

Third Amended and Restated Contract for the E-470 Public Highway Authority

City Council - December 4, 2018

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 Brighton™

Strategic Plan

- Supportive, Sustainable Infrastructure
- Strong Regional Relationships and Partnerships



Purpose and Background

- Establishing Contract was signed in 1988 and later amendments added additional jurisdictions.
- Charge is to finance, construct, operate, and maintain E-470.
- The E-470 Authority is proposing that City Council consider approval of the Third Amended and Restated Contract.
- City Council has the authority to authorize the Mayor to execute said contract.



Criteria to Consider

- The execution of the Establishing Contract by the Governmental Units is permitted by:
 - ✓ Article XIV, Section 18(2) of the Colorado Constitution, Part 2 of Article 1, Title 29, C.R.S.
 - ✓ The Public Highway Authority Law in Part 5 of Article 4, Title 43, C.R.S.

Summary of Findings / Staff Analysis

- Contract expands the jurisdiction of the E-470 Public Highway Authority to outside of the currently in place boundaries.
- The existing contract can be changed by action of two-thirds of the Governmental Units of the Authority.
- The Contract states that the purpose is to *"aid in regional cooperation regarding transportation infrastructure, improvements, and facilities which are presently inadequate given continued population growth and financial constraints upon state governments."*

Summary of Findings / Staff Analysis

- Consideration should be given as to the ability of the Authority to assist with the economic growth of the Denver Metropolitan Region if the Contract is approved.
- Consideration should be given as to if the Contract is in the public interest and will promote health, safety, and welfare.
- Adams, Arapahoe, and Douglas Counties have signed.
- Parker and Commerce City have signed.
- Aurora and Thornton have consideration upcoming.

Public Notice and Comment

- Public notification of this item was carried out with the standard meeting posting.
- No formal comments have been received by the Planning Division responding to the meeting notice.

Staff Recommendation

- Regional cooperation and planning are necessary for things such as public highways.
- City staff is recommending that City Council grant their approval to the Contract as presented as this will allow the E-470 Authority to work outside of their current limits.



Options for City Council

❖ City Council has the following four options before it. It may:

- Approve the Resolution as drafted;
- Approve the Resolution with specific changes;
- Deny the Resolution as drafted with specific findings to justify such action; or
- Continue the item to be heard at a later specified date.