

**RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT FOR  
THE PURPOSE OF SERVING PROPERTIES WITH WATER AND  
WASTEWATER FACILITIES**

**NO. 2016-68**

WHEREAS, the City of Commerce City Northern Infrastructure General Improvement District (“NIGID”), the Commerce City E-470 Residential Area General Improvement District (“ERAGID”), and the Commerce City E-470 Commercial Area General Improvement District (“ECAGID”) are public improvement districts and bodies corporate duly organized pursuant to Part 6, Article 25, Title 31, Colorado Revised Statutes, and Ordinances 1212, 1952, and 1966 of the City of Commerce City (“City”);

WHEREAS, the South Adams County Water and Sanitation District (“District”), a special district organized and existing under and by virtue of the laws of the State of Colorado, through its South Adams County Water and Sanitation District Activity Enterprise pursuant to C.R.S. § 37 45.1 101, et seq. (“SACWSD Enterprise”), provides water and sanitation services to many properties and developments within the boundaries of the City, or that will be annexed into the City, and which have been, or will go, through the City’s land use planning and development process;

WHEREAS, the City, the NIGID, the ECAGID, and the ERAGID have provided direct or indirect financial consideration, or are anticipated to provide direct or indirect financial consideration, for the acquisition, construction, installation, operation, and maintenance of certain water or wastewater facilities and capacity, including water lines, wastewater lines, lift stations, pumping stations, and associated facilities (“Facilities”);

WHEREAS, the Facilities will provide or facilitate water or wastewater service and capacity to properties within the City and to properties within the City’s Comprehensive Plan that is not currently annexed to the City, including water or wastewater facilities; and

WHEREAS, the City, NIGID, ECAGID, ERAGID, District, and SACWSD Enterprise desire to memorialize certain standards to serve their common interest in facilitating, expediting and accomplishing the construction of the Facilities for development of properties within the City and the City’s Comprehensive Plan that are not currently annexed into the City.

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

1. The City Council finds and declares that the Intergovernmental Agreement, substantially in the form attached as Exhibit A, is in the best interests of the City and its residents and is hereby approved.
2. The Mayor and Clerk are hereby authorized and directed to sign and attest the Intergovernmental Agreement on behalf of the City.

RESOLVED AND PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2016.

CITY OF COMMERCE CITY

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Sean Ford, Mayor

ATTEST:

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Laura Bauer, MMC, Clerk