

ORDINANCE NO. 2691

AN ORDINANCE AMENDING THE 2025 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF GRANT FUNDING FROM THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) IN THE AMOUNT OF \$5,000,000 FOR THE WIDENING OF 88TH AVENUE IN THE CITY OF COMMERCE CITY AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

WHEREAS, on May 17, 2021, the City entered into an Intergovernmental Agreement (IGA) with CDOT to receive \$2,000,000 in federal Surface Transportation Block Grant (STBG) funds through CDOT, with a \$2,000,000 local match requirement, for the widening of East 88th Avenue, from I-76 to Highway 2 (the “88th Avenue Widening Project”) pursuant to Resolution No. 2021-17 adopted on March 15, 2021; and

WHEREAS, a First Amendment to the IGA was administratively approved on May 19, 2022 to increase the \$2,000,000 in federal funding to \$3,000,000 and reduce the local match requirement to \$1,000,000, which CDOT later determined to be an error; and

WHEREAS, a Second Amendment to the IGA was approved on May 19, 2022, pursuant to Resolution No. 2023-103 adopted on September 11, 2023, to incorporate additional funding related to federal Transportation Alternatives Program (TAP) and state Multimodal Transportation and Mitigation Options (MMO) grant awards; and

WHEREAS, the First and Second Amendments to the IGA included the initial STBG federal funding amount of \$3,000,000 in error, which resulted in the overstatement of federal funding by \$1,000,000; and

WHEREAS, the City submitted an application for DRCOG TIP Subregional Call #4 – STBG funding and was awarded an additional \$6,000,000 in federal STBG funding for the 88th Avenue Widening Project; and

WHEREAS, the City of Commerce City plans to contribute a required 20% local match of \$1,200,000 in local funding within existing available budgeted project funds to meet local grant matching requirements for this additional \$6,000,000 in federal funding; and

WHEREAS, Resolution No. 2025-062 is being presented to Council on July 7, 2025, for the recommended approval of a Third Amendment to the IGA, which will correct the \$1,000,000 overstatement of federal funding and award the additional \$6,000,000 of STBG funding, for a net funding increase of \$5,000,000; and

WHEREAS, the City Council desires to authorize the expenditure of these funds by enacting a supplemental budget appropriation to the 2025 City budget as authorized by Section 12-9(a) of the City Charter.

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

SECTION 1. Findings. The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Net Expenditure Authorization. Total appropriations equal \$5,000,000. The expenditure of the funds herein appropriated is hereby authorized in the Capital Expenditures Fund (395).

- Correction of Federal Funding Overstatement (\$ 1,000,000)
- DRCOG TIP Subregional Call #4 – STBG Award \$ 6,000,000

SECTION 3. Effective Date. This ordinance shall be effective immediately upon passage on second and final reading.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 7TH DAY OF JULY, 2025.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 4TH DAY OF AUGUST, 2025.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk