

RESOLUTION APPROVING MASTER COOPERATION INTERGOVERNMENTAL AGREEMENT AMONG THE CITY OF COMMERCE CITY, THE CITY OF COMMERCE CITY NORTHERN INFRASTRUCTURE GENERAL IMPROVEMENT DISTRICT, THE COMMERCE CITY E-470 COMMERCIAL AREA GENERAL IMPROVEMENT DISTRICT AND THE COMMERCE CITY E-470 RESIDENTIAL AREA GENERAL IMPROVEMENT DISTRICT REGARDING MUTUALLY BENEFICIAL INFRASTRUCTURE IMPROVEMENTS

NO. 2013-74

WHEREAS, the City of Commerce City Northern Infrastructure General Improvement District (the “NIGID”), the Commerce City E-470 Commercial Area General Improvement District (the “ECAGID”), and the Commerce City E-470 Residential Area General Improvement District (the “ERAGID”) are general improvement districts organized and existing under and by virtue of the laws of the State of Colorado;

WHEREAS, the City of Commerce City (the “City”), the ECAGID, the NIGID and the ERAGID are referred to collectively hereinafter as the “Parties”;

WHEREAS, the Parties’ current and/or anticipated future boundaries converge at certain locations within the City, at which locations, the construction and installation of certain infrastructure improvements, such as new water and sewer mains, construction of new streets, reconstruction and widening of existing two-lane roadways to four-lane or six-lane roadways, parks, trails, open space and recreation facilities, are required by the City;

WHEREAS, the City has entered into intergovernmental agreements with each of the Parties to provide for the construction and installation of City-required infrastructure improvements “the Infrastructure Improvements”;

WHEREAS, due to the location of and need for the Infrastructure Improvements, the Parties concur that it is in their best interests, and in the best interests of their respective residents, to jointly contribute to the design, construction and installation of the Infrastructure Improvements;

WHEREAS, the NIGID has previously funded certain infrastructure improvements to provide water and sewer services and regional roadway improvements to relieve traffic congestion, improve safety for motorists, commuters and pedestrians and to improve access to commercial and residential developments (the “NIGID Improvements”);

WHEREAS, the ECAGID and the ERAGID desire to connect to the NIGID Improvements, and the NIGID agrees to allow the ECAGID and the ERAGID access thereto;

WHEREAS, the Parties are governmental entities authorized to enter into intergovernmental agreements pursuant to the provisions of Article XIV, Section 18(2)(a), of the Colorado Constitution and C.R.S. § 29-1-203; and

WHEREAS, to define their roles, rights and obligations with respect to access to the Infrastructure Improvements, the Parties now wish to enter into the attached Master Cooperation Intergovernmental Agreement among the City of Commerce City, the City of Commerce City Northern Infrastructure General Improvement District, the Commerce City E-470 Commercial Area

General Improvement District and the Commerce City E-470 Residential Area General Improvement District regarding Mutually Beneficial Infrastructure Improvements (the “Master Cooperation IGA”).

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

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

RESOLVED AND PASSED THIS 4TH DAY OF NOVEMBER, 2013.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Cheryl Scott, Acting City Clerk