



## Legislation Details (With Text)

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**On agenda:** 10/11/2016      **Final action:** 10/11/2016  
**Title:** A resolution adopting final form of Intergovernmental Agreement for the Exclusion of Certain Property from the Donald Wescott Fire Protection District

**Presenter:**  
David Andrews, Legislative Counsel

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Resolution Wescott IGA-9-29-16 DA, 2. 101016 Wescott IGA Exhibit A, 3. 101016 Partially Executed Wescott Agreement 9 28 16, 4. 101016 Wescott IGA Ex 1 and 2 - Map, 5. 101016 Wescott IGA Ex 3 - Phase 1 Joint Plan, 6. 101016 Wescott IGA Ex 3 - Phase 1 Court Petition, 7. 101016 Wescott IGA Ex 4 - Phase 2 Joint Plan, 8. 101016 Wescott IGA Ex 4 - Phase 2 Court Petition, 9. 101016 Wescott CAO Slides, 10. Resolution 181-02, 11. Resolution 102-16

Date	Ver.	Action By	Action	Result
10/11/2016	1	City Council	adopted	Pass
10/10/2016	1	Council Work Session	referred	

A resolution adopting final form of Intergovernmental Agreement for the Exclusion of Certain Property from the Donald Wescott Fire Protection District

**Presenter:**  
David Andrews, Legislative Counsel

**Summary:**  
The resolution authorizes an IGA between the City and the Donald Wescott Fire Protection District (Wescott FPD) to implement joint plans and court filings for the exclusion of annexed City areas from the district. The exclusion will occur in two-phases effective in January 1, 2017, and January 1, 2018. Exclusion is possible due to the recent opening of City Fire Station 22. Approximately fifty percent (50%) of the annexed area is excluded in each year.

Wescott FPD's board has already approved the IGA by board resolution. Time is of the essence in Council's consideration of the IGA because a joint plan must be filed with the El Paso County District Court to start the first phase of exclusion. A court order must be obtained before the end of the year to become effective on January 1, 2017.

Cooperation and coordination of the changeover from Wescott FPD to the City is important to assure continuity of fire protection and first response services.

### **Previous Council Action:**

Council Resolution 181-02 approved a joint plan for exclusion from the fire protection district of annexed areas north of Interquest Parkway, “at such time as there is a fire station constructed and such station is fully staffed” pursuant to the Northgate annexation agreement. Council Resolution 244-10, approved the exclusion of twenty-five (25) parcels, situated north of Interquest Parkway, from the district.

### **Background:**

The City and Wescott FPD entered into a joint agreement in 2002 to exclude from the fire district annexed city areas situated north of Interquest Parkway “at such time as there is a fire station constructed and such station is fully staffed” through the Northgate annexation agreement. City Fire Station 22, at 13095 Voyager Parkway, is open and will be fully staffed before the end of 2016. The City and Wescott FPD have negotiated a new agreement to complete the exclusion of presently annexed areas and to address future concerns.

Wescott FPD proposed a two-phase plan with approximately half of the city area to be excluded effective in 2017 and the remainder in 2018. An IGA between the City and Wescott FPD will create a binding agreement that will authorize joint plans and court filings to be made in successive years. The key points of the IGA and joint plans are:

- 1) There will be a two-phase exclusion of city annexed areas from Wescott FPD with part of the area excluded effective January 1, 2017, and the remainder on January 1, 2018.
- 2) The mapping of the two-phase exclusion was reviewed by the Colorado Springs Fire Department and Wescott FPD and accomplishes the exclusion of approximately 50% of the overlapping city area in each year.
- 3) Wescott FPD will not undertake any new debts that could result in additional assessments to the newly excluded areas.
- 4) Provided that Wescott FPD maintains response times, the City will not undertake additional exclusions from the district for 15 years. It has been 14 years since the parties’ 2002 joint agreement concerning the areas now being excluded.

### **Financial Implications:**

The City has already planned and anticipated the cost of operating Fire Station 22. City residents within excluded areas will receive property tax relief from Wescott FPD assessments.

### **Board/Commission Recommendation:**

N/A

### **Stakeholder Process:**

The City staff and Colorado Springs Fire Department negotiated with Wescott FPD to provide an IGA and accompanying joint plans, which are consistent with Council direction.

### **Alternatives:**

N/A

**Proposed Motion:**

Approve resolution authorizing IGA and filing of joint plans in 2016 and 2017.

N/A