

**THIRD AMENDMENT TO THE AGREEMENT AMONG ADAMS COUNTY, CITY AND
COUNTY OF BROOMFIELD, AND THE MUNICIPALITIES OF BRIGHTON, COMMERCE
CITY, FEDERAL HEIGHTS, NORTHGLENN, THORNTON, AND WESTMINSTER TO
ESTABLISH THE NORTH METRO TASK FORCE AS A LEGAL ENTITY**

THIS THIRD AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT creating the North Metro Task Force is made and entered into among ADAMS COUNTY, CITY AND COUNTY OF BROOMFIELD, AND THE MUNICIPALITIES OF BRIGHTON, COMMERCE CITY, FEDERAL HEIGHTS, NORTHGLENN, THORNTON AND WESTMINSTER, herein referred to individually as a “Party” and collectively as the “Parties”.

WHEREAS, by intergovernmental agreement by and among the Parties entered into in 2007 (“IGA”), formed the North Metro Task Force (“NMTF”) as a separate legal entity and a Governing Board (“Board”) was established, comprised of the various Chiefs of Police of the municipalities and the Adams County Sherriff, and

WHEREAS, the IGA contemplates the receipt of both Federal and State Forfeiture funds that result from Task Force operations; and

WHEREAS, the Task Force uses these funds to supplement its operations as approved by the Governing Board and consistent the laws, regulations and guidelines that govern the expenditure of those funds; and

WHEREAS, the Task Force is currently responsible for the application, receipt, expenditure and accounting of both Federal and State forfeiture funds; and

WHEREAS, the Department of Justice is responsible for the oversight and distribution of Federal forfeiture funds to state and local agencies including the Task Force; and

WHEREAS, the Department of Justice recently changed how Federal forfeiture funds will be distributed to these agencies in the future; and

WHEREAS, as a result of these changes the individual parties to the IGA rather than the Task Force will be responsible for the application, receipt, expenditure and accounting of all Federal forfeiture funds that may become available as a result of Task Force operations.

NOW, THEREFORE, it is mutually agreed by and among each of the Parties as follows:

1. Section 7.9 of the IGA shall be amended to read:

**7.9 ~~The Task Force may establish a Forfeiture Fund~~ FORFEITURE FUNDS RESULTING
FROM TASK FORCE OPERATIONS.**

7.9.1 The net STATE forfeitures resulting from seizures of money, personal and real property resulting from Task Force operations shall be placed in the Forfeiture Fund, with such funds being used to supplement Task Force operations as approved by the Governing Board.

7.9.2 The Governing Board will establish a formula for the equitable distribution of remaining excess STATE forfeiture funds based upon the relative participation of each Party.

7.9.3 Task Force STATE Forfeiture Funds DISTRIBUTIONS will be ~~audited~~ REPORTED on a ~~quarterly~~ PERIODIC basis ~~The results of the audit will be presented~~ to the Governing Board for review.

7.9.4 Governing Board members at their discretion and individual agency expense may elect to conduct an independent audit of the STATE forfeiture funds.

7.9.5 No STATE Forfeiture Funds will be ~~transferred to~~ EXPENDED BY the Task Force for operational expenditures without written authorization of the Governing Board.

7.9.6 FEDERAL FORFEITURE FUNDS MAY BECOME AVAILABLE AS A RESULT OF TASK FORCE OPERATIONS. IN THE EVENT FEDERAL FORFEITURE FUNDS ARE MADE AVAILABLE, THOSE FUNDS WILL BE DISTRIBUTED DIRECTLY TO THE PARTIES OF THE TASK FORCE BASED ON THE PERCENTAGE OF THE PARTY'S ANNUAL MONETARY CONTRIBUTION TO THE TASK FORCE FOR THE YEAR THE FUNDS ARE MADE AVAILABLE. EACH PARTY SHALL BE RESPONSIBLE FOR MAKING A TIMELY APPLICATION FOR THOSE FUNDS AND RESPONSIBLE FOR THE RECEIPT, ACCOUNTING AND DISTRIBUTION OF THE FUNDS IN COMPLIANCE WITH ALL RULES, REGULATIONS AND LAWS GOVERNING THE USE AND DISTRIBUTION OF THOSE FUNDS.

2. All other terms and conditions of the IGA shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused their names to be affixed as set forth below and this Third Amendment is effective as of the last date written below.

ADAMS COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS

Chair

Date: _____

Address:

ATTEST:

Deputy Clerk

APPROVED AS TO FORM:

Adams County Attorney's Office

CITY OF BRIGHTON, COLORADO

Kenneth J. Kreutzer, Mayor

Date: _____

Address:

500 South 4th Avenue

Brighton, Colorado 80601

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Jack D. Bajorek, City Attorney

CITY AND COUNTY OF BROOMFIELD

Mayor

Date: _____

Address:

ATTEST:

City Clerk

APPROVED AS TO FORM:

City and County of Broomfield Attorney

CITY OF COMMERCE CITY, COLORADO

Mayor

Date: _____

Address:

ATTEST:

City Clerk

APPROVED AS TO FORM:

Commerce City Attorney

CITY OF FEDERAL HEIGHTS, COLORADO

Mayor

Date: _____

Address:

ATTEST:

City Clerk

APPROVED AS TO FORM:

Federal Heights City Attorney

CITY OF NORTHGLENN, COLORADO

Mayor

Date: _____

Address:

ATTEST:

City Clerk

APPROVED AS TO FORM:

Northglenn City Attorney

CITY OF THORNTON, COLORADO

Mayor

Date: _____

Address:

ATTEST:

City Clerk

APPROVED AS TO FORM:

Thornton City Attorney

CITY OF WESTMINSTER, COLORADO

Mayor

Date: _____

Address:

ATTEST:

City Clerk

APPROVED AS TO FORM:

Westminster City Attorney