

RESOLUTION NO. 03-11

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERGOVERNMENTAL AGREEMENT BETWEEN MESA COUNTY AND THE CITY OF GRAND JUNCTION REGARDING OPERATIONS AND MAINTENANCE OF FUTURE RIVERFRONT TRAILS CONSTRUCTED WITHIN CITY JURISDICTION

Recitals:

WHEREAS, Mesa County and its Riverfront Partners are undertaking ROW acquisition, design and construction of the Riverfront Trail from the I-70, Exit 15 (Loma) through the Town of Palisade; and,

WHEREAS, historically, Mesa County or the municipality within whose boundaries a portion of the trail system has been located, has informally accepted responsibility for operation, maintenance, law enforcement and liability for portions of the trail system within their geographic boundaries, other than in facilities such as the Colorado State Parks along the trail system being maintained by other Riverfront Partners; and

WHEREAS, it is current practice that the City of Grand Junction will accept responsibility for operation, maintenance, law enforcement, and liability for new sections of the Riverfront Trail located within their legal limits as new sections of the trail system are completed, and Mesa County will accept responsibility for operation, maintenance, law enforcement and liability for the new sections of the Riverfront Trail located within the unincorporated portions of Mesa County; and,

WHEREAS, the Parties desire to formalize their responsibilities with regard to the Riverfront Trail, as hereafter stated; and

WHEREAS, this inter-governmental agreement does not preclude any informal agreements between governmental entities and their staffs for the purpose of operations and maintenance, but only establishes primary responsibility for such provisions of service; and

WHEREAS, the Parties desire to review the agreement on a regular basis to renew understanding of the provisions.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

1. Mesa County and the Riverfront partners are working toward locating, designing and constructing the Riverfront Trail and within the incorporated limits of Fruita, Grand Junction, Palisade and the unincorporated portions of Mesa County from the I 70, Exit 15 (Loma) through the Town of Palisade near the Colorado River in accordance with plans to be developed by the Riverfront Partners.


2. Upon construction and completion of the Riverfront Trail by Mesa County and the Riverfront Partners and acceptance by Grand Junction of the sections of the trail system within its incorporated limits, Grand Junction shall own operate, maintain, police, and accept liability for the sections of the Riverfront Trail located within its legal limits.
3. Upon annexation of an unincorporated portion of Mesa County containing a section of the Riverfront Trail by the City of Grand Junction, the City of Grand Junction shall assume ownership, operation, maintenance, law enforcement and accept liability for the section of the Riverfront Trail being annexed, subject to limitations on transfer contained in agreements or by law.
4. For those sections of trail built after January 1, 2011 on property owned by the state of Colorado and outside of the boundaries of a Colorado State Park, operations, maintenance, and policing will be the responsibility of the local government whose political boundaries the section lays.
5. This agreement will be in force for five (5) years from the date of signed agreement by both parties. Just prior to the end of five years, the elected boards of each entity will review the agreement for purposes of considering any necessary changes but with a view toward renewal.

PASSED AND APPROVED this 5th of January, 2011.



President of the Council

ATTEST:



City Clerk

An Intergovernmental Agreement
Between Mesa County and the City of Grand Junction

THIS AGREEMENT by and between the County of Mesa (hereafter, "Mesa County"), Colorado, a local government of the State of Colorado and the City of Grand Junction of the State of Colorado.

WITNESSETH:

WHEREAS, the parties have full authority to enter into this Agreement pursuant to §29-1-203, C.R.S. (2008); and,

WHEREAS, Mesa County and its Riverfront Partners are undertaking ROW acquisition, design and construction of the Riverfront Trail from the I-70, Exit 15 (Loma) through the Town of Palisade; and,

WHEREAS, historically, Mesa County or the municipality within whose boundaries a portion of the trail system has been located, has informally accepted responsibility for operation, maintenance, law enforcement and liability for portions of the trail system within their geographic boundaries, other than in facilities such as the Colorado State Parks along the trail system being maintained by other Riverfront Partners; and

WHEREAS, it is current practice that the City of Grand Junction will accept responsibility for operation, maintenance, law enforcement, and liability for new sections of the Riverfront Trail located within their legal limits as new sections of the trail system are completed, and Mesa County will accept responsibility for operation, maintenance, law enforcement and liability for the new sections of the Riverfront Trail located within the unincorporated portions of Mesa County; and,

WHEREAS, the Parties desire to formalize their responsibilities with regard to the Riverfront Trail, as hereafter stated; and

WHEREAS, this inter-governmental agreement does not preclude any informal agreements between governmental entities and their staffs for the purpose of operations and maintenance, but only establishes primary responsibility for such provisions of service; and

WHEREAS, the Parties desire to review the agreement on a regular basis to renew understanding of the provisions.

NOW, THEREFORE, the Parties hereby agree as follows:

1. Mesa County and the Riverfront partners are working toward locating, designing and constructing the Riverfront Trail and within the incorporated limits of Fruita, Grand Junction, Palisade and the unincorporated portions of Mesa County from the I 70, Exit 15 (Loma) through the Town of Palisade near the Colorado River in accordance with plans to be developed by the Riverfront Partners.

