

ORDINANCE NO. 2789

AN ORDINANCE AMENDING THE 2026 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY AUTHORIZING THE TRANSFER OF ROAD IMPACT FEE FUNDS FROM THE IMPACT FEE FUND TO THE CAPITAL EXPENDITURES FUND IN THE TOTAL AMOUNT OF \$4,011,263 FOR USE ON THE LANDMARK DRIVE AND CHAMBERS ROAD WIDENING PHASE I PROJECTS AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

WHEREAS, the City of Commerce City ("City") has reserves not anticipated or appropriated at the time of the adoption of the 2026 City budget for these new appropriations;

WHEREAS, the City has identified appropriation needs related to the Landmark Drive and Chambers Road Widening Phase I capital projects;

WHEREAS, the 2025 Development Agreement ("Agreement") between the City and Adams and Weld Counties School District 27J ("District") states that the District will design and construct a certain segment of Landmark Drive, and the Agreement obligates the City to reimburse the District the not to exceed amount of \$811,263 for costs associated with this road improvements;

WHEREAS, sufficient Impact Fee Fund unencumbered fund balance from benefit district 2 is available to accommodate a \$811,263 transfer to the Capital Expenditures Fund for use on the Landmark Drive project reimbursement;

WHEREAS, the entire Chambers Road Widening project is estimated to cost \$32.4 million. The City currently has \$5 million available, \$4.1 million of which is Congressionally Directed Spending funding, which is not sufficient to complete the entire project;

WHEREAS, the City identified Phase I of the Chambers Road Widening project, which spans 112th Avenue to 116th Avenue, as a priority to move forward. Phase I is estimated to cost \$8.2 million, leaving a \$3.2 million funding gap to cover this phase;

WHEREAS, sufficient Impact Fee Fund unencumbered fund balance from benefit district 2 is available to accommodate a \$3,200,000 transfer to the Capital Expenditures Fund for use on the Chambers Road Widening Phase I project; and

WHEREAS, the City Council desires to authorize the expenditure of these funds by enacting a supplemental budget appropriation to the 2026 City budget as authorized by Section 12-9(a) of the City Charter.

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

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

SECTION 2. Authorization. The 2026 budget of the City of Commerce City, Colorado, is amended to transfer Road Impact Fee Funds totaling \$4,011,263 to the Capital Expenditures Fund (395).

- PW – Landmark Drive \$ 811,263
- PW – Chambers Road \$3,200,000

SECTION 3. Repealer. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency.

SECTION 4. Effective Date. This ordinance shall be effective immediately upon passage on second and final reading.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED
THIS 3RD DAY OF AUGUST, 2026.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS 17TH DAY OF AUGUST, 2026.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Stephen J. Ruger, City Clerk