



## Legislation Details (With Text)

**File #:** 23-0576      **Version:** 1

**Type:** Bill      **Status:** Passed

**File created:** 5/8/2023      **In control:** Land Use, Transportation & Infrastructure Committee

**On agenda:** 6/5/2023      **Final action:** 6/14/2023

**Title:** A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Evergreen Metropolitan District to set forth and clarify rights, obligations and responsibilities of both parties as it relates to Evergreen Lake and Dam. Approves a non-financial intergovernmental agreement with the Evergreen Metropolitan District (EMD) for 50 years to set forth and clarify rights, obligations and responsibilities of both parties as it relates to Evergreen Lake and Dam (202263483). The last regularly scheduled Council meeting within the 30-day review period is on 6-20-2023. The Committee approved filing this item at its meeting on 5-16-2023.

**Sponsors:**

**Indexes:** Lucas Palmisano

**Code sections:**

**Attachments:** 1. BR23-0576\_DPR\_EMD\_IGA, 2. BR\_PR\_LUTI\_EMD\_EPRD\_IGAs presentation, 3. 23-0576 Filed Bill\_Evergreen Metropolitan District 202263483-00, 4. 23-0576 Intergovernmental Agreement\_Evergreen Metropolitan District 202263483-00, 5. 23-0576 Filed Bill\_Evergreen Metropolitan District, 6. 23-0576 - signed, 7. 23-0576 For an ordinance approving a proposed Intergovernmental Agreement between

Date	Ver.	Action By	Action	Result
6/14/2023	1	Mayor	signed	
6/12/2023	1	Council President	signed	
6/12/2023	1	City Council	placed upon final consideration and do pass	Pass
6/5/2023	1	City Council	ordered published	
5/16/2023	1	Land Use, Transportation & Infrastructure Committee	approved for filing	Pass

### [Contract Request Template \(Contracts; IGAs; Leases\)](#)

**Date Submitted: 5-15-2023**

**Requesting Agency: Parks and Recreation Division:**

**Subject Matter Expert Name:** Brad Eckert

**Email Address:** Brad.eckert@denvergov.org

**Phone Number:**

**Item Title & Description:**

*(Do not delete the following instructions)*

*These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title*

should be in **bold** font).

Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.

**A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Evergreen Metropolitan District to set forth and clarify rights, obligations and responsibilities of both parties as it relates to Evergreen Lake and Dam.**

Approves a non-financial intergovernmental agreement with the Evergreen Metropolitan District (EMD) for 50 years to set forth and clarify rights, obligations and responsibilities of both parties as it relates to Evergreen Lake and Dam (202263483). The last regularly scheduled Council meeting within the 30-day review period is on 6-20-2023. The Committee approved filing this item at its meeting on 5-16-2023.

**Affected Council District(s) or citywide? N/A**

**Contract Control Number:** 202263483

**Vendor/Contractor Name (including any "DBA"):** Evergreen Metropolitan District

**Type and Scope of services to be performed:**

This intergovernmental agreement clarifies and defines the relationship with Evergreen Metropolitan District and their continued responsibility for operation and maintenance of the Evergreen Dam and Lake in Dedisse Park. In 1980, Denver and EMD entered a Cooperative Agreement that set forth the terms and conditions by which EMD assumed responsibility for the operation and maintenance of the Evergreen Dam and Lake. EMD was, among other things, authorized under the Cooperative Agreement to enter into a contract with another governmental entity for the purpose of providing recreational programs and facilities at the Lake.

The first contract for this purpose was established between EMD and Jefferson County and soon thereafter Jefferson County entered into an assignment agreement with EPRD in which they largely assumed the rights and obligations in regard to recreational programming around Evergreen Lake. EPRD still provides recreational programming and is expected to enter into a new agreement with Denver for continued recreational programming and activities at Dedisse Park which will supersede the agreement between Jefferson County and EPRD. This EMD agreement is intended to set forth and clarify rights, obligations and responsibilities of the City and EMD with respect to the Lake and Dam

**Location (if applicable):**

**WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts): N/A**

**Are WBE/MBE/DBE goals met (if applicable)?**

**Is the contract new/a renewal/extension or amendment?**

New

**Was this contractor selected by competitive process or sole source?**

**Sole-** Evergreen Metro District is a quasi-governmental entity. As the sole water service provider for Dedisse Park, EMD has been providing operation and maintenance of the Evergreen Dam and Lake since 1980 and have demonstrated the capacity to successfully

deliver those services for the benefit of the park and public in general. This amended agreement will further formalize the contractual requirements and allow EMD to continue to operate and maintain the dam and lake and provide water services for the benefit of the public.

**For New contracts**

**Term of initial contract:**

**50 years**

**Options for Renewal:**

**How many renewals (i.e. up to 2 renewals)?**

**Term of any renewals (i.e. 1 year each):**

**Cost of initial contract term:**

**\$0**

**Cost of any renewals:**

**Total contract value council is approving if all renewals exercised:**

**For Amendments/Renewals Extensions:**

**Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)?**

***If length changing***

**What was the length of the term of the original contract?**

**What is the length of the extension/renewal?**

**What is the revised total term of the contract?**

***If cost changing***

**What was the original value of the entire contract prior to this proposed change?**

**What is the value of the proposed change?**

**What is the new/revised total value including change?**

***If terms changing***

**Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)**