



Agenda Item Summary

MEETING DATE: July 29, 2024

SUBJECT: **Resolution No. 60-R-2024** – A Resolution Approving the Intergovernmental Agreement with Weld County for Construction of High Plains Boulevard (a.k.a. – Weld County Road 9.5) between Weld County Road 32 and Weld County Road 36

PRESENTED BY: Helen Migchelbrink, Town Manager

SUMMARY

The Town of Mead and Weld County (acting by and through the Board of County Commissioners) have agreed on the terms that certain *Intergovernmental Agreement for Construction of High Plains Boulevard (a.k.a. – Weld County Road 9.5) between Weld County Road 32 and Weld County Road 36* (the “County IGA”). A copy of the County IGA is attached to this *Agenda Item Summary* for review by the Board.

High Plains Boulevard (HPB) is a planned north-south arterial road on the east side of Interstate 25 (also referred to as Weld County Road 9.5) which, when fully constructed, will run through several jurisdictions in northern Colorado. For purposes of the County IGA:

- one discrete segment of HPB will be an interim section extending WCR 9.5 from WCR 32 to a point north of WCR 34 (the “County Project”), and
- another discrete segment of HPB will begin north of WCR 34 where the County Project ends and will continue north to WCR 36 (the “Developer Project”).

(the County Project and Developer Project, taken together, constitutes the “Project”, as that term is used in the County IGA).

Approval of the County IGA is the first step in memorializing an important regional partnership related to the timely completion of the Project. Participants in the partnership include CDOT, Weld County, the Town of Mead, WCR 34 & Hwy 25-220, LLC, a Colorado limited liability company (“W&H”), and Mead Industrial Development, LLC, a Colorado limited liability (“MID”) (together, the “Developers”).

The obligations of the Developers with respect to the Developer Project are briefly summarized in the County IGA and will be fully addressed in a separate written agreement between the Town, W&H and MID (the “Developers’ Agreement”). Currently, it is anticipated that the Developers’ Agreement will be brought before the Board for consideration/approval in August of 2024.

The Developers own most of the land on either side of the Town right-of-way where the Developer Project will be located and said land will benefit substantially from the construction/completion of the Developer Project.

The County IGA memorializes the agreements and understandings of Mead and Weld County related to the funding, design, and construction of the Project, the acquisition of rights-of-way and easements for the Project, and each Party's respective roles and responsibilities with respect to the Project.

Resolution No. 60-R-2024 (the "Resolution"): (a) approves the County IGA; (b) authorizes the Town Attorney, in cooperation with the Town Manager, to negotiate revisions to the County IGA that benefit and protect the Town and do not increase the Town's financial obligations; and (c) authorizes the Mayor to execute the County IGA on behalf of the Town when in final form.

Town Staff recommends approval of the Resolution.

FINANCIAL CONSIDERATIONS

The County IGA sets forth that Weld County shall serve as the "Lead Agency" for the design, construction, and project management of the County Project. As Lead Agency, Weld County shall be responsible for: overseeing the development and delivery of construction plans; conducting the procurement of a design-build contract in accordance with Weld County's policies for competitive bidding; providing construction contract management, construction inspection, and quality assurance services; coordinating the design and construction of the County Project with public and private utilities and other agencies; and coordinating and managing public outreach and processes regarding the County Project. All costs associated with the County Project will be borne by the County.

With respect to the Developer Project summarized in the County IGA, the County IGA contemplates that a total of six million dollars (\$6,000,000.00) will be contributed to the Developer Project, as follows:

- Weld County shall contribute Three Million and No/100 Dollars (\$3,000,000.00) (the "County Contribution") to the Developer Project. This contribution will come from funds originally given to the Colorado Department of Transportation (CDOT) as contribution toward the I-25 North Express Lanes – Segment 5 project.
- Mead shall contribute One Million and No/100 Dollars (\$1,000,000.00) ("Town Contribution") to the Developer Project.
- W&H shall contribute One Million and No/100 Dollars (\$1,000,000.00) to the Developer Project.
- MID shall contribute One Million and No/100 Dollars (\$1,000,000.00) to the Developer Project.

The six million dollars (\$6,000,000.00) will be deposited in a Project Account to be controlled by the Town. Additional details regarding the Project Account will be set forth in the Developers' Agreement.

The Town Contribution of \$1,000,000 is available in the approved 2024 budget, specifically in the Transportation Fund (budget line item 14-40-5592, Segment 5 I-25 Enhancements).

STAFF RECOMMENDATION/ACTION REQUIRED

Staff recommends that the Board of Trustees approve the Resolution (authorizing the Mayor to execute the County IGA when in final form). The Resolution approving the County IGA is on the July 29, 2024 regular meeting agenda.

Town Staff recommends the Board of Trustees approve the Resolution approving the IGA with Weld County. A motion to approve the July 29, 2024 consent agenda will approve the Resolution. If this item is pulled off consent for further discussion or questions staff recommends the following motion:

Suggest Motion:

“I move to adopt Resolution No. 60-R-2024 – A Resolution of the Town of Mead, Colorado, Approving the Intergovernmental Agreement with Weld County for Construction of High Plains Boulevard (a.k.a. – Weld County Road 9.5) between Weld County Road 32 and Weld County Road 36.”

ATTACHMENTS

Resolution No. 60-R-2024

County IGA (*Intergovernmental Agreement for Construction of High Plains Boulevard (a.k.a. – Weld County Road 9.5) between Weld County Road 32 and Weld County Road 36*)