

**TOWN OF ERIE  
RESOLUTION NO. 19-\_\_\_**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF  
ERIE APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH  
THE CITY OF LAFAYETTE AND THE TOWN OF ERIE URBAN  
RENEWAL AUTHORITY**

**WHEREAS**, the Town of Erie ("Erie"), the City of Lafayette ("Lafayette"), and the Town of Erie Urban Renewal Authority ("TOEURA") are currently involved in litigation concerning the Nine Mile property, and Erie and Lafayette are currently involved in administrative proceedings concerning certain state highway access permits on State Highway 287 and State Highway 7, and the Board of Trustees wishes to resolve all of those legal proceedings in an amicable way;

**WHEREAS**, state law, and particularly C.R.S. § 29-20-101, *et seq.*, as amended, enables Erie to enter into intergovernmental agreements with other local governments to plan for and regulate land uses to minimize the negative impacts on the surrounding areas; to regulate the location of activities and developments that may result in significant changes in population density, and provide for phased development of services and facilities; and specifically authorizes local governments to cooperate and contract with each other for the purpose of planning and regulating the development of land by means of a comprehensive development plan to agree as to areas that are subject to annexation, and to provide for revenue sharing;

**WHEREAS**, the Board of Trustees believes that a comprehensive development plan that recognizes the potential annexation areas and development by Erie and Lafayette, accompanied by binding commitments by the respective jurisdictions for the preservation of the character of surrounding lands within the affected area, is in the best interest of both Erie and Lafayette;

**WHEREAS**, the Board of Trustees desires to plan for and regulate the use of the lands within the affected area through joint disposition of a mutually binding and enforceable comprehensive development plan and to resolve ongoing disputes between the Parties;

**WHEREAS**, the Board of Trustees finds that the attached intergovernmental agreement (the "IGA"), including specifically the annexation and utility service portions thereof, is intended to encourage the natural and well-ordered future development of Erie and Lafayette; to promote planned and orderly growth in the affected areas; to distribute fairly and equitably the costs of government services among those persons who benefit therefrom; to extend the government, services and facilities to the affected areas in a logical fashion; to simplify providing utility services to the affected areas; to simplify the governmental structure of the affected areas; to reduce and avoid, where possible, friction between the two communities; and to promote the economic viability of both communities;

**WHEREAS**, on January 22, 2019, the Board of Trustees held a public hearing regarding the IGA, at which concerned citizens were provided an opportunity to comment on the IGA; and

**WHEREAS**, the Board of Trustees finds that approval of the IGA is in the best interest of the public health, safety and welfare.

**NOW, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, THAT:**

Section 1. The Board of Trustees hereby approves the IGA among Erie, Lafayette and TOEURA in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the IGA on behalf of the Town.

**ADOPTED this 22<sup>nd</sup> day of January, 2019.**

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Jennifer Carroll, Mayor

**ATTEST:**

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Jessica Koenig, Town Clerk