

**RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT BETWEEN THE
COMMERCE CITY E-470 COMMERCIAL AREA GENERAL IMPROVEMENT DISTRICT
AND THE CITY OF COMMERCE CITY REGARDING INFRASTRUCTURE PROJECTS**

NO. 2013-21

WHEREAS, the Commerce City E-470 Commercial Area General Improvement District (the “ECAGID”) is a public improvement district and a body corporate duly organized pursuant to Part 6, Article 25, Title 31, Colorado Revised Statutes, and Ordinance 1952 of the City of Commerce City, Colorado (the “City”) adopted by the Council of the City (the “City Council”) on April 1, 2013 (“Ordinance 1952”);

WHEREAS, the City and the ECAGID have determined that it is in their best interests to construct, install and maintain certain infrastructure improvements within the anticipated future boundaries of the ECAGID to provide water and sewer services and to provide regional roadway improvements to relieve traffic congestion, improve safety for motorists, commuters and pedestrians, improve access to the commercial and residential developments and improve access to parks, trails, open space and recreation facilities within the ECAGID Inclusion Boundaries (the “Projects”);

WHEREAS, the ECAGID and the City have agreed that unless, and until such time as, the City Council appropriates funds for the Projects, the ECAGID shall pay all costs associated with the design and construction of the Projects and shall acquire such real property interests as are necessary to complete the Projects;

WHEREAS, the ECAGID has no employees to provide administration or record keeping for the Projects; and

WHEREAS, in order to provide ECAGID staffing and project management for the Projects and to define the parties’ roles and responsibilities with respect to the Projects, the parties wish to enter into the attached Intergovernmental Agreement between the Commerce City E-470 Commercial Area General Improvement District and the City of Commerce City regarding Infrastructure Projects (the “ECAGID Projects IGA”).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

1. The ECAGID Projects IGA is hereby approved.
2. The Mayor and the City Clerk are hereby authorized and directed to sign and attest the ECAGID Projects IGA on behalf of the City of Commerce City.

RESOLVED AND PASSED THIS 1ST DAY OF APRIL, 2013.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, CMC, City Clerk