

**RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT BY AND
BETWEEN E-470 PUBLIC HIGHWAY AUTHORITY AND CITY OF COMMERCE
CITY REGARDING FUNDING RELATED TO TOWER ROAD/PENA BOULEVARD
INTERCHANGE**

NO. 2014-33

WHEREAS, the City of Commerce City and the E-470 Public Highway Authority (the “Authority”) are parties to an Intergovernmental Agreement regarding the coordination of certain road improvements and operations, dated January 27, 1995 (the “1995 IGA”);

WHEREAS, Section 3 of the 1995 IGA provides that in the event the west ramps of the Tower Road and Pena Boulevard interchange (the “Interchange”) have not been constructed by January 1, 2012, and upon the request of the City, the Authority will construct such ramps, at no cost to the City, based on a design mutually agreed upon by the parties;

WHEREAS, to date, only the northwest ramp to the Interchange (the “Northwest Ramp”), has not been constructed;

WHEREAS, the City desires that the Northwest Ramp be constructed; and

WHEREAS, the City and the Authority have agreed to enter into a new intergovernmental agreement that (i) recognizes all obligations under the 1995 IGA, other than those related to the Northwest Ramp, have been satisfied; and (ii) addresses the Authority’s obligation to fund construction of the Northwest Ramp under the 1995 IGA; and

WHEREAS, the City Council hereby finds and determines that approval and execution of the attached Intergovernmental Agreement by and between E-470 Public Highway Authority and City of Commerce City Regarding Funding Related to Tower Road/Pena Boulevard Interchange (the “Tower/Pena Ramp IGA”) satisfies the above-stated goals and is and shall be in the best interests of the residents of the City.

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

1. The Tower/Pena Ramp IGA is hereby approved.
2. The City Manager and the City Clerk are hereby authorized and directed to sign and attest the Tower/Pena Ramp IGA on behalf of the City of Commerce City.

RESOLVED AND PASSED THIS 21st DAY OF APRIL, 2014.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, CMC, City Clerk