

RESOLUTION #4, SERIES 2006

A RESOLUTION PERMITTING THE TOWN TO REQUEST VOLUNTARY CLEAN UP ASSISTANCE FROM THE STATE OF COLORADO BROWNFIELDS ASSISTANCE PROGRAM FOR THE PURPOSE OF ADDING TO THE SOIL CAP AT ELYSIAN PARK

WHEREAS, the State Legislature of Colorado has set aside certain funds for voluntary clean up of industrial and mining sites not eligible for federal funding, and

WHEREAS, due to the nature of the original purchase of Elysian Park and potential Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) liability, EPA funding may not be available, and

WHEREAS, the Town Board previously authorized a Targeted Brownfields Assessment, that may not be necessary under the state program, and

WHEREAS, the Town wishes to improve the soil cap on the park prior to making any recreational improvements to the park. THEREFORE:

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF JAMESTOWN, COLORADO:**

Section 1. Purpose: The purpose of this resolution is to permit the Town to apply for a State grant through the State of Colorado Department of Public Health and Environment Brownfields program for the purpose of improving the soil cap on Elysian Park. Such grant shall not exceed \$200,000 and no matching funds or in kind contributions have been requested by the State. The project shall consist of general even layer addition of approximately 6 inches of soil upon the present cap and reseeded.


Section 2. Implications to the Town: The Town recognizes that if the grant is approved, essentially all recreational facilities over the present cap shall be removed at Town expense. Certain facilities may be reusable. Disposition of the concrete basketball court to be resolved. The Town has the option of accepting the funds or allowing the State to perform the work. Funds given directly to the Town shall be subject to provisions of the Colorado State Constitution. Work on the project will not begin prior to July 5, 2006.

Section 3. Additional State Grants: the Town recognizes that additional or new recreational facilities will require application for and approval of one or more Greater Outdoors Colorado (GOCO) grants in 2007 and out years.

Section 4. Effective Date: This resolution shall become effective immediately, upon approval by the Board and signature by the Mayor.

**INTRODUCED, READ, ADOPTED, APPROVED, AND SIGNED THIS 1st DAY OF MAY, 2006.**

  
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KENNETH LENARCIC, MAYOR

  
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MARY ELLEN BURCH, TOWN CLERK