

## RESOLUTION

RESOLUTION NO. **25**

INTRODUCED BY COUNCILLORS

SERIES OF 2024

### A RESOLUTION APPROVING INTENT TO WITHDRAW FROM THE ROCKY FLATS STEWARDSHIP COUNCIL

WHEREAS, the City and County of BROOMFIELD, the Counties of BOULDER and JEFFERSON, the Cities of ARVADA, BOULDER, GOLDEN, NORTHGLENN, THORNTON and WESTMINSTER, and the Town of SUPERIOR (collectively, the “Parties”), entered into an intergovernmental agreement dated February 13, 2006, as amended on February 6, 2012 and February 8, 2018 (“IGA”) establishing the Rocky Flats Stewardship Council, a separate legal public entity created by such IGA as permitted by Colorado Constitution Article XIV and section 18(2), part 2 of article 1, title 29, C.R.S. (“Stewardship Council”); and

WHEREAS, the Stewardship Council was established to allow local governments to continue working together on issues related to the long-term protection of Rocky Flats and other issues related to the stewardship and management of the Rocky Flats site, as described in the IGA; and

WHEREAS, pursuant to Section 10 of the IGA, “[a]ny Party may withdraw from participation in this IGA upon thirty days’ written notice to the Board of its intent to withdraw, and contingent upon adequate provision for satisfaction of its outstanding debt or other obligations of the withdrawing Party which such Party had previously agreed to pay.”; and

WHEREAS, the Stewardship Council does not have any outstanding debt, nor are there any payment obligations owed to the Stewardship Council by the City of Westminster; and

WHEREAS, pursuant to the terms of the IGA, the Stewardship Council shall terminate upon the earliest of the following events: termination or rescission by the unanimous written agreement of all the Parties; decrease of the number of Parties to fewer than six; or lack of a unanimous triennial determination by all Parties that the Stewardship Council should continue for another three years; and

WHEREAS, the City Council of the City of Westminster now desires to withdraw the City’s participation in this IGA and the Stewardship Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER:

1. Notice is hereby given that the City of Westminster intends to withdraw from the Rocky Flats Stewardship Council and the IGA, and the foregoing recitals are incorporated herein by reference as findings and determinations of City Council. Such withdrawal shall take place no earlier than 30 days from the date of this notice and shall be effective as set forth herein.

2. Westminster’s notice of intent to withdraw may be invoked upon receipt for purposes of calculating the number of Parties to the IGA and permitting steps to dissolve the Stewardship Council should the number of Parties to the IGA decrease to fewer than six, as applicable pursuant to paragraph 10.b. of the IGA.

3. The City of Westminster authorizes and directs the Stewardship Council’s consultants, including its executive director and legal counsel, to take all actions reasonably necessary to initiate and facilitate the dissolution of the Stewardship Council as soon as practicable following a finding that there are fewer than six Parties to the IGA, in accordance with paragraph 10 of the IGA.

4. Westminster’s withdrawal from participation in the IGA shall be completed and effective upon the dissolution of the Stewardship Council.

5. Resolution shall be effective on the date of approval by the City Council.

PASSED AND ADOPTED this 9th day of September, 2024.

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Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney