

JCECA RESOLUTION | 2017-03
MODIFICATION TO THE THIRD JCECA IGA

RECITALS

A. The Jefferson County Emergency Communications Authority (“JCECA”) was created by intergovernmental agreement by and among various local government entities in Jefferson and Broomfield Counties to collect the emergency telephone charge (the “ETC”) and provide funding for 9-1-1 service in Jefferson and Broomfield Counties. The current intergovernmental agreement was adopted on January 1, 1998, at the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an “E911” “Emergency Telephone Service” (the “Third IGA”). There are twenty four (24) parties to the Third IGA.

B. C.R.S. § 29-11-102 authorizes 9-1-1 governing bodies such as JCECA to impose the ETC. Pursuant to that statute, 9-1-1 governing bodies are permitted to increase the ETC up to \$0.70 in their own discretion, whereas increases above \$0.70 require approval of the Colorado Public Utilities Commission (the “PUC”). However, the Third IGA limited JCECA’s authority to increase the ETC above \$0.70, meaning that JCECA could not increase the ETC above \$0.70 without an amendment to the Third IGA.

C. On December 15, 2016, JCECA adopted a resolution supporting a modification to the Third IGA. The proposed modification would permit JCECA to increase the ETC in accordance with law (i.e., JCECA would have to obtain the approval of the PUC before increasing the ETC in accordance with C.R.S. § 29-11-102).

D. The Third IGA provides for a mechanism for amendments to the Third IGA. Article XIII of the Third IGA states as follows:

This Agreement may be amended by a written agreement executed and approved by not less than seventy-five percent (75%) of the Participating Entities who convey a position on the proposed amendment thereto within sixty (60) days after all of the Participating Entities have been given written notification of the same. The Agreement will not be amended as provided for herein unless at least fifty percent (50%) of the Participating Entities convey a position on the proposed amendment. Amendments to the Agreement, if approved, will be effective ninety (90) days after the notice of the proposed amendment was made. Notice shall be effective upon mailing.

E. The proposed modification to the Third IGA was mailed to the Parties on December 19, 2016. Sixty days after that date was February 17, 2017.

F. As of February 17, 2017, eighteen (18) of the twenty four (24) parties to the Third IGA conveyed a position on the proposed modification. Thus, at least fifty percent (50%) of the parties to the Third IGA conveyed a position on the proposed modification.

G. Of the eighteen (18) parties that conveyed a position on the proposed modification, sixteen (16) parties approved the proposed modification. Thus, more than seventy-five percent (75%) of the parties to the Third IGA who conveyed a position on the proposed modification approved the proposed modification.

H. The sixteen (16) parties that approved the proposed modification are: (1) the Arvada Fire Protection District; (2) the City and County of Broomfield; (3) the Coal Creek Canyon Fire Protection District; (4) the City of Edgewater; (5) the Elk Creek Fire Protection District; (6) the Evergreen Fire Protection District; (7) the Genesee Fire Protection District; (8) the City of Golden; (9) the Inter-Canyon Fire Protection District; (10) the Town of Lakeside; (11) the Town of Mountain View; (12) the North Metro Fire Protection District; (13) the Pleasant View Metropolitan District; (14) the West Metro Fire Protection District; (15) the City of Westminster; and (16) the City of Wheat Ridge.

I. Attached as Exhibit A is a chart showing a summary of each party's action concerning the modification.

RESOLUTIONS

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of JCECA that:

- 1.** The proposed modification to the Third IGA is hereby recognized as being approved and adopted by the parties to the Third IGA as an amendment to the Third IGA; and
- 2.** A copy of the proposed modification, including executed signature pages by the parties to the Third IGA that approved the proposed modification, is attached hereto as Exhibit B.

ADOPTED by a vote of 5 for and 0 against on March 23, 2017.

I certify that the above resolution was adopted as set forth above.



Jeff Irvin
Executive Director of JCECA

Exhibit A
IGA Chart

JCECA IGA Modification Status (March 23, 2017)

	Party	Responded Before Deadline	Approved Before Deadline	Not Approved Before Deadline	Approved After Deadline	Not Approved After Deadline
1	Arvada FPD	1	1	-	-	-
2	Arvada, City of	-	-	-	-	1
3	Broomfield, City & County of	1	1	-	-	-
4	Coal Creek Canyon FPD	1	1	-	-	-
5	Edgewater, City of	1	1	-	-	-
6	Elk Creek FPD	1	1	-	-	-
7	Evergreen FPD	1	1	-	-	-
8	Fairmount FPD	1	-	1	-	-
9	Foothills FPD	-	-	-	-	1
10	Genesee FPD	1	1	-	-	-
11	Golden, City of	1	1	-	-	-
12	Indian Hills FPD	-	-	-	1	-
13	Inter-Canyon FPD	1	1	-	-	-
14	Jefferson County	1	-	1	-	-
15	Lakewood, City of	-	-	-	-	-
16	Lakeside, Town of	1	1	-	-	-
17	Littleton FPD	-	-	-	-	1
18	Morrison, Town of	-	-	-	1	-
19	Mountain View, Town of	1	1	-	-	-
20	North Metro FPD	1	1	-	-	-
21	Pleasant View MD	1	1	-	-	-
22	West Metro FPD	1	1	-	-	-
23	Westminster, City of	1	1	-	-	-
24	Wheat Ridge, City of	1	1	-	-	-
	TOTALS	18	16	2	2	3

