

**INTERGOVERNMENTAL AGREEMENT FOR SOLID WASTE  
PROGRAMMING AND INFRASTRUCTURE IMPROVEMENTS  
Amendment 1, 2023**

This Amendment to the 2019 Intergovernmental Agreement for Solid Waste Programming and Infrastructure Improvements ("Agreement") is made and effective on \_\_\_\_\_, 2023 (Effective Date), by and among the Board of County Commissioners of Larimer County, Colorado (referred to as "County"), and the City of Fort Collins, Colorado, the City of Loveland, Colorado, the Town of Estes Park, Colorado, and the Town of Wellington, Colorado (individually referred to as "Municipality" or collectively as "Municipalities"). The County and Municipalities shall jointly be referred to as the "Parties".

**I. RECITALS**

WHEREAS, under the 2019 Solid Waste Programming and Infrastructure Improvements Agreement (2019 Agreement), the Parties have worked cooperatively to implement the 2018 Solid Waste Infrastructure Master Plan (SWIMP), to coordinate and establish the respective responsibilities of the Parties in an Integrated Solid Waste Management System including, but not limited to, planning, education, waste prevention, recycling, collection, composting, transportation and disposal, and to evaluate future technologies associated with solid waste management; and

WHEREAS, County and Municipalities are authorized pursuant to Article XIV, Section 18 of the Colorado Constitution and Section 29-1-201, et seq., Colorado Revised Statutes, to enter into intergovernmental agreements for the purpose of providing any service or performing any function which they can perform individually; and

WHEREAS, conditions have changed since the 2019 Agreement and decisions since 2019 have affected the regional waste shed such that the County is unable to fulfill the obligations set forth in Section 5.2; and

WHEREAS, the Parties intend to continue to cooperate to reevaluate and reprioritize solid waste facilities identified in the SWIMP and timeframes; and

WHEREAS, the Parties recognize that continued cooperation pursuant to this Agreement and the 2019 Agreement will allow for implementation of an integrated package of waste disposal services designed to increase recycling and confer significant health and environmental benefits for Larimer County.

NOW THEREFORE, the Parties agree as follows:

**II. AMENDED AGREEMENT**

1. The Parties will temporarily suspend or put in abeyance the 2019 Agreement until they agree on amendments to address the changed circumstances and update timelines.
2. During the abeyance, the Parties will continue to work together to address amendments in accordance with the provisions in Section VI, Solid Waste Council.
3. The Parties will coordinate to focus on amending topics including but not limited to the following:
  - a. Update certain Definitions in Section II to be consistent with those of Colorado Department of Health and Environment (CDPHE) and to reflect updates to priorities;
  - b. Revisit and redefine the General Obligations set forth in Section V, for facilities, design, financing, operations, waste stream facility types, haulers – for both Larimer County (Sec. 5.1) and the Parties (Sec. 5.2).
  - c. Remove prohibitions of flow control by Parties.
  - d. Align the direction for the Solid Waste Policy Council set forth in Section V to reflect input of a Bylaws Committee that will update the bylaws.
4. The Parties will consider and reprioritize the projects identified through the SWIMP that appear in the General Obligations section.
5. Along with these steps, the Parties will prepare an amended Agreement, that once put in place would supersede this Agreement and the 2019 Agreement.

**IN WITNESS WHEREOF**, the Parties have caused this Agreement to be ratified by resolution of their governing Boards or Councils as evidenced by the minutes of their governing Boards or Councils and executed by their duly authorized officers as of the date first written.

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SIGNATURE PAGES FOLLOW

BOARD OF COUNTY COMMISSIONERS OF  
LARIMER COUNTY, COLORADO

By: Jody Shaddock McNally  
Title: Chair, Larimer County Bocc

ATTEST:

Jessie Beatty

Approved as to form:

Wimber

County Attorney



CITY OF FORT COLLINS, COLORADO

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

Approved as to form:

\_\_\_\_\_

City Attorney

CITY OF LOVELAND, COLORADO

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

Approved as to form:

\_\_\_\_\_

City Attorney

TOWN OF ESTES PARK, COLORADO

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

Approved as to form:

\_\_\_\_\_

Town Attorney

TOWN OF WELLINGTON, COLORADO

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

Approved as to form:

\_\_\_\_\_

Town Attorney