# AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

**AgendaTitle:**
Memorandum Agreement; City of Gunnison; Gunnison Whitewater Park Reconstruction Project; 1/27/15 thru 12/31/15

**Action Requested:** Board of County Commissioners' Signature

**Parties to the Agreement:** City of Gunnison and Gunnison County

**Term Begins:** 02/03/2015 **Term Ends:** 12/31/2015 **Grant Contract #:**

**Summary:**
The City of Gunnison agreed to pay $15,000 toward the reconstruction of the two structures at Feature #3. This amount is in addition to the GOCO grant match

**Fiscal Impact:** Adds $15,000 to the WWP budget

**Submitted by:** Marlene D. Crosby **Submitter's Email Address:** mcrosby@gunnisoncounty.org

**Finance Review:** (●) Required ( ) Not Required

Comments:

We have $3,000 in the GOCO grant budget as a contribution from the City. This amount of $15,000 will be added as revenue to the overall project through a budget amendment for 2015.

Reviewed by: GUNCOUNTY1\lNienhueser Discharge Date: 1/28/2015

**County Attorney Review:** (●) Required ( ) Not Required

Comments:

Reviewed by: GUNCOUNTY1\atrezise Discharge Date: 1/27/2015 Certificate of Insurance Required Yes (●) No ( )

**County Manager Review:**

Comments:

Reviewed by: GUNCOUNTY1\mbirnie Discharge Date: 1/29/2015

(●) Consent Agenda ( ) Regular Agenda ( ) Worksession Time Allotted:

Agenda Date: 2/3/2015 Follow Up Agenda Date:

*Revised April 2013*

MEMORANDUM AGREEMENT

THIS AGREEMENT, entered into this 27th day of January, 2015, by and between the CITY OF GUNNISON, a Colorado home-rule municipality, existing under the laws of the State of Colorado, hereinafter called "CITY", and GUNNISON COUNTY, hereinafter called "COUNTY", WITNESSETH:

WHEREAS, CITY believes the Gunnison Whitewater Park is a unique asset and a proven valuable amenity to the Gunnison Valley and the Western Slope of Colorado; and

WHEREAS, the creation of the Gunnison Whitewater Park and its recreational uses helped secure a Recreational Inflow Water Right for the Gunnison River Basin ranging from 270 cfs to 1200 cfs; and

WHEREAS, in the Spring of 2013, local boaters and COUNTY staff identified several potential structural issues with two of the existing whitewater features at the Gunnison Whitewater Park; and

WHEREAS, CITY believes it to be in the interest of the citizens of the City of Gunnison for CITY to contract for COUNTY to perform certain repairs to the Gunnison Whitewater Park; and

WHEREAS, CITY has budgeted certain funds for said services to be provided in the agreed time period.

NOW, THEREFORE, the parties hereto, intending to be legally bound hereby, for and in consideration of the mutual covenants contained herein, agree as follows:

1. COUNTY agrees to:
    a. continue repairs, stabilization and/or replacement of features 2 and 3 in the Gunnison Whitewater Park,
    b. construct a counter-weir below feature 3 to increase stabilization.
2. COUNTY agrees to
    a. demonstrate financial support (both cash and in-kind) from other resources

(exclusive of the City of Gunnison),

b. acknowledge the financial support of the City of Gunnison in advertising and promotional literature,

3. CITY hereby agrees to provide the funds previously appropriated and budgeted in the amount of Fifteen-Thousand and no/100 Dollars ($15,000.00) to COUNTY within thirty (30) days of execution of this agreement.

4. COUNTY agrees to provide CITY with a synopsis of the to-date programs accomplished during the term of this agreement no later than December 31, 2015.

5. This written agreement constitutes the only expressed or implied understanding between CITY and COUNTY in regards to the Gunnison Whitewater Park, respectively.

6. This agreement shall be construed according to the laws of the State of Colorado.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

CITY OF GUNNISON, a Colorado
home-rule municipality

ATTEST:

By_____
Robert E. Drexel
Mayor

_____
Gail A. Davidson
City Clerk

GUNNISON COUNTY

By_____