



Steamboat Springs Area Fire Protection District
Amended and Restated Service Plan
Steamboat Springs, Colorado



Prepared By:

Steamboat Springs Area Fire Protection District
Board of Directors

Approved by Board of Directors on October 19, 2015

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I. INTRODUCTION

The Steamboat Springs Area Fire Protection District ("**SSAFPD**") is a political subdivision of the State of Colorado, organized pursuant to C.R.S. § 32-1-101, *et seq.* ("**Special District Act**") to provide Emergency Services (defined below) to the citizens and property within its jurisdiction. SSAFPD's jurisdiction covers an approximately 428 square mile area around the City of Steamboat Springs ("**City**"), that includes approximately 8,000 residents.

SSAFPD was organized under the Special District Act as a fire protection district on September 1, 1981. As part of the organizational process, the Routt County Board of County Commissioners ("**BOCC**") approved a Service Plan for SSAFPD, which identified the anticipated scope and nature of the Emergency Services to be provided by SSAFPD, and the method by which the Emergency Services would be provided. The Emergency Services needs of the communities SSAFPD serves, and the nature of the Emergency Services in Colorado and the United States, have changed dramatically over the last 34 years. This Amended and Restated Service Plan has been developed in accordance with the requirements of the Special District Act, and replaces and supersedes the Service Plan approved by the BOCC at the time SSAFPD was organized.

II. DESCRIPTION OF SSAFPD AND EMERGENCY SERVICES TO BE PROVIDED

1. Proposed Services

SSAFPD constitutes a "Fire Protection District" as defined in section 32-1-103(7) of the Colorado Revised Statutes ("**C.R.S.**"). SSAFPD has all of the powers granted

Colorado special districts under common law and the Special District Act, including, but not limited to, the common powers delineated in C.R.S. § 32-1-1001 and the additional powers granted fire protection districts under C.R.S. § 32-1-1002. Consistent with and in the full exercise of the general and specific powers and authority granted under the Special District Act or otherwise granted under federal, state, or local law (including all inherent/implicit powers and authority), SSAFPD's services include or will include, but will not be limited to, the provision (directly or through a third party provider) of: (a) urban, rural, and wildland-urban interface fire protection, fire suppression, and related investigatory activities; (b) response to incidences of tornados, floods, and other weather-related and natural disasters, man-made disasters, nuclear threats and attacks, acts of terrorism, and other high-risk hazard situations; (c) fire prevention and public education services; (d) emergency rescue and extrication services; (e) hazardous materials services; and, (f) emergency medical and ambulance services (collectively, "**Emergency Services**"). Consistent with state law, SSAFPD shall have the authority to hire or contract with contractors and other third parties to provide, or to assist SSAFPD in providing, one or more of its Emergency Services.

As permitted by the Special District Act, this Amended and Restated Service Plan gives SSAFPD the authority, but not the obligation, to provide all or a portion of its Emergency Services directly if at a future time the SSAFPD Board of Directors ("**Board**") determines that it is in the best interests of SSAFPD and the communities it serves to provide such Emergency Services directly.

The Board shall comply fully with all federal, state, and local laws, ordinances, and regulations governing the transparency and conduct of the Board. Such laws

include, but are not limited to, the Colorado Sunshine Law (Open Meetings), C.R.S. § 24-6-401, *et seq.*; 72-hour posted notice of public meetings, C.R.S. § 32-1-903; standards for executive session, C.R.S. § 24-6-402(4); Colorado Public (Open) Records Act, C.R.S. § 24-72-201, *et seq.*; special district transparency notice, C.R.S. § 32-1-809; conflict of interest disclosure, C.R.S. §§ 31-1-902(3), 18-8-308; and standards of conduct and fiduciary duty, C.R.S. § 24-18-101, *et seq.*

2. **Amended Contract for Services with the City**

Effective December 31, 2002, SSAFPD and the City entered into a Contract for Services for the joint provision of Emergency Services within their mutual jurisdictions ("**2002 IGA**") through Steamboat Springs Fire Rescue. On July 6, 2009, SSAFPD and the City entered into an Amended Contract for Services, which replaced and superseded the 2002 IGA ("**2009 Amended IGA**"). Pursuant to the terms of the 2009 Amended IGA, SSAFPD and the City have provided, and in the future may provide, assets to Steamboat Springs Fire Rescue. The City and SSFPD also make annual financial contributions to Steamboat Springs Fire Rescue. The City is responsible for the administration and operation of Steamboat Springs Fire Rescue, including the employment or appointment of all of Steamboat Springs Fire Rescue's Emergency Services personnel. A copy of the 2009 Amended IGA is attached as **Exhibit A**.