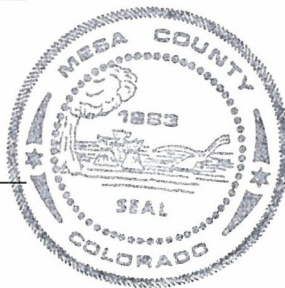
2. Upon construction and completion of the Riverfront Trail by Mesa County and the Riverfront Partners and acceptance by Grand Junction of the sections of the trail system within its incorporated limits, Grand Junction shall own operate, maintain, police, and accept liability for the sections of the Riverfront Trail located within its legal limits. The trail segments contemplated under this agreement are identified on Exhibit 1 (20 Road to Grand Ave) and Exhibit 2 (Grand Avenue to 29 Road).
3. Upon annexation of an unincorporated portion of Mesa County containing a section of the Riverfront Trail by the City of Grand Junction, the City of Grand Junction shall assume ownership, operation, maintenance, law enforcement and accept liability for the section of the Riverfront Trail being annexed, subject to limitations on transfer contained in agreements or by law.
4. For those sections of trail built after January 1, 2011, on property owned by the state of Colorado and outside of the boundaries of a Colorado State Park, operations, maintenance, and policing will be the responsibility of the local government whose political boundaries the section lays.
5. This agreement will be in force for five (5) years from the date of signed agreement by both parties. Just prior to the end of five years, the elected boards of each entity will review the agreement for purposes of considering any necessary changes but with a view toward renewal.

The Mesa County Board of Commissioners

Janet Rowland
Craig J. Meis, Chairman 02/14/2011
Janet Rowland,

ATTEST:

[Signature] 02/14/2011
Clerk and Recorder Date



City of Grand Junction Council

Teresa Coons
Teresa Coons, Mayor

ATTEST:

Stephanie Yuen 1-7-11
City Clerk Date



Exhibit 1

20 ROAD TO GRAND AVENUE

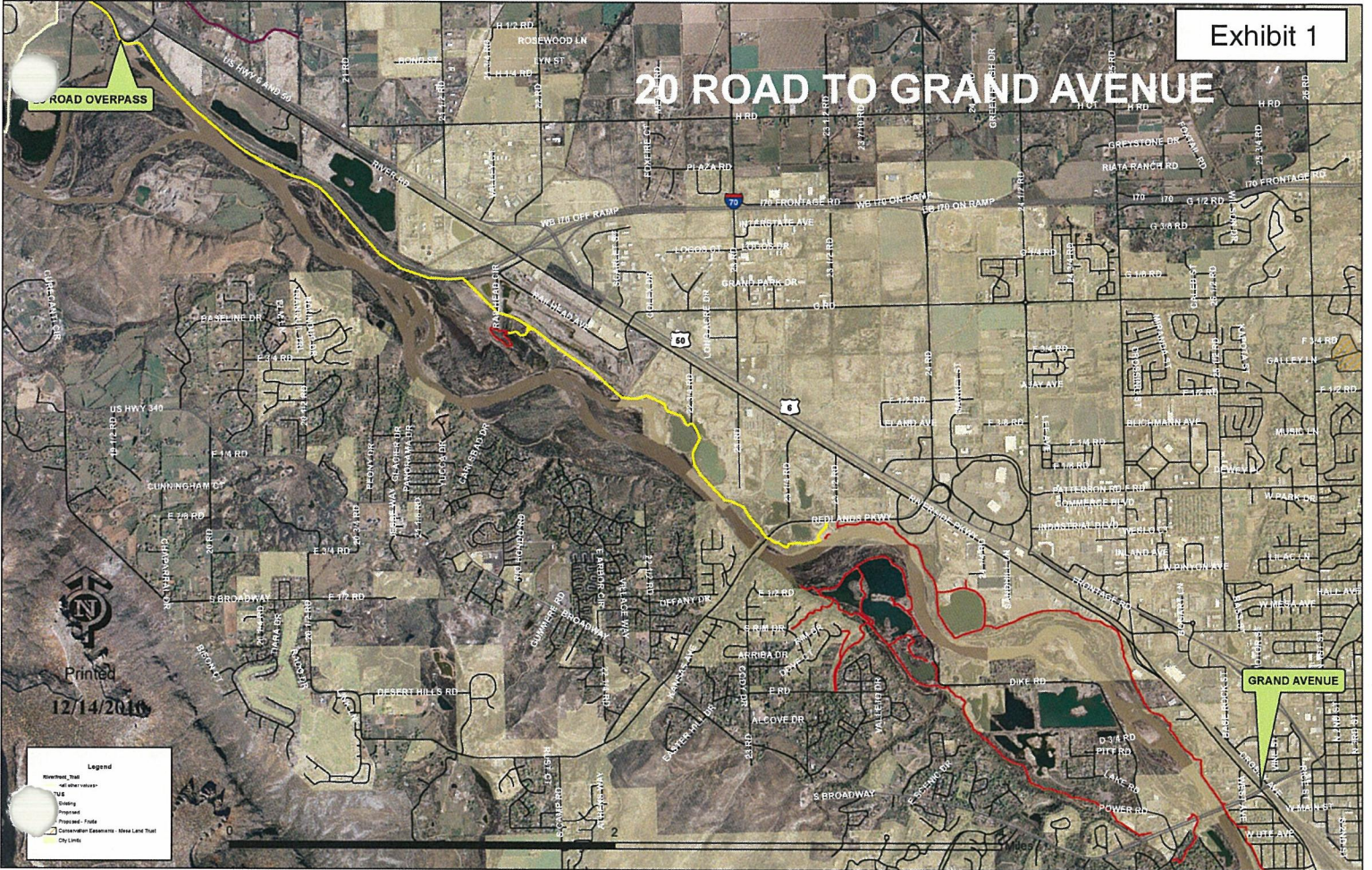


Exhibit 2

GRAND AVENUE TO 29 ROAD