Deadline to Respond:	Feb. 17, 2017	
% of Parties who Responded Before the Deadline:	75%	(18 of 24)
% of Parties who Responded Before the Deadline and Approved the Modification:	89%	(16 of 18)

Exhibit B
Modified IGA

**MODIFICATION TO THE
THIRD AMENDMENT TO THE
INTERGOVERNMENTAL AGREEMENT
CONCERNING THE IMPLEMENTATION OF AN
“E911” “EMERGENCY TELEPHONE SERVICE”**

This Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an “E911” “Emergency Telephone Service” (this “Modification”) is dated as of the Effective Date set forth herein and is made by and among the following entities:

Arvada Fire Protection District	City and County of Broomfield
City of Arvada	City of Edgewater
City of Golden	City of Lakewood
City of Westminster	City of Wheat Ridge
Coal Creek Canyon Fire Protection District	County of Jefferson
Elk Creek Fire Protection District	Evergreen Fire Protection District
Foothills Fire Protection District	Genesee Fire Protection District
Indian Hills Fire Protection District	Inter-Canyon Fire Protection District
Littleton Fire Protection District	North Metro Fire Protection District
Pleasant View Metropolitan District	Town of Lakeside
Town of Morrison	Town of Mountain View
West Metro Fire Protection District	Fairmount Fire Protection District

The foregoing entities may be referred to herein as the “Parties” or a “Party”.

RECITALS

1. The Parties or their predecessors entered into the first Intergovernmental Agreement Concerning the Implementation of an “E911” “Emergency Telephone Service” (the “Original Agreement”) on October 8, 1983. The Parties or their predecessors amended and restated the Original Agreement with the Third Amendment Concerning the Implementation of an “E911” “Emergency Telephone Service” (the “Updated Agreement”) dated January 1, 1998.

2. The Original Agreement created and the Updated Agreement continued an “Emergency Telephone Service Authority” to impose and collect the emergency telephone charge, as defined in C.R.S. § 29-11-101(1.7) (the “ETC”). The Emergency Telephone Service Authority subsequently changed its name to the Jefferson County Emergency Communications Authority (“JCECA”).

3. The Updated Agreement limits the rate of the ETC to \$0.70. C.R.S. §§ 29-11-102(2)(a) and (b) allows a 911 governing body such as JCECA to impose an ETC rate of up to

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

\$0.70 without PUC approval and above \$0.70 with PUC approval. This Modification authorizes JCECA to request PUC approval to increase the ETC above \$0.70.

4. Article XIII of the Updated Agreement sets forth a process for amending the Updated Agreement and is reproduced below. This Modification is intended to comply with this process.

This Agreement may be amended by a written agreement executed and approved by not less than seventy-five percent (75%) of the Participating Entities who convey a position on the proposed amendment thereto within sixty (60) days after all of the Participating Entities have been given written notification of the same. The Agreement will not be amended as provided for herein unless at least fifty percent (50%) of the Participating Entities convey a position on the proposed amendment. Amendments to the Agreement, if approved, will be effective ninety (90) days after the notice of the proposed amendment was made. Notice shall be effective upon mailing.

AGREEMENT

NOW, THEREFORE, in consideration for the recitals, the mutual promises herein, and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the Parties agree as follows:

Article I. Modification of Updated Agreement

The Updated Agreement is hereby amended to authorize JCECA to set the ETC rate as provided by law.

Article II. Effective Date

This Modification was mailed to the Parties hereto on December 19, 2016; therefore, in accordance with Article XIII of the Updated Agreement, this Modification will be effective on March 19, 2017 (the "Effective Date"), provided that the requirements of Article XIII are satisfied.

[signature pages follow]

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

The Parties are executing this Modification to signify their acceptance of all the terms and conditions stated above, to effective as of the Effective Date, regardless of the date of actual signature.