While the 2009 Amended IGA requires the City to administrate and operate Steamboat Springs Fire Rescue, it expressly states that it does not result in a consolidation of the City and SSAFPD. As a result, SSAFPD retains independent ownership of its reserves, property tax receipts, receipts from issuance of SSAFPD bonds or other indebtedness, if any, and all of the assets it contributes to Steamboat

Springs Fire Rescue, and it has a proportional ownership interest in assets purchased by Steamboat Springs Fire Rescue through the combined funding of the City and SSAFPD.

Under the 2009 Amended IGA, SSAFPD has, with proper notice to the City, the option to terminate the 2009 Amended IGA and to provide the Emergency Services directly to the communities within its jurisdiction. The fact that SSAFPD currently provides its Emergency Services through Steamboat Springs Fire Rescue in no manner limits or impairs the SSAFPD's express or implied powers and authority under federal, and state constitutional, statutory and common law, including the Special District Act.

III. ADMINISTRATION AND OPERATIONS

1. Board of Directors

In accordance with the Special District Act, SSAFPD is governed by a Board of Directors, which is comprised of five eligible electors from within SSAFPD's jurisdiction, elected at large. The Directors cannot be employees of SSAFPD. The Board is solely responsible for the general management, control, and supervision of all SSAFPD's business and affairs, including but not limited to, and as applicable, developing and adopting SSAFPD's personnel policies, and hiring and supervising a Fire Chief.

Directors serve four year terms. Directors are limited to serving two consecutive four-year terms, or such shorter or longer term limits as may be established by applicable state law, unless SSAFPD's eligible electors vote to lengthen, shorten, or eliminate Director term limits.

2. Personnel

SSAFPD may at any time establish personnel and staffing programs, or add to, modify, or eliminate the same, as the Board deems necessary and appropriate for the provision of Emergency Services and in the best interests of SSAFPD and the communities it serves. This includes, but is not limited to, establishment of a managerial structure that includes a Fire Chief to act as SSAFPD's chief executive officer, and who shall be primarily responsible for hiring and/or appointing, and supervising, SSAFPD's paid and/or volunteer firefighters and other personnel.

IV. SSAFPD's BOUNDARIES

SSAFPD's boundaries currently encompass approximately 428 square miles surrounding the City, all of which is within Routt County. A map of SSAFPD's jurisdictional boundaries is attached as **Exhibit B**.¹

SSAFPD's service area may extend beyond its boundaries through contracts with private parties or intergovernmental agreements with other governmental agencies, including automatic or mutual aid agreements as SSAFPD's Board may deem appropriate from time to time. SSAFPD may impose such fees, rates, tolls, penalties, or charges as the Board deems appropriate for the Emergency Services SSAFPD provides outside its jurisdictional boundaries. The Board may expand, reduce, or eliminate all or any portion of any extra-jurisdictional service area at any time in its sole discretion.

¹ SSAFPD is in the process of working with the City GIS Coordinator to obtain a final, computer generated version of its boundary map. SSAFPD recently engaged an engineering firm to review court documents and SSAFPD files to confirm that SSAFPD's boundary map is accurate. The engineering firm noted two exceptions to SSAFPD's current boundary map. Neither exception requires the inclusion of property into SSAFPD's jurisdictional boundaries, or the exclusion of property out of SSAFPD's jurisdictional boundaries. Instead, the exceptions require minor revisions to the boundary lines consistent with the status of three individual pieces of property. Exhibit B is an accurate representation of SSAFPD's boundaries, but is not a final, computer generated version of the map. Upon receipt of the final version of the boundary map from the City GIS Coordinator, SSAFPD will provide the final version to the BOCC.

1. **Inclusions and Exclusions**

SSAFPD will have all powers of inclusion and exclusion granted Colorado special districts under common law and the Special District Act, including the power to include real property located outside its jurisdiction under the circumstances, and in accordance with the procedures, set forth in Part 4 of the Special District Act, and the power to exclude real property located within its jurisdiction under the circumstances, and in accordance with the procedures, set forth in Part 5 of the Special District Act.

2. **Eminent Domain**

SSAFPD will have all powers of eminent domain and dominant eminent domain granted Colorado fire protection districts under common law and the Special District Act, including C.R.S. § 32-1-1002(1)(b). Pursuant to such laws, and, in the manner provided by the Colorado Revised Statutes, Title 38, Article 1, SSAFPD may take any property necessary to SSAFPD's exercise of the general and specific powers and authority granted under the Special District Act (including all inherent/implied powers and authority), both within and outside SSAFPD's jurisdiction and boundaries.

