

**RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF COMMERCE CITY AND THE CITY AND COUNTY OF DENVER
REGARDING THE CONSTRUCTION OF RAMPS TO PENA BOULEVARD AND
IMPROVEMENTS TO TOWER ROAD**

NO. 2017-92

WHEREAS, the City of Commerce City (“City”) and the City and County of Denver (“Denver”) entered into an intergovernmental agreement dated March 17, 1992, relating to the construction of an interchange at Tower Road and Pena Boulevard, which agreement was amended by agreement dated May 11, 2015, to allow for the construction of a fourth ramp to complete the interchange;

WHEREAS, Denver desires to widen Tower Road in the area of the interchange from two to four lanes;

WHEREAS, the City is prepared to construct related roadway improvements to complete the interchange consistent with the existing agreements, including a new on ramp from Tower Road to westbound Pena Boulevard and improvements to the existing westbound off ramp, and to include in its project the widening of Tower Road desired by Denver;

WHEREAS, the City and Denver desire to enter into a separate intergovernmental agreement to address cost sharing, timing of payment, financing, design, and construction of the work, substantially in the form attached as Exhibit A (“Tower-Pena Intergovernmental Agreement”);

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

1. The Tower-Pena Intergovernmental Agreement is found to be in the best interests of the public and for a valid public purpose and is hereby approved.
2. The Mayor and the City Clerk are hereby authorized and directed to sign and attest the Tower-Pena Intergovernmental Agreement, substantially in the form attached hereto in the opinion of the City Attorney, and any documents necessary to carry out the agreement on behalf of the City of Commerce City.

RESOLVED AND PASSED THIS 18TH DAY OF SEPTEMBER 2017.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk