

**RESOLUTION APPROVING REQUEST BY 27J SCHOOL DISTRICT FOR
TRANSFER OF SCHOOL SITE AND DISBURSEMENT OF SCHOOL FEES FOR AN
ELEMENTARY SCHOOL AT SOUTHLAWN IN COMMERCE CITY**

NO. 2021-50

WHEREAS, the City of Commerce City ("City"), pursuant to Section 21-9200 of the City's Land Development Code and Chapter 17, Article VIII of the Commerce City Code of Ordinances before that, imposes a school impact fee or land dedication requirement on new residential development and maintains such funds and land for the purposes of building new school facilities to serve the community, and school districts are eligible to receive such funds or land collected within their district;

WHEREAS, pursuant to Section 21-9200(5), the City must determine whether the need for the school site is established to the City's satisfaction and may consider: (a) whether the school district has formally adopted a plan that designates a location for the site of a future school; (b) whether the proposed location is in conformance with the city's comprehensive plan; (c) if money is requested, whether the school district has a contract for the purchase of the school site; and whether the school district has a site plan with a fully executed development agreement, which includes acreage, fees, and water resources related to the site in addition to other items typically addressed by way of a development agreement;

WHEREAS, by resolution approved on May 26, 2021, 27J School District ("27J Schools") established the need for an elementary school site in Commerce City (Southlawn) and has requested the disbursement of \$2,300,000 collected pursuant to Section 21-9200;

WHEREAS, by resolution approved on February 23, 2021, 27J Schools has also requested the transfer of Tract E, Reunion Subdivision Filing 17, which was transferred to the City in 2004 for such purpose, to be the location of the elementary school;

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

1. School District 27J has established the need for the elementary school site at the location identified in the request.
2. The City Council hereby approves the request for the disbursement of school fees in the amount of \$2,300,000 and authorizes the City Manager to disburse such funds to 27J Schools for the purpose of constructing the proposed elementary school.
3. The City Council hereby approves the request for the conveyance of Tract E, Reunion Subdivision Filing 17 for the location of the proposed elementary school, subject to approval as to form of the conveyance by the City Attorney and City Manager, and authorizes the Mayor and City Clerk to sign and attest to any documents necessary to accomplish such conveyance.

RESOLVED AND PASSED THIS 21ST DAY OF JUNE 2021.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk