Commerce City

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Council Communication

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Agenda Number:

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COMMERCE CITY AND THE COMMERCE CITY HOUSING AUTHORITY

Summary and Background Information:
On July 12, 2024 the Housing Authority authorized, by formal resolution, for its Board and staff to proceed with all efforts to negotiate with the City the means of promoting the Authority's self-sufficiency and self-sustainability. Staff in response to this request for negotiated independent financial and professional administration resources has prepared an Intergovernmental Agreement (IGA). The IGA outlines the parties' relationship and support of the Authority after December 15, 2024, and clarifies that all prior agreements between the parties are superseded with this agreement. Additionally, the IGA outlines the City's considerations of continued support through the end of the year based on discussions with the City Council.
The attached IGA provides for the following:

- This IGA will supersede all previous agreements.
- Through the end of 2024 the City will provide funding for all City employees on the Authority staff. As of 12/16/24 those employees will become employees of the Housing Authority. All General Leave owed will be paid in accordance with City policy.
- There is a part-time Parks, Recreation and Golf employee who provides part time services to the residents of Conter Estates. That employee will remain a City employee and the Authority will reimburse the City for costs related to his efforts in an amount not to exceed $12,000 annually.
- The Authority will continue to occupy its current offices located at The Landing at Mile High Greyhound Park. The City will provide business equipment that is currently on-site. The Authority will retain all computer related equipment and telephones. All City related software and licensing will be wiped from the computers. The City will pay networking services until 12/31/2024.
- The City's Finance Department will continue to support the Authority through the

end of the 2024 Fiscal Year and will continue to process invoices incurred during the 2024 Fiscal Year through February 28. 2024.

- As employee tenure will end on 12/15/24, the City will no longer provide Human Resources Services after that date. The Authority employees will maintain their medical, dental, and vision Insurance Coverage until 12/31/24 and are eligible for COBRA benefits after that date.
- The City will continue to provide general liability and property insurance coverage for the Authority through 12/31/2024. At its regular meeting on November 4, 2024 the Mayor and City Council approved a resolution supporting the Authority application for membership in the Colorado Intergovernmental Risk Sharing Agency (CIRSA) so the Authority may purchase its own general liability and property insurance coverage.
- The annual financial and any single audit or other special audits of the Authority shall be performed by the Authority by an independent auditor selected and paid for by the Authority. The City and Authority shall continue to cooperate through future audit periods, and ensure each respective entity has access to any records and information that is necessary to complete the other parties' audits.
- The City will provide to the Authority all funds in GL accounts listed in the IGA plus proportional accrued interest for any period such funds have been invested. Except that the sum of $350,000 of Authority funds will be retained until February 28, 2025 so that Authority funds continue to be available to the City for all final reimbursements and offsets.

Staff recommends that the Mayor and City Council adopt the attached resolution to provide for the Authority's self-sufficiency and self-sustainability. As stated above the Authority Board authorized staff to work with the City to finalize the terms of the IGA as contained herein.

Staff Responsible (Department Head): Jim Tolbert, Assistant City Manager
Staff Member Presenting: Jason Rogers, City Manager; Jim Tolbert, Assistant City Manager

Financial Impact: N/A
Funding Source: N/A

Staff Recommendation: Approval of the Attached Resolution.

Suggested Motion: I move to adopt Resolution 2024-115.