

**RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT WITH THE
METRO WASTEWATER RECLAMATION DISTRICT FOR THE SECOND CREEK
INTERCEPTOR PROJECT**

NO. 2020-78

WHEREAS, the Metro Wastewater Reclamation District (“District”), a metropolitan sewage district organized and existing pursuant to C.R.S. § 32-4-501, et seq., plans to construct a sewage interceptor, the Second Creek Interceptor (“SD Interceptor”) through parts of the City of Commerce City (“City”), that will connect with its South Platte Interceptor in Adams County;

WHEREAS, the SD Interceptor will serve parts of South Adams County Water and Sanitation District (“SACWSD”), which provides water and wastewater service to the City and to unincorporated areas within the City’s future boundaries, and will provide additional capacity within SACWSD’s existing sanitary sewer collection and treatment systems to support the needs of future development within the City;

WHEREAS, the City of Commerce City (“City”) has been delegated the power to supervise matters of “state interest” by the Colorado General Assembly as set forth in C.R.S. § 24-65.1-101, et. seq., and has adopted regulations governing areas and activities of state interest in Chapter 22 of the Commerce City Revised Municipal Code (“CCRMC”), which include site selection and construction of major new sewage treatment systems and major extensions of sewage treatment systems like the SD Interceptor;

WHEREAS, the City and the District, in light of the District’s cooperative work with the City, private entities, and neighboring jurisdictions and the District’s requirement to obtain approval of a City Conditional Use Permit for the SD Interceptor, have negotiated an intergovernmental agreement pursuant to CCRMC Section 22-3(b), substantially in the form set forth in Exhibit A (“Agreement”), in lieu of a permit under Chapter 22;

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

1. The Agreement is and shall be in the interest of the public’s health, safety, and welfare, for a valid public purpose, and supported by a public need and is hereby approved, substantially in the form attached.
2. The Mayor and the City Clerk are authorized and directed to sign and attest the Agreement, substantially in the form attached, on behalf of the City.

RESOLVED AND PASSED THIS 2ND DAY NOVEMBER 2020.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk