

**RESOLUTION APPROVING NORTH METRO RAIL LINE LOCAL AGENCY
CONTRIBUTION INTERGOVERNMENTAL AGREEMENT BY AND
BETWEEN THE CITY OF COMMERCE CITY AND THE REGIONAL
TRANSPORTATION DISTRICT**

NO. 2013-_____

WHEREAS, the Regional Transportation District (“RTD”) is statutorily authorized to develop, maintain and operate a mass transportation system for the benefit of the inhabitants of its district;

WHEREAS, RTD has been authorized to implement the multimodal public transportation expansion plan adopted by RTD’s Board of Directors, approved by voters on November 2, 2004, and approved by the Denver Regional Council of Governments as per the requirements of C.R.S. § 32-9-107.7 (the “FasTracks Plan”);

WHEREAS, as part of the FasTracks Plan, RTD proposes to construct the North Metro Rail Line commuter rail corridor, consisting of commuter rail transit connecting Denver Union Station with Adams County, Denver, Commerce City, Thornton and Northglenn as identified in the FasTracks Plan and more fully described in the Final Environmental Impact Statement for the Project dated January, 2011, as approved by the Record of Decision for the Project signed by the Federal Transit Administration on April 22, 2011, and the final design plans (collectively, the “NMRL”);

WHEREAS, the FasTracks financial plan requires a two and one-half percent (2.5%) local agency contribution from local jurisdictions in the RTD district in consideration for the construction of transit improvements that will benefit the local jurisdictions and their citizens and the other governmental entities along the NMRL;

WHEREAS, the cost of the NMRL, for the purposes of establishing the overall local agencies contributions, is Nine Hundred Nine Million Dollars (\$909,000,000.00) in year of expenditure dollars;

WHEREAS, based on such cost, the amount of the City’s local agency contribution will be Four Million Seven Hundred Thousand Dollars (\$4,700,000.00);

WHEREAS, the City of Commerce City (the “City”) and RTD are authorized under Colorado Constitution, Article XIV, § 18(2)(a), and C.R.S. § 29-1-201, *et seq.*, to cooperate or contract with each other to provide any function, service or facility lawfully authorized to each, and any such contract may provide for sharing of costs; and

WHEREAS, the City and RTD have agreed to enter into the attached intergovernmental agreement to provide for (i) the calculation, amount and manner of satisfaction of the City’s local agency contribution; and (ii) close coordination of the efforts of the City and RTD in the planning and construction of the NMRL within the City (the “NMRL IGA”).

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

1. The attached NMRL IGA is hereby approved.
2. The Mayor and the City Clerk are hereby authorized and directed to sign and attest the attached NMRL IGA on behalf of the City of Commerce City.

RESOLVED AND PASSED THIS 4TH DAY OF NOVEMBER, 2013.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Cheryl Scott, Acting City Clerk