

ORDINANCE NO. 2360

INTRODUCED BY: _____

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COMMERCE CITY AND BUFFALO RIDGE METROPOLITAN DISTRICT FOR THE 120TH AVENUE ROAD IMPROVEMENT PROJECT AND AUTHORIZATION OF THE EXPENDITURES THEREOF

WHEREAS, the City of Commerce City ("City"), along with Buffalo Ridge Metropolitan District ("District," together with the City, "Parties"), intend to design and construct road widening and other improvements on 120th Avenue for the section of road commencing at approximately the east side of the highway overpass over I-76 and to the east of High Plains Parkway ("Project"); and

WHEREAS, the Parties have agreed in principle to share the cost of professional design and construction services for the Project, with the cost to the City for the Project will be \$4,900,000 and the cost to the Metropolitan District for the Project will be \$4,100,000; and

WHEREAS, the Buffalo Ridge Metropolitan District Board has approved the expenditure of \$4,100,000 for the 120th Avenue Project,

WHEREAS, the Parties have set forth their agreement to terms and conditions in the Intergovernmental Agreement between the City of Commerce City and the Buffalo Ridge Metropolitan District – 120th Avenue Project ("Intergovernmental Agreement"), attached hereto and incorporated herein at Exhibit A; and

WHEREAS, the City Council has determined that there is a compelling public need and purpose for the Project, and that professional design and construction services, as set forth in the Intergovernmental Agreement, are a necessary and appropriate expenditure of public funds.

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

SECTION 1. 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. The Intergovernmental Agreement between the City of Commerce City and Buffalo Ridge Metropolitan District is approved substantially in the form attached hereto as Exhibit A, subject to final negotiations by the City Manager and approval as to form by the City Attorney. The City Clerk is authorized to attest to and the Mayor is authorized to execute the same on behalf of the City of Commerce City.

SECTION 3. The expenditure of the funds as set forth in the Intergovernmental Agreement is hereby authorized.

SECTION 4. This ordinance shall be effective as provided by the City Charter.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED
THIS 23RD DAY OF MAY 2022.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS ____DAY OF _____, 2022.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk