%	\$200,000	\$40,000	\$240,000	\$60,000

2. Paragraph 7. MANAGEMENT OF FINANCES shall be deleted and replaced as follows:

7. MANAGEMENT OF FINANCES

As set forth in DISTRICT policy (Resolution No. 11, Series of 1973, Resolution No. 49, Series of 1977, and Resolution No. 37, Series of 2009), the funding of a local body's one-half share may come from its own revenue sources or from funds received from state, federal, or other sources of funding without limitation and without prior Board approval. Payment of each party's full share (THORNTON - \$92,000; NORTHGLENN - \$5,000; ADAMS - \$43,000; DISTRICT - \$160,000) shall be made to DISTRICT subsequent to execution of this Agreement and within 30 days of request for payment by DISTRICT. The payments by PARTIES shall be held by DISTRICT in a special fund to pay for increments of PROJECT as authorized by PARTIES, and as defined herein. DISTRICT shall provide a periodic accounting of PROJECT funds as well as a periodic notification to COUNTY of any unpaid obligations. Any interest earned by the monies contributed by PARTIES shall be accrued to the special fund established by DISTRICT for PROJECT and such interest shall be used only for PROJECT upon approval by the contracting officers (Paragraph 13).

Within one year of completion of PROJECT if there are monies including interest earned remaining which are not committed, obligated, or disbursed, each party shall receive a share of such monies, which shares shall be computed as were the original shares.

3. All other terms and conditions of Agreement No. 18-04.01 shall remain in full force and effect.

WHEREFORE, PARTIES hereto have caused this instrument to be executed by properly authorized signatories as of the date and year written below.

This Agreement defines the responsibilities and financial commitments of PARTIES with respect to PROJECT.

URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

Signature\_\_\_\_\_

Name Ken A. MacKenzie

Title Executive Director

Date\_\_\_\_\_

\_\_\_\_\_  
Checked By

CITY OF THORNTON

(SEAL)

Signature\_\_\_\_\_

ATTEST:

Kevin S. Woods, City Manager

\_\_\_\_\_  
Kristen Rosenbaum, City Clerk

Date\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Luis A. Corchado, City Attorney

ADAMS COUNTY

Signature\_\_\_\_\_

Printed Name\_\_\_\_\_

Date\_\_\_\_\_

CITY OF NORTHGLENN

Signature\_\_\_\_\_

Printed Name\_\_\_\_\_

Date\_\_\_\_\_



