

A RESOLUTION APPROVING AN
INTERGOVERNMENTAL AGREEMENT FOR FIRE
PROTECTION AND INCIDENT RESPONSE SERVICES

WHEREAS, the City of Colorado Springs (the “City”) on behalf of its enterprise Colorado Springs Utilities (“Utilities”) is authorized to enter into intergovernmental agreements with other Colorado governmental entities for the provision of any function or service with the approval of the City Council of the City of Colorado Springs (“City Council”); and

WHEREAS, the Sheriff of El Paso County, pursuant to § 29-22.5-103, C.R.S., is the fire warden of El Paso County and is responsible for the planning for, and the coordination of, efforts to suppress wildfires occurring in the unincorporated area of El Paso County outside of the boundaries of a fire protection district or that exceed the capabilities of the applicable fire protection district to control or extinguish; and

WHEREAS, the Sheriff of the County, pursuant to § 30-10-513.5, C.R.S., has authority to order and monitor resources for purposes of responding to wildfires under the Sheriff’s responsibility and jurisdiction; and

WHEREAS, the City of Colorado Springs, in order to comply with that certain Cooperative Agreement for the Purpose of Conserving and Protecting the Water Supply of Colorado Springs and Manitou Springs, entered into between the United States Department of Agriculture, the City of Colorado Springs, and the Town of Manitou dated October 9, 1914 and that certain Cooperative Agreement for the Purpose of Conserving and Protecting the Water Supply of the City of Colorado Springs, Colorado, entered into between the United States Department of Agriculture and the City of Colorado Springs dated January 4, 1924, established under its utility enterprise the Catamount Wildland Fire Team (“Catamount WFT”), a volunteer wildland fire team to respond to wildfire incidents where such incidents place Utilities assets at risk or when such response is otherwise in the best interests of the City of Colorado Springs and Colorado Springs Utilities; and

WHEREAS, Colorado Springs Utilities has determined that it may better protect its utility system and assets by entering into the attached Intergovernmental Agreement with the County and the El Paso County Sheriff’s Office (“EPSO”); and

WHEREAS, the County, EPSO, Utilities, and the City Council have determined that it is in their respective best interests that the Catamount WFT be included as a resource that may be called by the EPSO for purposes of providing fire protection and incident response services as set forth herein;

WHEREAS, the primary purpose of the Catamount WFT is to protect Utilities' utility system assets and in support of this purpose, Utilities is separately seeking City Council approval of that certain Intergovernmental Agreement for Wildfire Mitigation and Suppression Planning in accordance with § 29-20-105.5(3)(a)(II), C.R.S.;

WHEREAS, the depending on the location of a wildland fire and the availability of equipment and personnel resources and other duties of the Catamount WFT members, Utilities may deny a request for resources; and

WHEREAS, City Council has determined that approval of the attached Agreement will provide for increased opportunities for the Catamount WFT to assist with fire protection and incident response activities on Utilities-controlled City property.

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

Section 1. The City Council hereby finds that approval of the attached Intergovernmental Agreement for Fire Protection and Incident Response Services is in the best interests of the citizens of the City of Colorado Springs and the ratepayers of Colorado Springs Utilities, and hereby approves the attached Agreement.

Section 2. The City Council hereby authorizes the Chief Executive Officer of Colorado Springs Utilities, or his designee, to execute the attached Agreement on behalf of Utilities.

DATED at Colorado Springs, Colorado, this _____ day of _____, 2018.

ATTEST:

Council President

Sarah B. Johnson, City Clerk