ESTES VALLEY FIRE PROTECTION DISTRICT

RESOLUTION NO. 2026-12

RESOLUTION AUTHORIZING THE DISTRICT TO SIGN THE THIRD AMENDMENT TO INTERGOVERNMENTAL AGREEMENT FOR WILDLAND DEPLOYMENT RESOURCE SHARING

WHEREAS, the Estes Valley Fire Protection District ("District") is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Article 1, Colorado Revised Statutes; and

WHEREAS, pursuant to Section 32-1-1001(1)(h), C.R.S., the Board of Directors of the District (the "Board") has the power to manage, control, and supervise the business and affairs of the District; and

WHEREAS, Article XIV, Section 18(2)(a) of the Colorado Constitution and Section 29-1-203, C.R.S., authorize public entities to enter into intergovernmental agreements for the performance of governmental functions and services; and

WHEREAS, the City of Greeley, Loveland Fire Rescue Authority, Poudre Fire Authority, Frederick-Firestone Fire Protection District, Berthoud Fire Protection District, Front Range Fire Protection District, and Platte Valley Fire Protection District ("collectively, the "***Original Contracting Members***") entered into a 2018 Intergovernmental Agreement for Wildland Deployment Resource Sharing (the "***2018 IGA***") for the purpose of assisting one another in providing the personnel necessary to fully staff the deployment crews required to respond to orders for deployment for wildland firefighting; and

WHEREAS, the 2018 IGA was amended by the 2021 First Amendment to Intergovernmental Agreement for Wildland Deployment Resource Sharing (the "***First Amendment***") to add Estes Valley Fire Protection District, Mountain View Fire Protection District, Platteville-Gilcrest Fire Protection District, Wellington Fire Protection District, and Windsor-Severance Fire Protection District (collectively, the "***First Amendment Parties***") as parties to the 2018 IGA; and

WHEREAS, the 2018 IGA was further amended by the 2024 Second Amendment to Intergovernmental Agreement for Wildland Deployment Resource Sharing (collectively with the 2018 IGA and the First Amendment, the "***Agreement***") to add Evans Fire Protection District, Lyons Fire Protection District, and Boulder Rural Fire Protection District (collectively with the Original Contracting Members and the First Amendment Parties, the "***Current Contracting Members***"); and

WHEREAS, the Fort Lupton Fire Protection District, which maintains and operates a fire department and is qualified to provide Wildland Firefighting services, including participating in deployments, desires to be added as a party to the Agreement; and

WHEREAS, the Current Contracting Members also desire to add Fort Lupton Fire Protection District as a party to the Agreement; and

WHEREAS, the Third Amendment adds Fort Lupton Fire Protection District as a party to the Agreement; and

WHEREAS, the Board has reviewed the Third Amendment to the Agreement in substantially the form presented, finds that the Third Amendment promotes the public health, safety, and welfare by enhancing coordinated emergency response, improves operational efficiency, and is in the best interests of the District and its residents; and

WHEREAS, the Board desires to approve the Third Amendment to the Agreement in substantially the form presented to the Board and to authorize the execution and delivery of the Third Amendment to the Agreement, with such minor revisions, modifications, or corrections as the District's Attorney may approve, not materially inconsistent with this Resolution; and

WHEREAS, to the extent the Third Amendment to the Agreement contemplates the expenditure of funds, the Board intends that any such financial obligations of the District shall be subject to annual budget and appropriation by the Board and shall not constitute a multiple-fiscal year direct or indirect debt or other financial obligation of the District within the meaning of Article X, Section 20 of the Colorado Constitution; and

WHEREAS, the Board desires to authorize the Board President to execute the Third Amendment to the Agreement and to authorize the Fire Chief and District General Counsel to take all actions necessary or convenient to implement the Third Amendment to the Agreement, including the execution of related documents, certificates, and instruments.

NOW, THEREFORE, BE IT RESOLVED by the Board of the District:

1. Incorporation. The recitals set forth above are incorporated herein by this reference as if set forth in this section in full.

2. Approval of Third Amendment to Agreement. The Third Amendment to the Agreement between the Current Contracting Members, including the District, and Fort Lupton Fire Protection District, in substantially the form attached as **Exhibit A**, incorporated herein by this reference, is hereby approved. The Third Amendment to the Agreement shall become effective as provided therein.

3. Authorization. The Board President is authorized to execute the Third Amendment to the Agreement on behalf of the District.

4. Severability. If any part, section, sentence, clause, or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

5. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the Board.

APPROVED AND ADOPTED THIS ____ DAY OF SEPTEMBER, 2026 BY THE BOARD OF DIRECTORS OF THE ESTES VALLEY FIRE PROTECTION DISTRICT.

ESTES VALLEY FIRE PROTECTION DISTRICT

Sandra E. Smith, President

ATTEST:

Secretary

EXHIBIT A