

**RESOLUTION APPROVING THE FIRST AMENDMENT TO THE APRIL  
26, 2010 INTERGOVERNMENTAL AGREEMENT BETWEEN  
NORTHERN INFRASTRUCTURE GENERAL IMPROVEMENT  
DISTRICT AND CITY OF COMMERCE CITY  
NO. 2012-92**

WHEREAS, the Intergovernmental Agreement (“IGA”) between the City of Commerce City (“City”) and the Commerce City Northern Infrastructure General Improvement District (“GID”) dated April 26, 2010 provided the opportunity for the GID to purchase certain ERU Water Credits and Option Fee Credits (collectively “FRICO ERU Credits”); and

WHEREAS, this City Council has, pursuant to the GID, authorized the purchase of water rights; and

WHEREAS, the water rights purchased by the GID are the FRICO ERU Credits purchased as authorized in the IGA; and

WHEREAS, the City and the GID desire to amend the IGA.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO as follows:

1. The First Amendment to the IGA attached as Exhibit A is approved.
2. The Mayor and City Clerk are authorized and directed to sign and attest the First Amendment to the IGA.

RESOLVED AND PASSED this 5th day of November, 2012.

BY: \_\_\_\_\_  
Sean Ford, Mayor

ATTEST:

\_\_\_\_\_  
Laura J. Bauer, CMC, City Clerk