



# City Council Communication

**AGENDA DATE:** April 6, 2026

**LEGISTAR ITEM #:** Res 2026-054

**PRESENTER:** Jenna Hahn

**DEPARTMENT:** Public Works

<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Public Hearing
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## REQUEST

Approve Resolution 2026-054 authorizing award of a reimbursement for United Power to move their infrastructure to facilitate the City's construction of a pedestrian underpass.

## BACKGROUND

96th Avenue was identified within the City of Commerce City's 2010 Transportation Master Plan as a recommended candidate for highway widening to provide capacity improvements. The project was also identified in the updated Transportation Master Plan adopted by the City Council in February of 2026. 96th Avenue is classified as a minor arterial throughout the study area, and was subsequently planned to be a four-lane roadway with a landscaped median. The two westbound lanes were constructed in 2013 from Chambers Road to Tower Road. After the initial project was scoped, the need to also construct a pedestrian underpass as a part of the project was identified by City Council during the 2023 Winter Retreat.

To be able to construct the pedestrian underpass a portion, a United Power-owned utility box must be relocated. In order to keep the 96<sup>th</sup> Avenue project on track, the utility box must be relocated by June 1. While relocations of this nature are mentioned in the Franchise Agreement between the City and United Power, the two parties did not agree on how to interpret the language provided regarding cost responsibility for relocation work is not clear.

In an effort to keep the 96<sup>th</sup> Avenue project progressing on schedule, the City and United Power have reached an agreement to share the cost of this specific relocation. United Power will expend funds to reprioritize the work that they had planned for this spring in order to accommodate the

## CITY COUNCIL COMMUNICATION CONTINUED

relocation work. The City will reimburse United Power for the costs of Associated with the relocation, not project reprioritization, in the amount of up to \$700,000.

### FINANCIAL IMPACT

Contractor	N/A
Amount of Request/Contract	\$700,000
Amount Not To Exceed	\$700,000
Amount Budgeted	N/A
Budget Year	N/A
Funding Source	N/A
Additional Funds Needed	N/A
Funding Source (if funds needed)	PW CIP and 2K

### JUSTIFICATION

<input type="checkbox"/> Council Goal	<input checked="" type="checkbox"/> Strategic Plan	<input type="checkbox"/> Work Plan	<input type="checkbox"/> Legal
Citation	Infrastructure and Transportation – Develop and maintain public infrastructure, facilities, and transportation to improve community appearance and encourage continued development.		

### AVAILABLE ACTIONS

- Available Action #1: Approve Resolution 2026-054 authorizing a reimbursement for United Power to move their infrastructure to facilitate the City's construction of a pedestrian underpass.

### STAFF RECOMMENDATION

Staff recommends City Council take Available Action #1.