

**A RESOLUTION APPROVING A FIRST AMENDMENT TO AGREEMENT
REGARDING FINAL DESIGN, RIGHT-OF-WAY ACQUISITION, AND
CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR
FAIRFAX PARK DETENTION AND OUTFALL WITH THE URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT**

RESOLUTION 2025-156

WHEREAS, City Council (“City Council”) of the City of Commerce City (“City”) previously authorized an Agreement Regarding Final Design, Right-Of-Way Acquisition, and Construction of Drainage and Flood Control Improvements for Fairfax Park Detention and Outfall with Urban Drainage and Flood Control District d/b/a Mile High Flood District (“District”) dated November 27, 2023 (“Agreement”); and

WHEREAS, the District and the City agree that additional funding is needed from both the City and the District.

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

SECTION 1. Approval of First Amendment to Agreement. The First Amendment to Agreement Regarding Final Design, Right-Of-Way Acquisition, and Construction of Drainage and Flood Control Improvements for Fairfax Park Detention and Outfall (“First Amendment”) by and between the City and the District is hereby approved.

SECTION 2. Execution and Attestation. Upon successful finalization of the First Amendment with the District and approval as to form by the City Attorney, the Mayor is hereby authorized and directed to execute the Intergovernmental Agreement with the District, substantially in the form attached hereto as Exhibit A, and the City Clerk to attest, the First Amendment or any additional amendment thereto on behalf of the City. The City Manager is hereby authorized to execute other documents and agreements consistent with accomplishing the purposes of the First Amendment.

RESOLVED AND PASSED THIS 20TH DAY OF OCTOBER 2025.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Kim Garland, Acting City Clerk