

**A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL
AGREEMENT BY AND BETWEEN THE CITY OF COMMERCE CITY AND THE
COLORADO DEPARTMENT OF TRANSPORTATION FOR SAFETY
IMPROVEMENTS AT THE E. 69TH AVENUE AND E. 72ND AVENUE CROSSINGS OF THE
UNION PACIFIC RAILROAD TO ESTABLISH A QUIET ZONE**

NO. 2024-096

WHEREAS, the City of Commerce City (“City”) conducted a Quiet Zone Study in 2007, in response to resident concerns about train noise;

WHEREAS, City now plans to complete safety improvements at the E. 69th Avenue and E. 72nd Avenue crossings of the Union Pacific Railroad to establish a quiet zone (the “Project”);

WHEREAS, City applied for and was granted funding for this project from the Federal Highway Administration (FHWA) through the Community Project Funding/Congressionally Directed Spending, Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2022;

WHEREAS, the City and the Colorado Department of Transportation (“CDOT”) wish to enter into an agreement, substantially in the form attached hereto, regarding funding, administration, and other aspects of the Project (“Agreement”); and

WHEREAS, CDOT requires the City to pass a resolution authorizing the City to enter into the Agreement, and the City is authorized pursuant to § 29-1-203, C.R.S., as amended, and Section 4.13 of the Charter of the City of Commerce City, to enter into intergovernmental agreements.

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

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

SECTION 2. Approval; Execution. The Agreement, substantially in the form attached, is hereby approved. The City Manager and the City Clerk are hereby authorized and directed to sign and attest the Agreement, substantially in the form attached, on behalf of the City.

RESOLVED AND PASSED THIS 21ST DAY OF OCTOBER, 2024.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk