

RESOLUTION #37-2015/2016

RESOLUTION APPROVING THE ARTICLES OF AGREEMENT
CREATING THE MIDDLE CEDAR WATERSHED MANAGEMENT AUTHORITY

WHEREAS, In 2010, Iowa lawmakers passed legislation authorizing the creation of Watershed Management Authorities; and

WHEREAS, A Watershed Management Authority (WMA) is a mechanism for cities, counties, Soil and Water Conservation Districts (SWCDs) and stakeholders to cooperatively engage in watershed planning and management; and

WHEREAS, Grundy County, Iowa, desires to enter into an Agreement that would establish a Watershed Management Authority within the Middle Cedar Watershed (Hydrologic Unit Code #07080205) to enable cooperation in watershed planning and improvements pursuant to Iowa Code Chapter 466B.23; and

WHEREAS, Chapter 28E of the Code of Iowa provides the authority for public agencies to enter into agreements for their mutual advantage; and

WHEREAS, this Agreement is made and entered into by the eligible political subdivisions within the Middle Cedar Watershed that adopt these Articles of Agreement, including but not limited to the Cities of Cedar Falls, Waterloo, Cedar Rapids, Evansdale, Hudson, La Porte City, and Vinton; Benton, Black Hawk, Tama, and Linn Counties; and Black Hawk and Tama Soil and Water Conservation Districts.

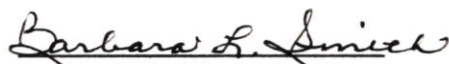
NOW BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF GRUNDY COUNTY, IOWA that the Chairperson of the Grundy County Board of Supervisors is hereby authorized to sign and execute the Articles of Agreement for the Middle Cedar Watershed Management Authority, a copy of which is attached hereto and incorporated herein by this reference; and

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF GRUNDY COUNTY, IOWA, that said Agreement is hereby approved as to form and content and is found to be in the best interest of Grundy County, Iowa, and the eligible political subdivisions that adopt these Articles of Agreement, including but not limited to the Cities of Cedar Falls, Waterloo, Cedar Rapids, Evansdale, Hudson, La Porte City, and Vinton; Benton, Black Hawk, Tama, and Linn Counties; and Black Hawk and Tama Soil and Water Conservation Districts; and

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF GRUNDY COUNTY, IOWA, that the County Auditor is hereby authorized to file a copy of this Resolution and Agreement with the Secretary of State, as required by Chapter 28E, Iowa Code.

It was moved by Mack A. Schildroth and seconded by James Ross that the Resolution be adopted.

PASSED and APPROVED this 29th day of February, 2016.


Barbara L. Smith, Chairperson

ATTEST: 
Rhonda R. Deters, County Auditor

Middle Cedar Watershed Management Improvement Authority Agreement
Between Benton County and Grundy County

THIS AGREEMENT is entered into pursuant to Iowa Code chapter 28E by and between Benton County, Iowa, a municipal corporation, and ___ other parties including counties, cities, soil and water conservation districts _____ to wit:

WHEREAS, Iowa Code section 466B.22 authorizes two (2) or more political subdivisions, defined as including cities, counties, and soil and water conservation districts, all of which must be located within the same United States Geological Survey Hydrologic Unit Code 8 watershed, to enter into agreement under Iowa Code chapter 28E to establish a Watershed Management Authority to enable cooperation in supporting watershed planning and improvements for the mutual advantage of the political subdivisions involved; and

WHEREAS, pursuant to Iowa Code Section 466B23, a Watershed Management Authority may perform all of the following duties:

1. Assess the flood risks in the watershed.
2. Assess the water quality in the watershed.
3. Assess options for reducing flood risk and improving water quality in the watershed.
4. Monitor federal flood risk planning and activities.
5. Educate residents of the watershed area regarding water quality and flood risks.
6. Allocate moneys made available to the authority for purposes of water quality and flood mitigation.
7. Make and enter into contracts and agreements and execute all instruments necessary or incidental to the performance of the duties of the authority. A watershed management authority shall not acquire property by eminent domain.

and

WHEREAS, counties of _____; and the cities of _____; and the Soil and Water Conservation Districts of _____ deem establishment of the Middle Cedar Watershed Management Improvement Authority, a Watershed Management Authority encompassing all of the Iowa portion of the Middle Cedar Watershed, a Hydrologic Unit Code 8 (HUC 8 ID 07080205) watershed, to be of mutual advantage; and

WHEREAS, it is mutually desired to enter into this Agreement pursuant to Iowa Code chapter 28E for the purpose of establishing the Middle Cedar Watershed Management Improvement Authority to carry out watershed planning and improvements in the Middle Cedar Watershed