

**RESOLUTION APPROVING AMENDMENT TO FUNDING AGREEMENT WITH THE
STATE OF COLORADO, DEPARTMENT OF NATURAL RESOURCES RELATING
TO THE COLORADO NATURAL RESOURCES FOUNDATION FUND**

NO. 2018-33

WHEREAS, the City was awarded \$2,600,000 through the State of Colorado, Department of Natural Resources (“DNR”) from the Colorado Natural Resources Foundation Fund, which was established as a result of a consent decree approved by the United States District Court for the District Court of Colorado in Civil Action No. 83-C-2386, related to natural resource damage claims involving the Rocky Mountain Arsenal;

WHEREAS, the City and DNR previously executed a Funding Agreement in July 2017 to receive the remaining \$1,160,000 of the original award for the remediation and restoration of former Weaver Electric and Multi-Contractors sites;

WHEREAS, the City has requested, and DNR is willing to grant, an additional \$228,523 from the Colorado Natural Resources Foundation Fund for additional costs related to the project;

WHEREAS, DNR requires that the City execute an Amendment to the Funding Agreement, substantially as set forth in Exhibit “A,” attached hereto and made a part hereof (“Amendment”) to receive the additional funds awarded to the City;

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

1. The City Council finds and declares that the Amendment, substantially in the form attached as Exhibit A in the opinion of the City Attorney, is in the best interests of the City and its residents and is hereby approved.
2. The Mayor and Clerk are hereby authorized and directed to sign and attest the Amendment, substantially in the form attached as Exhibit A in the opinion of the City Attorney, on behalf of the City.

RESOLVED AND PASSED THIS 7TH DAY OF MAY 2018.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk