

AMENDED AND RESTATED ARTICLES OF ASSOCIATION SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

ARTICLE I Establishment of the SWCCOG

The Member Jurisdictions, as defined herein, hereby establish an Association known as Southwest Colorado SWCCOG of Governments (hereinafter "SWCCOG"). The SWCCOG will serve as an Association of Governments pursuant to Article XIV, Section 18 of the Colorado Constitution and Sections 29-1-201. et seq., 29-1-401 and 29-1-402, Colo.Rev.Stat.

ARTICLE II Purpose, Function and Powers of the SWCCOG

1. Purpose

The SWCCOG shall promote regional cooperation and coordination among local governments and between levels of government for the geographic area comprising the Counties of Archuleta, Dolores, La Plata, Montezuma, and San Juan, hereinafter referred to as the "Region". The need for a SWCCOG of Governments is based on the recognition that the people of the Region form a single community and are bound together not only physically, but economically and socially. It is the purpose of the SWCCOG through its participating membership, staff and programs, to provide local public officials with the means of responding more effectively to the local and regional problems of this Regional community.

In order to assure the orderly and harmonious development of the region, and to provide for the needs of future generations, it is necessary for the SWCCOG to serve as an advisory coordinating agency to harmonize the activities of Federal, State, County and Municipal agencies within the Region, and to render assistance and service and create public interest and participation for the benefit of the Region.

2. Functions

The SWCCOG shall promote regional coordination and cooperation through activities designed to:

- A. Strengthen local governments and their individual capacities to deal with local problems.
- B. Serve as a forum to identify study and resolve area-wide problems.
- C. Develop and formulate policies involving Regional problems.

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D. Promote intergovernmental cooperation through such activities as reciprocal furnishing of services, mutual aid and parallel action as a means to resolve local, as well as Regional, problems.

E. Provide the organizational framework to ensure effective communication and coordination among governmental bodies.

F. Serve as a clearinghouse for the collection and exchange of Regional information.

G. Participate in regional planning efforts.

H. Serve as a voice for local governments on matters of Regional and mutual concern.

I. Encourage action and implementation of Regional plans and policies by local, State and Federal agencies.

J. Provide, if requested, mediation in resolving conflicts between members and other parties.

K. Provide technical and general assistance to members within its staff and financial capabilities. These services may be inclusive of, but not limited to:

1. Identify issues and needs which are Regional and beyond the realistic scope of any one local government.

2. Compile and prepare, through staff and from members, the necessary information concerning the issues and needs for SWCCOG discussion and decision.

3. Debate and concur in a cooperative and coordinated Regional action to meet the need or issue.

4. Implement the details of the cooperative action among affected member governments, using such devices as inter-local contracts and agreements, parallel ordinances or codes, joint performance of services, transfers or consolidations of functions, or special subordinate operating agencies.

5. And, in general,

- a. Arrange contracts among officials on an intergovernmental basis.

- b. Publish an annual report.

- c. Provide advice and assistance on physical land use planning and other functional programs.
- d. Sponsor Regional training programs.
- e. Negotiate cooperative agreements.
- f. Sponsor or oppose legislation on behalf of the Region and its units of local government.
- g. Do not duplicate other effective regional efforts.

3. Powers

The SWCCOG shall, for the purpose of fulfilling its purposes and functions, be a body politic and corporate, and as such, be subject to all rights, duties and obligations as such may affect the members of such SWCCOG whereby its activities are of a regional, area-wide or multi-governmental nature and further, shall constitute the entity to perform those regional or area-wide functions which may be authorized by Federal or State statute. To effectuate such powers, the SWCCOG may:

- A. Be the approving and contracting agent for all Federal and State regional grants, as required.
- B. Constitute the governmental entity for the purpose of receiving State or Federal assistance to area-wide or Regional governmental entities through designation as grantee for such grants.
- C. Constitute the governmental entity for any existing entities that are Regional in nature and any new entity, Regional in nature, which may be required to be created as a new board or commission by State or Federal statute and, to consummate such purpose, these Articles shall be amended from time to time.
- D. Serve as the Regional Planning Commission pursuant to Section 30-28-105, C.R.S.
- E. Exercise all powers set forth in Section 29-1-201, et seq., C.R.S., and Article XIV, Section 18, Colorado Constitution.
- G. May accept contributions from member local governments or from any other source, commit them to a general fund or funds, or a special fund or funds, and disburse the same for such purposes as the SWCCOG may direct at the time the fund or funds are established or at any time thereafter.

ARTICLE III Membership

1. Initial Membership

The SWCCOG was formed through an intergovernmental agreement between the following Counties, cities and towns ("Member Jurisdictions"):

Counties: Archuleta, Dolores, La Plata, San Juan

Municipal Corporations: Pagosa Springs, Bayfield, Ignacio, Durango, Mancos, Cortez, Dolores, Silverton, Dove Creek and Rico.

2. Membership of Indian Tribes

The Southern Ute and Ute Mountain Ute Tribes, within the Colorado Planning and Management Region IX, recognized by the federal Government are important governmental entities dealing with many of the same issues that confront local government. It shall be the policy of the SWCCOG to seek to further intergovernmental cooperation with such Indian tribes. To facilitate this objective, the SWCCOG shall accept as affiliate, non-voting members such federally recognized Indian tribes as have by resolution of their tribal councils indicated their desire for such membership in the SWCCOG.

3. Additional Members

Existing and newly formed Municipal Corporations within the Region may become a Member Jurisdiction of the SWCCOG by subscribing to the Articles of Incorporation and Bylaws and signing a current intergovernmental agreement.

The SWCCOG shall take all steps necessary to include the new Member Jurisdiction within the scope of the authorities it holds.

4. Termination of Membership

Any member government may withdraw from membership in the SWCCOG as follows:

- A. A resolution or ordinance shall be adopted by the governing body of the Member Jurisdiction, following notice, including findings that it is in the best interest of the public to withdraw from membership in the SWCCOG.
- B. Written notice of intent to withdraw from the SWCCOG by the governing body of the Member Jurisdiction shall be submitted to the Executive Committee with a copy of the public meeting minutes in which the jurisdiction's elected officials voted. The written notice will be submitted, by June 15, of the year prior to the effective date of withdrawal which date shall be December 31 of the same year. Provision of services and all other rights and privileges of membership shall remain in effect from the date of written notice of the intent to withdraw and shall terminate on the effective withdrawal date.

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**ARTICLE IV
Bylaws**

The SWCCOG, acting by resolution at any regular or special meeting, may enact or amend Bylaws in order to efficiently conduct its affairs including creation of and delegation of authority to an Executive Committee, establishment of representation and voting rights of members on the SWCCOG, establishing responsibilities of officers and key personnel. Such Bylaws may not contravene or supersede any provision of these Articles.

ARTICLE V

1. Effective Date

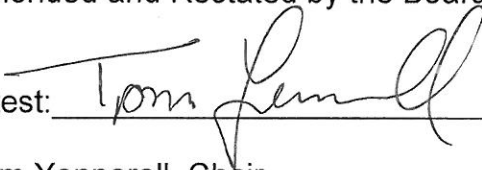
These Amended and Restated Articles of Association shall regulate and govern the affairs of the SWCCOG. These Articles shall become effective upon their adoption by the SWCCOG and ratification by a majority of the Member Jurisdictions.

2. Amendment

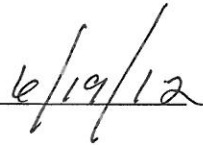
These Articles may be amended at any regular meeting of the SWCCOG by resolution, provided that at least one week's notice in writing has been given to all members, setting forth such amendment and that the approved amendment be ratified by a two-thirds majority of the Member Jurisdictions.

Amended and Restated by the Board of the SWCCOG on June 1, 2012

Attest: _____



Date



Tom Yennerell, Chair