

**AMENDMENT #1 TO THAT CERTAIN MEMORANDUM OF
UNDERSTANDING**

Between the City of Grand Junction
the Grand Junction Downtown Development Authority and the Downtown Grand
Junction Business Improvement District

Recitals.

On 15 July 2002, the City of Grand Junction and the Grand Junction Downtown Development Authority (DDA) entered into a Memorandum of Understanding. A significant objective of that agreement was to establish basic roles, responsibilities and duties of the DDA and the City with respect to the operations of the Authority.

Following that agreement the City and the DDA entered into a Services Agreement by which the City agreed to provide certain services to the DDA.

The relationship between the City and the DDA has been healthy and the Downtown has flourished with the advent of the Downtown Partnership. The Downtown Partnership, with a three year funding commitment from the City, has brought renewed emphasis to Downtown events and marketing.

In order to continue the work of the Partnership, in August of 2005 a downtown business improvement district (BID) was formed. In November of 2005 a majority of the voters chose to impose an assessment against many downtown properties. The proceeds of the assessment will be invested to continue to promote downtown.

As part of the continuing effort to streamline the various operations of Downtown, the DDA Board has been designated as the BID Board. Because of the efficiencies that have been had by and between the City and the DDA and especially the City's provision of services to the DDA, it has been recommended and agreed that the same relationship exist between the City and the BID.

Current laws and rules that apply to the BID and give direction to the DDA Board as the BID Board are found in §31-25-1201, *et seq.*, C.R.S.

BASED ON THE FOREGOING RECITALS, which are intended to be substantive provisions of this agreement, the City Council of the City of Grand Junction and the Board of Directors of the Grand Junction Downtown Development Authority (Board)

HEREBY AGREE and ENTER INTO THIS MEMORANDUM OF UNDERSTANDING, as of the date of the last signature hereon.

1. Extension of Terms. By this amendment the MOU between the City and the DDA, a copy of which is attached and incorporated by this reference as if fully set forth, is amended as necessary and relevant to extend to the relationship between the City

and the Downtown BID. Any and all obligations of the DDA shall equally be obligations of the BID.

City-DDA-BID

Memorandum of Understanding

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2. Terms to be Stricken. To aid in the efficiency of administration of the DDA and the BID, the parties hereby agree that paragraphs 6a, b and d shall be stricken.

3. Service Agreement to be Extended. For purposes of this amended agreement the Service Agreement by and between the City shall be deemed amended to extend those certain City services provided to the DDA to the BID.

4. Further Amendment. The MOU and this amendment of the MOU may be amended only in writing with the same authority and formality as this agreement.

5. Authority. Each signatory represents that he/she has authority to sign and bind the entity by his/her signature to accept the rights and discharge the obligations attendant to this agreement.

Entered into this ___ day of December 2005.

Chair of the BID

Date: _____

Chair of the DDA

Date: _____

Mayor of the City

Date: _____

DDABIDMOU.doc