

**RESOLUTION AUTHORIZING INTERGOVERNMENTAL AGREEMENT WITH THE  
UNITED STATES FISH AND WILDLIFE SERVICE FOR MAINTENANCE OF ACCESS  
CONNECTIONS TO THE ROCKY MOUNTAIN ARSENAL NATIONAL WILDLIFE  
REFUGE**

**NO. 2019-114**

WHEREAS, by Resolution 2016-60, approved May 16, 2016, the City Council of the City of Commerce City ("City") authorized an application to the Federal Lands Access Program ("FLAP"), in partnership with the U.S. Fish and Wildlife Service ("Service"), the County of Adams, and the City and County of Denver, for a grant to fund certain parks, recreation, and open space projects and the expenditure of funds to provide a local match from budgeted funds for such grant:

WHEREAS, to provide FLAP grant funds for a project to improve pedestrian and bicycle access to and through Rocky Mountain Arsenal National Wildlife Refuge (RMA NWR), the FHWA-Central Federal Lands Highway Division (CFLHD) requires grant participants to enter into a Federal Lands Access Program and Federal Lands Transportation Program Project Memorandum of Agreement ("MOU");

WHEREAS, following the City Council's approval of Resolution 2018-43, on May 21, 2018, the Mayor executed the required MOU on behalf of the City;

WHEREAS, as part of the MOU, the City agreed to "[p]rovide long term maintenance and operation of the project segments funded by FLAP upon completion" of the subject pedestrian and bicycle access improvements (the "Access Connections"), which will be constructed by CFLHD and located on portions of the RMA NWR owned by the Service;

WHEREAS, the Service has requested that the City memorialize its obligation to provide long term maintenance and operation of the Access Connections—specifically, those located at the Henderson Hill Trail and trailhead at 96<sup>th</sup> Avenue, and the Henderson Hill Overlook—in a formal agreement between the City and the Service ("Agreement").

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

1. The City Council hereby finds and determines that the approval of the Agreement is and shall be in the best interest of the residents of the City.
2. The Agreement, substantially in the form attached, is hereby approved and the Mayor and the City Clerk are hereby authorized and directed to sign and attest the Agreement, substantially in the form attached, on behalf of the City.

RESOLVED AND PASSED THIS 4TH DAY OF NOVEMBER 2019.

CITY OF COMMERCE CITY, COLORADO

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Sean Ford, Mayor

ATTEST

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Laura J. Bauer, MMC, City Clerk