

NOTICE OF PUBLIC HEARING

A public hearing before the Board of Directors of the West Metro Fire Protection District will be held at 7:00 p.m. on Tuesday, April 19, 2016 at the Training Center located as 3535 S. Kipling St., Lakewood, Colorado, for the purposes of consideration by the Board of the final adoption of the following stated proposed resolution. Any interested persons, and any county or municipality which may be able to provide similar fire protection service to such area, may appear at such time and place and show cause in writing why the following proposed resolution should not be adopted.

A RESOLUTION CALLING FOR AN ELECTION ON THE ISSUE OF INCLUSION OF PROPERTY CURRENTLY LYING WITHIN THE WHEAT RIDGE FIRE PROTECTION DISTRICT

WHEREAS, the Wheat Ridge Fire Protection District (herein, "Wheat Ridge") currently provides fire prevention and suppression activities, emergency medical and rescue services, fire code enforcement, hazardous material responses, and all other activities permitted under Title 32 in its district;

WHEREAS, the West Metro Fire Protection District (herein, "West Metro") provides fire prevention and suppression activities, emergency medical and rescue services, fire code enforcement, hazardous material responses, and all other activities permitted under Title 32 in its district;

WHEREAS, West Metro is capable of providing these same services to those properties located currently within the boundaries of Wheat Ridge and the Intergovernmental Agreement ("IGA") (defined in more detail below) between West Metro and Wheat Ridge sets forth the parties' agreement for such services;

WHEREAS, § 32-1-401(2)(a)(II), CRS, statutorily authorizes West Metro's Board of Directors to pass a resolution calling for inclusion of property, and if such resolution is finally approved, to submit the issue of inclusion to the Jefferson County District Court for conducting an election within the area proposed to be included on the issue of inclusion into West Metro, subject to terms and conditions as may be established by the Board of Directors of West Metro;

WHEREAS, on March 24, 2016 Wheat Ridge and West Metro entered into that certain IGA, the Intergovernmental Services and Pre-Inclusion/Dissolution Agreement which sets forth various terms and conditions regarding the inclusion of such area into West Metro and addresses the issue of dissolution of Wheat Ridge and the assumption of all fire protection services by West Metro within the existing boundaries of Wheat Ridge;

WHEREAS, inclusion of the property within Wheat Ridge is consistent with West Metro's Service Plan and is in the best interests of West Metro and the general public because such inclusion will result in greater operational efficiencies as well as strengthening West Metro's financial base based upon projections of commercial and residential development in the area; and,

WHEREAS, inclusion will be in the best interests of the public's health, safety, and welfare by providing fire protection and such services to the general area.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF THE WEST METRO FIRE PROTECTION DISTRICT THAT:

THE INCLUSION OF THE PROPERTY CURRENTLY LOCATED WITHIN THE WHEAT RIDGE FIRE PROTECTION DISTRICT BE AND HEREBY IS APPROVED AND SUCH PROPERTY SHALL BE INCLUDED INTO THE WEST METRO FIRE PROTECTION DISTRICT FOR ALL

PURPOSES, SUBJECT TO AND EXPRESSLY CONDITIONED UPON THE AFFIRMATIVE VOTE OF THE ELECTORS OF WHEAT RIDGE FIRE PROTECTION DISTRICT APPROVING SUCH INCLUSION; AND

BE IT FURTHER RESOLVED AND DIRECTED THAT:

1. A copy of this Resolution shall be submitted to the Court for its order pursuant to § 32-1-401(2)(d), CRS, setting an election within the area proposed to be included on the issue of inclusion into West Metro.
2. In the event that the issue of inclusion is approved by the majority of the qualified electors voting on such issue, the order of inclusion shall not be finally entered, submitted to the court, or recorded until and unless:
 - 2.1 The electors of Wheat Ridge approve the dissolution of Wheat Ridge pursuant to state statutes and its duly adopted plan of dissolution; and,
 - 2.2 All other terms and conditions of the IGA are fulfilled by Wheat Ridge.

AND BE IT FURTHER RESOLVED THAT:

1. The provisions of the *Local Government Election Code (Title 1, Article 13.5, C.R.S.)* shall govern this election, except as may be modified by § 32-1-801, *et seq.*, C.R.S., as amended. Bobbie Sferra is hereby appointed as West Metro's Designated Election Official for such election, with Kim Brewer appointed as West Metro's Deputy Designated Election Official.
2. The President and Secretary and other agents or employees of West Metro, including without limitation, the Designated Election Officials, shall, and they are hereby authorized and directed to, take all actions necessary or appropriate to effectuate the provisions of this Resolution and Order.
3. Should any part or provision of this Resolution be adjudged unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the intention that the various provisions hereof are severable.
4. All acts, orders, resolutions, or parts thereof, that are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.
5. The provisions of this Resolution shall take effect immediately.

WEST METRO FIRE PROTECTION DISTRICT
/s/ Wendy Volmer, Board Secretary