

RESOLUTION NO. 86-19

A RESOLUTION APPROVING THE TERMINATION OF THE INTERGOVERNMENTAL AGREEMENT FOR THE CREATION OF THE 5-2-1 DRAINAGE AUTHORITY

Recitals:

In June 2004 Mesa County, the cities of Fruita and Grand Junction, the town of Palisade and the Grand Junction Drainage District (nka Grand Valley Drainage District or GVDD) formed the 5-2-1 Drainage Authority. The 5-2-1 Drainage Authority is commonly referred to as the 5-2-1.

On June 2, 2004 the City Council approved the Intergovernmental Agreement (IGA) forming the 5-2-1 Drainage Authority and to the extent legally required and consistent herewith, rescinds that action by, with and through adoption of this resolution.

The 5-2-1 was created to, among other things, study drainages, plan for and develop drainage structures and facilities necessary to accommodate drainage water, and manage storm water discharges from new and/or existing facilities all in accordance with discharge permits issued by the Colorado Department of Public Health and Environment and applicable State and Federal law.

For a number of years, the 5-2-1 and its contracted manager, presently the City of Grand Junction, have capably administered the discharge permits; however, the 5-2-1 has not been able to develop a mechanism for capital funding for the construction of facilities. Because the 5-2-1 had not been successful with that aspect of its mission and purpose and has determined that the permit inspection and administration functions may be more effectively managed by technical staff of each entity or by contract with Mesa County, members of the 5-2-1 and the 5-2-1 Board have considered termination of the IGA. At its meeting on December 5, 2019 the consensus of the Board was to end the IGA.

Following termination of the IGA the staff of each entity, and as appropriate the governing bodies thereof, will determine whether to contract to with Mesa County to inspect and permit stormwater facilities and discharges or instead each entity may assume those obligations.

Pursuant to the IGA and applicable law, certain steps are necessary to "wind up" the business of the 5-2-1 and accordingly it is the intention of the Board to complete those matters by no later than March 31, 2020. The 5-2-1 has no debt or other outstanding financial obligations; discharge permit(s) and the obligations arising out of or thereunder will be transferred in accordance with the requirements of CDPHE and to the proper party(ies).

Upon adoption of this resolution by the City, and similar resolutions by each of the parties to the IGA, the 5-2-1 Board will commence the dissolution, disposition of assets and other matters as provided herein.

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

That this resolution is hereby accepted and approved on the terms, conditions and with the understanding stated herein.

Passed and adopted this 18th day of December 2019.



C. Duke Wortmann
President *pro tem* of the Council



ATTEST:



Wanda Winkelmann
City Clerk