

**RESOLUTION APPROVING CITY OF LONE TREE REQUEST FOR
AFFILIATE MEMBERSHIP IN E-470 PUBLIC HIGHWAY AUTHORITY
NO 2012-55**

WHEREAS, the E-470 Public Highway Authority (the "Authority") on April 13, 2012 received a request from the City of Lone Tree to join the Authority as an affiliate member; and

WHEREAS, affiliate status for membership in the Authority is established by and defined in the Second Amended and Restated Establishing Contract of the Authority dated March 1, 2011; and

WHEREAS, affiliates of the Authority are non-voting members; and

WHEREAS, the City of Commerce City has been advised by the Authority and recognizes that the City of Lone Tree is eligible to apply for affiliate status in the Authority; and

WHEREAS, the City of Commerce City, along with the Counties of Arapahoe, Douglas, and Adams, the Town of Parker, and the Cities of Aurora, Thornton, and Brighton are all voting members of the Authority; and

WHEREAS, the unanimous consent of each of the voting members of the Authority is required to grant affiliate status to the City of Lone Tree; and

WHEREAS, the Board of Directors of the Authority has recommended that affiliate status for membership in the Authority be granted to the City of Lone Tree; and

WHEREAS, the Board of Directors has recommended that the affiliate fee to be paid by the City of Lone Tree for membership in the Authority is \$12,500.00 which amount is the same amount as other affiliates have paid; and

WHEREAS, the membership fee must be paid at the time affiliate membership is granted by the Authority.

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

1. The City of Commerce City, contingent upon the favorable vote of the Board of Directors of the E-470 Public Highway Authority to establish the City of Lone Tree as an affiliate of that Authority, accepts the City of Lone Tree, Colorado as an affiliate of the Authority.
2. This resolution is effective upon passage and shall thereafter be sent by the City Clerk to the E-470 Public Highway Authority, Attention: Icenogle Seaver Pogue, Attorneys at Law for the E-470 Public Highway Authority, 4725 S. Monaco Street, Suite 225, Denver, CO 80237.

RESOLVED AND PASSED THIS 20th DAY OF AUGUST, 2012.

CITY OF COMMERCE CITY, COLORADO

BY: _____
Sean Ford, Mayor

ATTEST:

Laura J. Bauer, CMC, City Clerk