ARVADA FIRE PROTECTION DISTRICT

By: Timothy D. Allport

Name: Timothy D. Allport

Title: Secretary

Date: 1-3-2017

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

CITY AND COUNTY OF BROOMFIELD

By: *[Signature]*

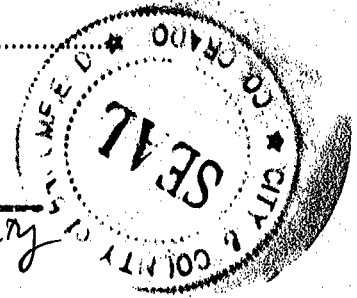
Name: Randal E. Athrens

Title: Mayor

Date: February 14, 2017

ATTEST:

[Signature]
CITY & COUNTY CLERK, Deputy



APPROVED AS TO FORM

[Signature]
Deputy City & County Attorney

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

CITY OF EDGEWATER, COLORADO



Kris Teegardin, Mayor

ATTEST:



Pam Anderson, City Clerk

February 16, 2017
DATE

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

CITY OF GOLDEN

By: Marjorie N. Sloan
Name: Marjorie N. Sloan
Title: Mayor
Date: January 26, 2017



Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

CITY OF WESTMINSTER

By: 

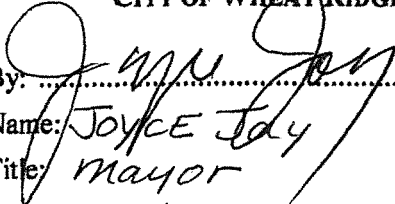
Name: HERB ANDERSON

Title: MAYOR

Date: 2-14-17

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

CITY OF WHEAT RIDGE

By: 

Name: JOYCE JAY

Title: MAYOR

Date: 2/13/17

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

**COAL CREEK CANYON
FIRE PROTECTION DISTRICT**

By: *Christopher Reel*
Name: *CHRISTOPHER REEL*
Title: *PRESIDENT CCCFD BOARD*
Date: *1-9-17*

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

**ELK CREEK
FIRE PROTECTION DISTRICT**

By: 

Name: *Alec Schwartz*

Title: *Director*

Date: *2/9/17*

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

EVERGREEN FIRE PROTECTION DISTRICT

By: J. A. S.

Name: JOHN ANDERSON II

Title: Director

Date: 1/10/17

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

GENESEE FIRE PROTECTION DISTRICT

By: 

Name: ALAN AVERY

Title: PRESIDENT GFPD

Date: 2/15/17

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

INDIAN HILLS FIRE PROTECTION DISTRICT

By: Charles S. Kellar

Name: Charles S. Kellar

Incident

Date: 22 Feb 2017

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

**INTER-CANYON
FIRE PROTECTION DISTRICT**

By: Leslie Cairns.....

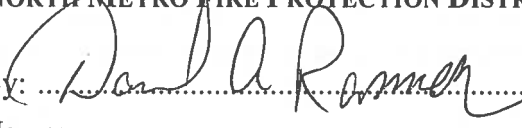
Name:

Title: President

Date: 2-8-17.....

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

NORTH METRO FIRE PROTECTION DISTRICT

By: 

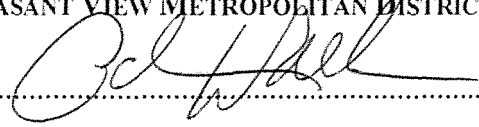
Name:

Title:

Date: 1/24/17

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

PLEASANT VIEW METROPOLITAN DISTRICT

By: 

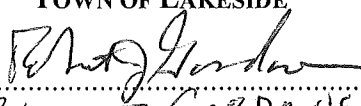
Name: Adrian Waller

Title: President of the Board

Date: 1/17/2017

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

TOWN OF LAKESIDE

By: 
Name: Robert J. GORDANIER
Title: MAYOR
Date: 1-9-17

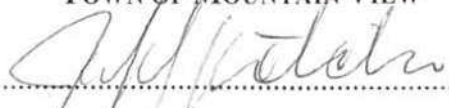
Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

TOWN OF MORRISON

By: Ante B. Caesar
Name: Brewster Caesar
Title: Mayor Pro Tem
Date: 3/7/2017

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

TOWN OF MOUNTAIN VIEW

By: 

Name:

Title:

Date: February 13, 2017

Modification to the Third Amendment to the Intergovernmental Agreement Concerning the Implementation of an "E911" "Emergency Telephone Service"

WEST METRO FIRE PROTECTION DISTRICT

By: *Pamela M. July*.....

Name:

Title: *President*

Date: *January 17, 2017*.....

Signature Certificate

 Document Reference: 43GBTII6T25Z8A659Y6679

RightSignature
Easy Online Document Signing



Jeff Irvine
Party ID: 9N9GHPJT4JDDWMKTZHNA78
IP Address: 24.8.46.7

VERIFIED EMAIL: jirvin@jceca.org

Electronic Signature:

Multi-Factor
Digital Fingerprint Checksum

f05d611fe3fdd2342f26933912d81f3f0629d9ec



Timestamp

2017-03-30 06:07:17 -0700

2017-03-30 06:07:17 -0700

2017-03-30 06:01:01 -0700

2017-03-29 13:47:18 -0700

Audit

All parties have signed document. Signed copies sent to: Jeff Irvine and Ryan Tharp.

Document signed by Jeff Irvine (jirvin@jceca.org) with drawn signature. - 24.8.46.7

Document viewed by Jeff Irvine (jirvin@jceca.org). - 24.8.46.7

Document created by Ryan Tharp (rtharp@fwlaw.com). - 38.88.52.170



This signature page provides a record of the online activity executing this contract.