

1 **CITY OF LITTLETON, COLORADO**

2
3 **ORDINANCE NO. 17**

4
5 **Series, 2017**

6
7 **INTRODUCED BY COUNCILMEMBERS: CERNANEC & HOPPING**

8
9 **AN ORDINANCE OF THE CITY OF LITTLETON,**
10 **COLORADO, AUTHORIZING AN**
11 **INTERGOVERNMENTAL ADDENDUM TO**
12 **WASTEWATER CONNECTOR'S AGREEMENT**
13 **BETWEEN KEN CARYL RANCH WATER AND**
14 **SANITATION DISTRICT AND THE CITY OF LITTLETON,**
15 **COLORADO AND APPROVING ACCEPTANCE OF THE**
16 **INTERPRETIVE MEMORANDUM**

17
18 **WHEREAS,** the City of Littleton owns and operates a sewage system, including
19 a sewage treatment plant which is jointly owned and operated with the City of Englewood
20 known as the L/E Wastewater Treatment Plant (WWTP); and
21

22 **WHEREAS,** the L/E WWTP provides sanitary sewer service to districts outside
23 of the Littleton corporate boundaries through a standard connector's agreement; and
24

25 **WHEREAS,** the L/E WWTP conducts an Industrial Pretreatment program to
26 control industrial/commercial wastes entering the wastewater collection and treatment system;
27 and
28

29 **WHEREAS,** the L/E WWTP Industrial Pretreatment Program is designed to
30 prevent pass through of pollutants to the South Platte River, protect the collection and treatment
31 system from damage, protect the public and worker health and safety, and improve opportunities
32 to recycle and reclaim municipal and industrial wastewaters and sludge; and
33

34 **WHEREAS,** the City Council of the City of Littleton authorized an
35 Intergovernmental Wastewater Connector's Agreement for Districts between Ken Caryl Ranch
36 Water and Sanitation District and Littleton by the passage of Ordinance No. ____, Series of
37 20__; and
38

39 **WHEREAS,** The L/E WWTP Industrial Pretreatment Program is subject to
40 Environmental Protection Agency (EPA) oversight and approval; and
41

42 **WHEREAS,** the EPA conducted an audit of the L/E WWTP Industrial
43 Pretreatment Program on February 24, 2014 through February 27, 2014; and
44

45 **WHEREAS,** the EPA identified that the current Pretreatment program
46 administered by the L/E WWTP does not have the legal framework to fully implement the
47 Pretreatment Regulations in the 19 outside contributing jurisdictions in its service area because

1 the Intergovernmental Connector's Agreement does not provide adequate delegation of the
2 Pretreatment program implementation to the cities of Littleton and Englewood; and
3

4 **WHEREAS**, the EPA required a corrective action that the L/E WWTP update the
5 Intergovernmental Wastewater Connector's Agreement Ordinance No. ___, Series of 20___, to
6 establish delegation for implementation of the Pretreatment Regulations, the passage of this
7 Ordinance the Addendum to Wastewater Connector's Agreement responds to EPA's corrective
8 action requirements by establishing delegation for implementation of the Pretreatment
9 Regulations within the District; and
10

11 **WHEREAS**, the City of Littleton approved addendums to Wastewater
12 Connector's Agreement Addendums and Sewer Service Agreement Addendums on May 16,
13 2017, between the City of Littleton and Bow Mar Water and Sanitation District, Columbine
14 Water and Sanitation District, Grant Water and Sanitation District, Meadowbrook Fairview
15 Metropolitan District, Platte Canyon Water and Sanitation District, Roxborough Park
16 Metropolitan District, Southwest Water and Sanitation District. Ken Caryl Ranch Water and
17 Sanitation District is the final addendum to be submitted for approval.
18

19 **WHEREAS**, Ken Caryl Ranch Water and Sanitation District has signed an
20 Addendum to their Sewer Service Agreement. The Agreement between the District and the City
21 is contingent on the execution of an Interpretative Memorandum. A copy of the Memorandum is
22 attached hereto as Exhibit B. The purpose of the Interpretative Memorandum is to clarify the
23 intent of the Addendum and the meaning of certain terms and provisions contained therein. The
24 Memorandum will constitute an agreement between the District and the City of Littleton, and
25 that the language of the Memorandum will be controlling in the event of a conflict between the
26 language in the Addendum and the language in the Memorandum.
27

28 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**
29 **THE CITY OF LITTLETON, COLORADO, THAT:**
30

31 **Section 1:** The Intergovernmental Agreement between the City of Littleton
32 and Ken Caryl Ranch Water and Sanitation District entitled "Addendum to Wastewater
33 Connector's Agreement" is hereby approved; a copy is attached hereto as Exhibit A.
34

35 **Section 2:** The Interpretive Memorandum between the City of Littleton and
36 Ken Caryl Ranch Water and Sanitation District entitled "Interpretive Memorandum" is hereby
37 approved; a copy is attached hereto as Exhibit B.
38

39 **Section 3:** Severability. If any part, section, subsection, sentence, clause or
40 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the
41 validity of the remaining sections of this ordinance. The City Council hereby declares that it
42 would have passed this ordinance, including each part, section, subsection, sentence, clause or
43 phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences,
44 clauses or phrases may be declared invalid.

Section 4: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the 27th day of June, 2017, passed on first reading by a vote of 7 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 18th day of July, 2017, in the Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of _____ FOR and _____ AGAINST on the 18th day of July, 2017 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

Wendy Heffner
CITY CLERK

Bruce O. Beckman
MAYOR

APPROVED AS TO FORM:

Kenneth S. Fellman
ACTING CITY ATTORNEY