

Donald Wescott Fire Protection District

Exclusion Plan
Council Work Session
October 10, 2016
City Attorney's Office



Exclusion Background

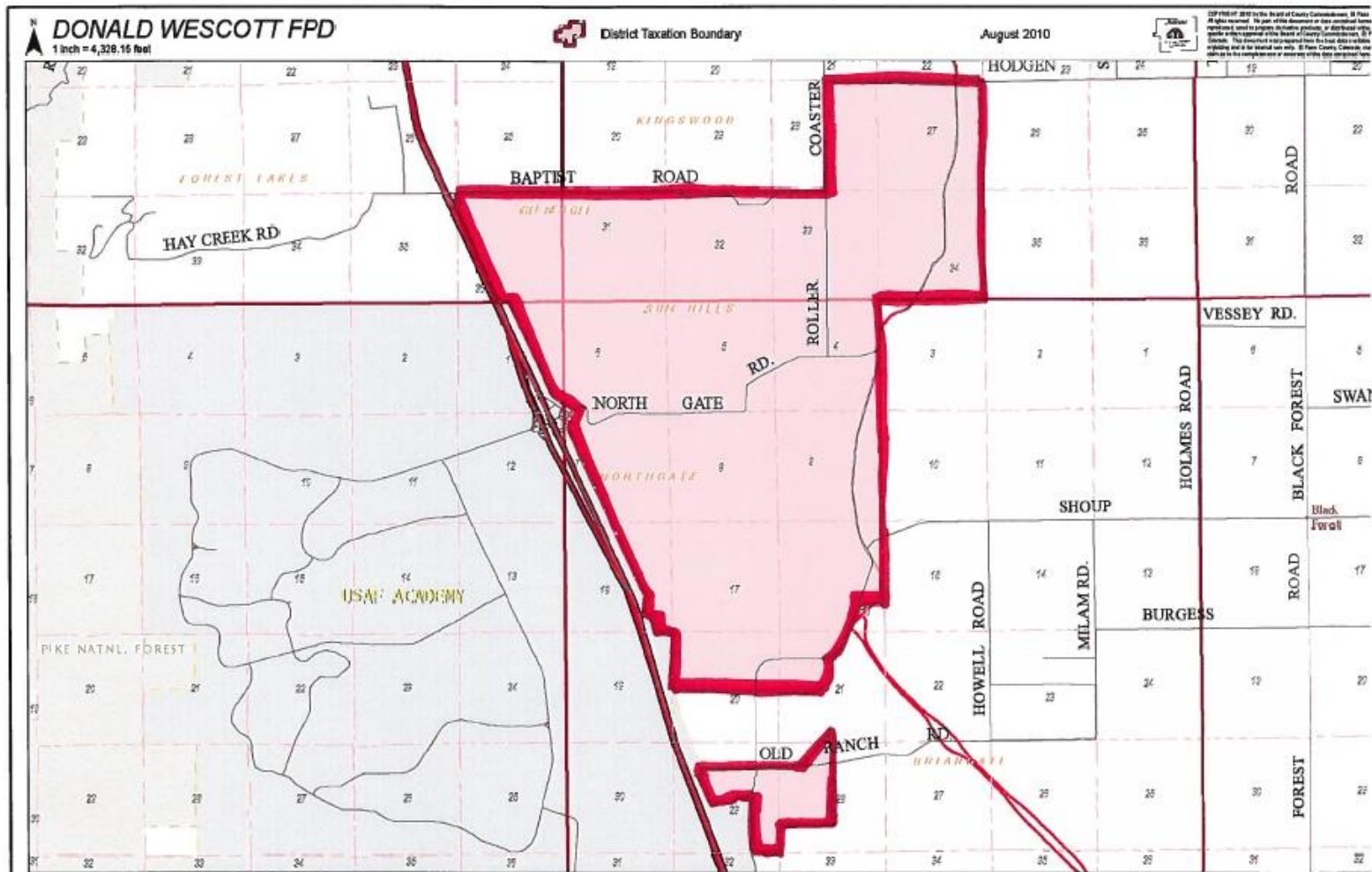
- Under Colorado law cities may exclude territories from districts through a court approved process that includes a **“joint plan”** for the continued operation of the district.
- **“order for exclusion shall become effective on January 1 next following the date the order is entered by the court”** C. R. S. § 32-1-502(6)



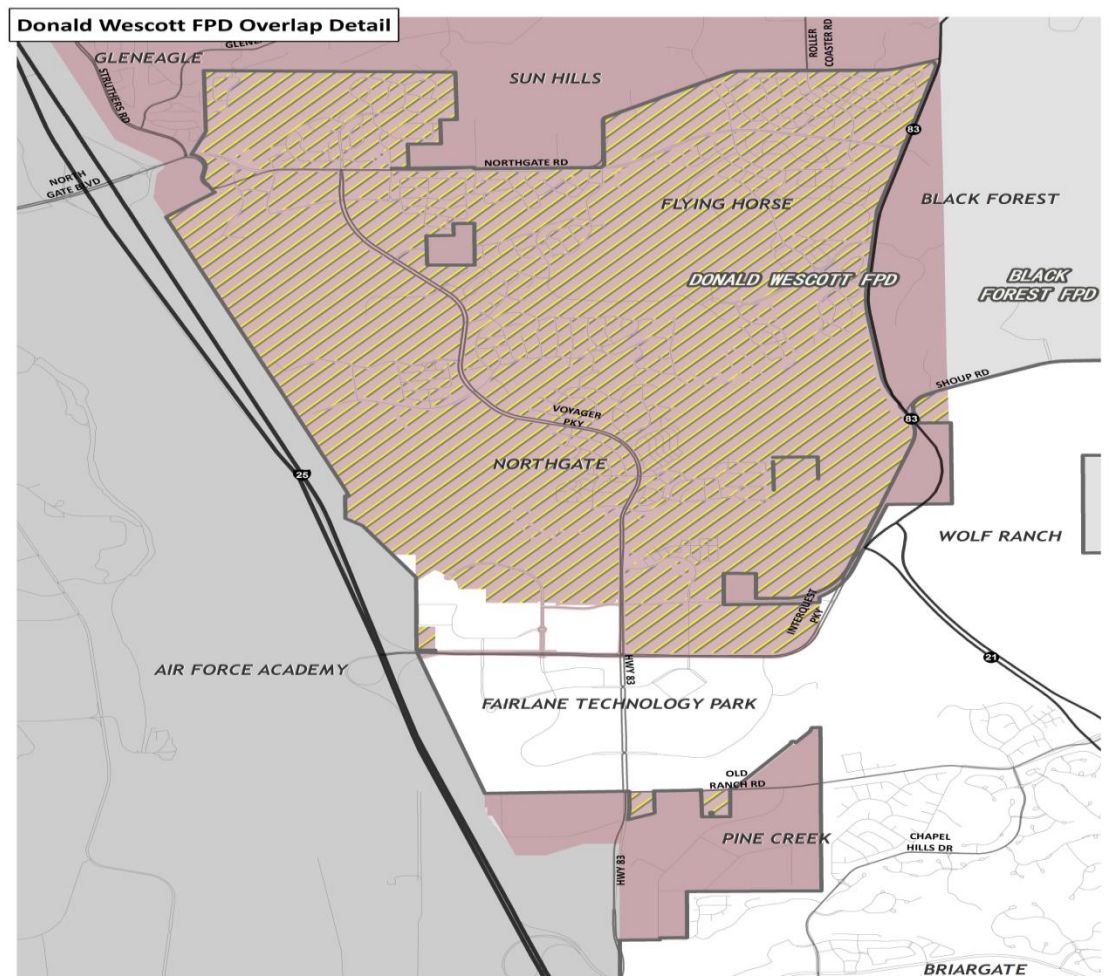
Background on Donald Wescott FPD Exclusions

- 2002 – Donald Wescott FPD (“DWFPD”) and the City filed a Joint Exclusion Plan with the court:
 - Phase 1 and 2 effective 2003 (included area of City south of Interquest Pkwy.)
 - Phase 3 (remaining City area up to Northgate Road) effective at such time as there is a fire station constructed and such station is fully staffed (CSFD Station 22)
- 2010 – Exclusion of 25 commercial lots/tracts north of Interquest – DWFPD contested

DWFPD Service Area



City - Wescott Overlap Area





City Objectives in the Exclusion Process

- Full staffing of Station 22 by end of 2016
- Orderly transition with DWFPD to minimize adverse effects on fire protection in both the City and DWFPD
- Present Joint Exclusion Plan to the court
- Reduce City taxpayer burdens



DWFPD Proposal

- Two-year phased exclusion, approximately 50% of the taxation overlap area each year
- First petition/joint plan to be filed with court in 2016, effective January 1, 2017
- Second petition/joint plan to be filed with court in 2017, effective January 1, 2018



IGA to Cooperate in Joint Exclusion Plans

- IGA between City and DWFP requiring Joint Exclusion Plan filings with the court and a two-year exclusion process.
- Any new DWFPD debt will not be repaid through assessments to excluded areas.
- City will not exclude additional areas for 15 years from date of agreement, unless DWFPD fails to maintain response times.

Map Phases

