



Commerce City

7887 E. 60th Ave.
Commerce City, CO 80022
c3gov.com

Council Communication File Number: Res 2023-044

Agenda Date: 6/5/2023

Version: 1

Status: Agenda Ready

In Control: City Council

File Type: Resolution

A RESOLUTION AUTHORIZING AN EASEMENT TO THE SOUTH ADAMS COUNTY WATER & SANITATION DISTRICT FOR WATER QUALITY MONITORING WELLS IN THE PONTIAC STREET RIGHT OF WAY

Summary and Background Information:

The South Adams County Water & Sanitation District (“SACWSD”) has installed two water monitoring wells, specifically designed to detect Per- and Polyfluoroalkyl Substances (“PFAS”), in the underlying aquifer, one of the sources of Commerce City drinking water. The installation of these two wells in the Pontiac Street right-of-way has occurred in an atypical order in order to avoid excess delay. While the City Charter requires preapproval by City Council before an easement of the type contemplated here can be authorized, SACWSD was allowed to install the wells previous to formal authorization. Moreover, SACWSD has experienced delay in obtaining the legal description of the Easement Area to include with the Easement Agreement for City Council approval. City Council was previously advised of the installation of these wells, the timing, and the overall situation in a City Manager Report provided orally during the April 10th City Council meeting.

The two wells have been drilled and installed in the Pontiac Street right-of-way (see Attachment A Project Map). The expected lifetime of these water quality monitoring wells exceeds 50 years. The Easement Agreement allows SACWSD lawful access to the city-owned right-of-way where the wells were installed in order to effectively service and maintain those wells and any accompanying appurtenances. The Easement Agreement retroactively approves their construction and provides for future maintenance.

These wells are part of SACWSD overall strategy to detect and eliminate any PFAS that may appear in drinking water that is sourced from the underlying aquifer. In conjunction with future infrastructure, SACWSD is taking aggressive action to ensure the ongoing safety of the City residents.

Staff Responsible (Department Head): Shawn Poe, PE, CFM, Interim Director of Public Works

Staff Member Presenting: Shawn Poe, PE, CFM, Interim Director of Public Works

Financial Impact: None

Funding Source: N/A

Staff Recommendation: Approve the Easement Agreement

Suggested Motion: Move to adopt Resolution 2023-044 authorizing an Easement Agreement to the South Adams County Water & Sanitation District for Water Quality Monitoring Wells in the Pontiac Street Right-of-way