INTERGOVERNMENTAL AGREEMENT FOR SOUTHEAST COLORADO REGIONAL PLANNING COMMISSION FOR TRANSPORTATION PLANNING

THIS AGREEMENT, made this ____ day of _____ 1993 by and among the following counties:

| County | of | Baca | County | of | Bent | County | of | Crowley |
|--------|----|-------|--------|----|-------|--------|----|---------|
| County | of | Kiowa | County | of | Otero | County | of | Prowers |

One representative from each of the following towns or cities may become member of the regional planning commission by signing this agreement.

| | | Campo | Town | of | Pritchett | Town | of | Springfield |
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| Town | of | Two Buttes | Town | of | Vilas | Town | of | Walsh |
| Town | of | Las Animas | Town | of | Crowley | Town | of | Olney Springs |
| Town | of | Ordway | Town | of | Sugar City | Town | of | Eads |
| Town | of | Haswell | Town | Sh | eridan Lake | Town | of | Cheraw |
| Town | of | Fowler | City | of | La Junta | Town | of | Manzanola |
| City | of | Rocky Ford | Town | of | Swink | Town | of | Granada |
| Town | of | Hartman | Town | of | Holly | City | of | Lamar |
| Town | of | Wiley | | | | | | |

WHEREAS, the parties to this Agreement have the authority pursuant to Article XIV, Section 18 of the Colorado Constitution and Section 29-1-201, et. seq., Colorado Revised Statutes, to enter into intergovernmental agreements for the purpose of providing any service or performing any function which they can perform individually, and;

WHEREAS, Section 43-1-11-1 C.R.S. recognizes Regional Planning Commissions as the proper forum for transportation planning, and;

WHEREAS, Section 43-1-1102(5) C.R.S. requires that Regional Planning Commissions formed for the purpose of transportation planning must be formed pursuant to Section 30-28-105 C.R.S., and,

WHEREAS, the parties to this Agreement desire to cooperate in developing a long range Regional Transportation Plan, the purpose of which is to identify the mobility needs of the Southeast Colorado Transportation Planning Region, and prepare a plan for addressing the needs, and;

WHEREAS, Section 43-1-11-3 C.R.S. requires that any Regional Planning Commission formed for the purpose of transportation planning is responsible for transportation planning for said region, and;

page 2 of 5 INTERGOVERNMENTAL AGREEMENT

SOUTHEAST COLORADO REGIONAL PLANNING COMMISSION WHEREAS, the Southeast Colorado Transportation Planning Region consisting of the areas within boundaries of Southeast Colorado Enterprise Development and the counties of Baca, Bent, Crowley, Kiowa, Otero, and Prowers was designated in the Rules for the Statewide Transportation Planning Process as adopted by the Transportation Commission of Colorado and effective October 30, 1992, and;

WHEREAS, the parties to this Agreement, are governing bodies or officials having charge of public improvements within their jurisdictions in the Southeast Colorado Transportation Planning Region, and;

WHEREAS, pursuant to section IV-B of the Rules, the parties to this agreement represent units of general purpose local governments representing at least 75% of the population and 50% of the land area of said Transportation Planning Region.

NOW THEREFORE, the Southeast Colorado Transportation Planning Region is established from within the boundaries of Baca, Bent, Crowley, Kiowa, Otero, and Prowers counties and, the parties hereby mutually agree as follows:

- 1. Designation of Regional Planning Commission. The parties to this Agreement shall have one representative each of the Regional Planning Commission for the Southeast Colorado Transportation Planning Region.
- 2. Responsibilities of Regional Planning Commission. The Regional Planning Commission shall be responsible for creating, amending (as necessary) and updating a Regional Transportation Plan pursuant to all applicable federal and state laws and rules or regulations including public participation provisions, selecting a representative to the Transportation Advisory Committee, and participating in the State Transportation Improvement Program development process.
- 3. Contracting. The Regional Planning Commission may, with the consent of the parties to this Agreement, contract the services of other eligible individuals or entities to carry out all or any portion of the responsibilities assumed by the Regional Planning Commission under this Agreement.

- 4. Distribution of state or federal funds. The Regional Planning Commission may, through contracts or Memoranda of Agreement, receive and expend state or federal funds designated for regional transportation planning.
- 5. Term of Agreement. This Agreement shall remain in full force and effect for so long as the parties to this Agreement consider necessary to complete a Regional Transportation Plan for the Southeast Colorado Transportation Planning Region or for periodic updates or amendments as may be required. Any party to this Agreement may, however, terminate its participation in this Agreement six months after providing written notice of such may be terminated at any time by agreement of all parties to this Agreement unless a grant contract is in effect with the State. In this case, the State must approve such termination and arrangements for completing the project.
- 6. Modification and Changes. The terms of this Agreement may be modified at any time by Agreement of all parties to this Agreement.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

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by_ County Commissioner, Chairman

by_ County Commissioner, Chairman

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