

CITY OF ENGLEWOOD

**NOTICE OF APPROVAL
OF A BILL FOR AN ORDINANCE**

On the 18th day of May 2026, the City Council of the City of Englewood, Colorado, approved on first reading the following Council Bill:

**BY AUTHORITY
COUNCIL BILL NO. 42
INTRODUCED BY
COUNCIL MEMBER BETHEL**

A BILL FOR AN ORDINANCE APPROVING A TEMPORARY CONSTRUCTION EASEMENT, RELINQUISHMENT AND GRANT OF EASEMENTS AGREEMENT, INTERGOVERNMENTAL AGREEMENT, AND QUIT CLAIM DEED WITH THE CITY OF LITTLETON FOR THE CITY DITCH PIPING PROJECT, REACH 2A.

Copies of the aforesaid council bill are available for public inspection in the office of the City Clerk, City of Englewood, Civic Center, 1000 Englewood Parkway, Englewood, Colorado 80110 or it can be found at <http://www.englewoodco.gov>, Government, Legal/Public Notices.

PUBLISHED: May 19, 2026
Official Website of the City of
Englewood, Colorado

ORDINANCE NO.
SERIES OF 2026

COUNCIL BILL NO. 42
INTRODUCED BY COUNCIL
MEMBER

A BILL FOR

**AN ORDINANCE APPROVING A TEMPORARY CONSTRUCTION
EASEMENT, RELINQUISHMENT AND GRANT OF EASEMENTS
AGREEMENT, INTERGOVERNMENTAL AGREEMENT, AND QUIT CLAIM
DEED WITH THE CITY OF LITTLETON FOR THE CITY DITCH PIPING
PROJECT, REACH 2A.**

WHEREAS, the City of Englewood (“City”) owns and operates the City Ditch, a critical raw water conveyance facility that delivers water from Chatfield Reservoir to the Allen Water Treatment Plant for treatment and to various contract users along its route; and

WHEREAS, as recommended in the 2020 Master Plan, the City initiated the City Ditch Piping Project to pipe the remaining 2.5 miles of open channel in order to improve raw water quality, enhance system capacity and resilience, reduce energy and operating costs, and enable year-round operation of the City Ditch; and

WHEREAS, construction within Reach 2A of the City Ditch Piping Project requires coordination with the City of Littleton due to the location of the City Ditch within Littleton’s jurisdiction and the presence of stormwater infrastructure discharging to the ditch; and

WHEREAS, the City and the City of Littleton have negotiated the following agreements necessary to facilitate construction of Reach 2A:

- Temporary Construction Easement;
- Relinquishment and Grant of Easements Agreement;
- Intergovernmental Agreement providing for a tree mitigation fee in the amount of \$60,250; and
- Quit Claim Deed;

(collectively, the “Agreements”); and

WHEREAS, Utilities staff, in coordination with the City Attorney’s Office and the City’s water rights counsel, have reviewed the Agreements to ensure protection of the City’s infrastructure and long-term water interests; and

WHEREAS, the Water and Sewer Board has reviewed the Agreements and recommends that City Council approve the Agreements for construction of Reach 2A at its May 12, 2026 meeting; and

WHEREAS, City Council finds that approval of the Agreements is necessary and in the best interests of the City to protect critical water infrastructure and to advance completion of the City Ditch Piping Project.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. The City Council of the City of Englewood, Colorado hereby authorizes the Temporary Construction Easement with the City of Littleton, in substantially the same form as attached hereto and incorporated herein by this reference.

Section 2. The City Council of the City of Englewood, Colorado hereby authorizes the Relinquishment and Grant of Easements with the City of Littleton, in substantially the same form as attached hereto and incorporated herein by this reference.

Section 3. The City Council of the City of Englewood, Colorado hereby authorizes the Intergovernmental Agreement with the City of Littleton, in substantially the same form as attached hereto and incorporated herein by this reference.

Section 4. The City Council of the City of Englewood, Colorado hereby authorizes the Quit Claim Deed with the City of Littleton, in substantially the same form as attached hereto and incorporated herein by this reference.

Section 5. General Provisions. The following general provisions and findings are applicable to the interpretation and application of this Ordinance:

A. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance or its application to other persons or circumstances.

B. Inconsistent Ordinances. All other Ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

C. Effect of repeal or modification. The repeal or modification of any provision of the Code of the City of Englewood by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purposes of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

D. Safety Clauses. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of

Englewood, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. This Safety Clause is not intended to affect a Citizen right to challenge this Ordinance through referendum pursuant to City of Englewood Charter 47.

E. Publication. Publication of this Ordinance may be by reference or in full in the City's official newspaper, the City's official website, or both. Publication shall be effective upon the first publication by either authorized method. Manuals, Municipal Code, contracts, and other documents approved by reference in any Council Bill may be published by reference or in full on the City's official website; such documents shall be available at the City Clerk's office and in the City Council meeting agenda packet when the legislation was adopted.

F. Actions Authorized to Effectuate this Ordinance. The Mayor is hereby authorized and directed to execute all documents necessary to effectuate the approval authorized by this Ordinance, and the City Clerk is hereby authorized and directed to attest to such execution by the Mayor where necessary. In the absence of the Mayor, the Mayor Pro Tem is hereby authorized to execute the above-referenced documents. The execution of any documents by said officials shall be conclusive evidence of the approval by the City of such documents in accordance with the terms thereof and this Ordinance. City staff is further authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and has the authority to correct formatting and/or typographical errors discovered during codification.

G. Enforcement. To the extent this ordinance establishes a required or prohibited action punishable by law, unless otherwise specifically provided in Englewood Municipal Code or applicable law, violations shall be subject to the General Penalty provisions contained within EMC § 1-4-1.