V. POPULATION PROJECTION AND ASSESSED VALUATION

The area within SSAFPD's jurisdiction and boundaries has a population of approximately 8,000 residents. The records of the Routt County Assessor show that in 2014, the assessed valuation for all taxable property within SSAFPD's jurisdiction and boundaries was \$173,826,550.

VI. FINANCIAL ACTIVITIES

For the fiscal year ending December 31, 2014 ("**FY 2014**"), SSAFPD generated revenue totaling \$1,171,846, of which \$1,068,397 was derived from property taxes. SSAFPD's total expenditures for FY 2014 were \$1,013,962, leaving an excess of revenues over expenditures of \$157,884. At the end of FY 2014, SSAFPD's unassigned General Fund balance was \$4,655,827, or 459.17% of total General Fund expenditures. SSAFPD's assets exceeded liabilities by \$5,730,674 at the end of FY 2014.

At a regular election held on May 6, 2008, and certified on May 13, 2008, SSAFPD received voter authorization to assess a property tax of up to 9.0 mills. For the purposes of meeting all general operating expenses during the 2015 budget year, in 2014 SSAFPD levied a tax of 6.011 mills upon each dollar of the total valuation for assessment of all taxable property within its jurisdiction. In addition, for the purposes of meeting all capital improvements expenses during the 2015 budget year, in 2014 SSAFPD levied a tax of .230 mills upon each dollar of the total valuation for assessment of all taxable property within its jurisdiction.

SSAFPD's most recently approved budget is attached as **Exhibit C**.

VII. DESCRIPTION OF SSAFPD FACILITIES

1. Real Property

SSAFPD maintains an ownership interest in real property located at 911 Yampa Street, Steamboat Springs, Colorado, 80487.

SSAFPD will not acquire any real property incident to approval of this Amended and Restated Service Plan. Pursuant to C.R.S. §§ 32-1-1001 & -1002, the Board will have the power and authority to acquire real property in the future as it deems

necessary and appropriate for the provision of Emergency Services and in the best interests of SSAFPD and the community.

2. **Facilities to be Constructed/Engineering and Architectural Surveys**

SSAFPD will not construct facilities or other improvements incident to approval of this Amended and Restated Service Plan. Pursuant to C.R.S. §§ 32-1-1001 & -1002, the Board will have the power and authority to construct facilities in the future as it deems necessary and appropriate for the provision of Emergency Services and in the best interests of SSAFPD and the community. Because SSAFPD will not construct facilities or other improvements incident to approval of this Amended and Restated Service Plan, engineering and architectural surveys are not required as part of this Amended and Restated Service Plan.

VIII. ARRANGEMENTS WITH OTHER POLITICAL SUBDIVISIONS

SSAFPD is a party to the following agreements with other political subdivisions: (i) 2009 Amended IGA with the City (Exhibit A); and, (ii) Fourth Amended and Restated Agreement to Support the Effective Suppression, Mitigation, and Prevention of Wildland Fires in Routt County (attached as **Exhibit D**) with the Board of County Commissioners of Routt County, Routt County Sheriff, City of Steamboat Springs, North Routt Fire Protection District, West Routt Fire Protection District, Oak Creek Fire Protection District, Yampa Fire Protection District, and Craig Rural Fire Protection District.

Pursuant to C.R.S. § 29-1-201 *et seq.*, SSAFPD has the power and authority to enter into additional intergovernmental relationships in the future as it deems necessary and appropriate for the provision of Emergency Services and in the best interests of SSAFPD and the communities it serves.

IX. SECTION 203 CRITERIA

Persons proposing the *organization* of a special district must include in a proposed service plan information satisfactory to establish that each of the criteria set forth in C.R.S. § 32-1-203(2) and (2.5), if applicable, is met ("**Section 203 Criteria**"). In general, the Section 203 Criteria are concerned with the organization of the special district, its proposed services, and the need for such proposed services. Because SSAFPD has operated as a special district since September 1, 1981, and its original Service Plan was approved by the BOCC at the time of its organization, SSAFPD believes that the Section 203 Criteria do not apply to this Amended and Restated Service Plan. To the extent Section 203 Criteria is deemed relevant, SSAFPD previously satisfied each of the Section 203 Criteria at the time of its organization, when the BOCC approved its original Service Plan. SSAFPD stands ready to submit any additional information the BOCC may require if it deems the Section 203 Criteria relevant.

X. LIST OF CONTACTS

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EXHIBIT A

**Amended Contract for Services
(2009 Amended IGA)**

EXHIBIT B

Map of SSAFPD's Jurisdictional Boundaries

EXHIBIT C

SSAFPD's Adopted 2015 Budget

EXHIBIT D

**Fourth Amended and Restated Agreement to Support the Effective Suppression,
Mitigation, and Prevention of Wildland Fires in Routt County**