

**RESOLUTION APPROVING AGREEMENT WITH REUNION METROPOLITAN
DISTRICT REGARDING REGIONAL DRAINAGE IMPROVEMENTS**

NO. 2017-97

WHEREAS, the City of Commerce City ("City") is engaged in the construction of a public improvement project to widen and improve Tower Road from 103rd Avenue to 80th Avenue as detailed in the bid documents for Project No. PW-02-2014 ("Project");

WHEREAS, the City has designed certain regional drainage improvements as part of the Project ("T88 Improvements") that can be incorporated into the Project by change order and such T88 Improvements will directly benefit the Project and properties within the City and will lead to increased economic development in the City;

WHEREAS, the City's ability to construct the T88 Improvements is dependent on the contribution of property owners whose properties will be benefitted by the drainage improvements, and the City and such property owners are negotiating the terms of such contributions;

WHEREAS, Reunion Metropolitan District ("Reunion") previously designed and constructed certain drainage improvements that, in conjunction with the T88 Improvements, directly benefit other property owners;

WHEREAS, the City, Reunion, and Shea Homes Limited Partnership ("Shea") have negotiated a Reimbursement Agreement & Development Restriction, attached as Exhibit A ("Agreement"), that provides among other things an allocation of the costs of the improvements installed by Reunion as a credit against Shea's obligation to reimburse the City for its portion of the cost of the T88 Improvements, among other things.

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

1. The Agreement is approved and found and declared to be in the public interest and supported by a public need.
2. The City Manager is authorized to negotiate, finalize, and execute the Agreement, substantially in the form attached, in the opinion of the City Attorney.

RESOLVED AND PASSED THIS 18TH DAY OF SEPTEMBER 2017.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk