

Commissioner Odom moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF JEFFERSON
STATE OF COLORADO
RESOLUTION NO. CC12-016

RE: Planning and Zoning Division – Termination of the Northeast Comprehensive Development Plan and related Intergovernmental Agreement with the City of Westminster

WHEREAS, pursuant to Article 20 of Title 29 of the Colorado Revised Statutes, as amended, the City of Westminster, State of Colorado (the “City”) and the County are permitted to enter into intergovernmental agreements for the purpose adopting mutually binding and enforceable comprehensive development plans.

WHEREAS, the City and the County identified certain enclave areas within the northeastern portion of the County as an area of mutual interest. The County and the City were interested in protecting the economic viability of the Jefferson County Airport by prohibiting an increase in residential units beyond existing zoning within the Jefferson County Airport Critical Zone and preserving the community character of the area.

WHEREAS, the City and the County worked together to develop the Northeast Comprehensive Development Plan to provide for long-range joint planning for the northeast area by requiring the City and the County to adhere to a comprehensive development plan for development proposals in the area for a reasonable period of time.

WHEREAS, at a joint hearing with the City of Westminster City Council and the Jefferson County Board of County Commissioners on July 23, 1996, the Comprehensive Development Plan for the northeast enclaves area was approved and the County authorized the Chairman to execute the Intergovernmental Agreement between the City and the County for the Northeast Jefferson County/Westminster Enclaves Area (the “IGA”).

WHEREAS, the IGA contained a provision that the agreement would remain in place for 10 years with an automatic extension for an additional 10 years unless the City or the County notified the other party of the desire to terminate the IGA.

WHEREAS, in October 2006, the City and the County approved certain amendments to the Northeast Comprehensive Development Plan and extended the IGA for an additional 10 years until 2016.

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WHEREAS, at this time the original goals of the IGA have been achieved and the County and the City desire to make the planning process simpler in each jurisdiction by terminating the IGA and dissolving the Northeast Comprehensive Development Plan.

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners hereby approves the Termination of Intergovernmental Agreement for the Northeast Jefferson County/Westminster Enclaves Area in substantially the form attached hereto.

Commissioner Griffin seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner John Odom	Aye
Commissioner Faye Griffin	Aye
Commissioner Donald Rosier, Chairman	Aye

The Resolution was adopted by unanimous vote of the Board of County Commissioners of the County of Jefferson, State of Colorado.

Dated: January 17, 2012

**TERMINATION OF INTERGOVERNMENTAL AGREEMENT
FOR THE
NORTHEAST JEFFERSON COUNTY/WESTMINSTER ENCLAVES AREA
(a.k.a. NORTHEAST COMPREHENSIVE DEVELOPMENT PLAN)**

This Termination of Intergovernmental Agreement for the Northeast Jefferson County/Westminster Enclaves Area (this “Termination”), dated for reference purposes this 17th day of January, 2012, is by and between County of Jefferson, State of Colorado, a body politic and corporate (the “County”), and the City of Westminster, a Colorado municipal corporation (the “City”).

RECITALS

- A. Pursuant to Article 20 of Title 29 of the Colorado Revised Statutes, as amended, the City and the County are permitted to enter into intergovernmental agreements for the purpose adopting mutually binding and enforceable comprehensive development plans.
- B. The City and the County identified certain enclave areas within the northeastern portion of the County as an area of mutual interest. The County and the City were interested in protecting the economic viability of the Jefferson County Airport by prohibiting an increase in residential units beyond existing zoning within the Jefferson County Airport Critical Zone and preserving the community character of the area.
- C. The City and the County worked together to development the Northeast Comprehensive Development Plan to provide for long-range joint planning for the northeast area by requiring the City and the County to adhere to a comprehensive development plan for development proposals in the area for a reasonable period of time.
- D. At a joint hearing with the City of Westminster City Council and the Jefferson County Board of County Commissioners on July 23, 1996, the Comprehensive Development Plan for the northeast enclaves area was approved and the County authorized the Chairman to execute the Intergovernmental Agreement between the City and the County for the Northeast Jefferson County/Westminster Enclaves Area (the “IGA”).
- E. The IGA contained a provision that the agreement would remain in place for 10 years with an automatic extension for an additional 10 years unless the City or the County notified the other party of the desire to terminate the IGA.
- F. In October 2006, the City and the County approved certain amendments to the Northeast Comprehensive Development Plan and extended the IGA for an additional 10 years until 2016.

G. At this time the original goals of the IGA have been achieved and the County and the City desire to make the planning process simpler in each jurisdiction by terminating the IGA and the dissolving the Northeast Comprehensive Development Plan.

AGREEMENT

Now, therefore, in consideration of the mutual covenants and agreements herein contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the County and the City hereby agree as follows:

1. Termination. As of the date of full execution of this Termination (the "Termination Date"), the IGA shall be terminated and no longer in force and effect. The City and the County shall each follow the applicable jurisdiction's processes and master plan for any applications falling within the Northeast Comprehensive Development Plan area from and after the Termination Date.

2. Counterparts. This Termination may be executed in one or more separate counterparts but each separate counterpart, when assembled with the other signature pages from the corresponding counterpart signature pages, shall constitute one original executed Termination.

The parties hereby execute this Termination of Intergovernmental Agreement for the Northeast Jefferson County/Westminster Enclaves Area.

Attest:	COUNTY OF JEFFERSON, STATE OF COLORADO
By: _____ Deputy Clerk	By: _____ Donald Rosier, Chairman Board of County Commissioners
Date: _____	

APPROVED AS TO FORM:
By: _____
Assistant County Attorney

Attest:

By: _____
City Clerk

Date: _____

APPROVED AS TO FORM:

By: _____
City Attorney

CITY OF WESTMINSTER,
a Colorado municipal corporation

By: _____
_____, Mayor