

**CITY OF LITTLETON
AMENDMENT TO AGREEMENT**

THIS FIRST AMENDMENT TO AGREEMENT (“Amendment”) is made and entered into this ____ day of _____, 2016, by and between Cunningham Fire Protection District (hereinafter referred to as “Cunningham”) and the City of Littleton, Colorado (hereinafter referred to as “Littleton”). Cunningham and Littleton may collectively be referred to in this Amendment as the “Parties”.

RECITALS AND REPRESENTATIONS

WHEREAS, Cunningham and Littleton entered into that certain Agreement dated November 12, 2008 (the “Agreement”);

WHEREAS, the Parties desire to amend the Agreement;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, Littleton and Cunningham agree:

1. Section 4 is hereby repealed and replaced as follows:
 - a. Cunningham agrees to pay Littleton an annual fee based on their previous years call volume as that percentage relates to the non-capital budget for the year in addition to a four (4) percent administrative fee for dispatch services. For 2017 the cost for dispatch services shall be \$334,912.62 and Cunningham has contemporaneously with the approval of this Agreement irrevocably pledged present cash reserves to make such payments through December 31, 2018. Thereafter, Cunningham agrees to pay an annual fee based on their percentage of the non-capital budget for the Center and the four (4) percentage administrative fee. Cunningham shall pay its annual obligation and its share of management and administrative expenses in four (4) equal quarterly payments, each payment to be received no later than the end of the first month after the quarter.
2. All following sections are to be renumbered as necessary.
3. Exhibit A of the Agreement is hereby repealed and replaced in its entirety with the attached Exhibit A.
4. Effective Date. This Amendment shall be effective as of _____, 2016.
5. No Other Modification. Except as expressly amended by this Amendment, the Agreement shall remain in full force and effect.

THIS AMENDMENT is executed and made effective as provided above.

ATTEST:

Wendy Heffner
CITY CLERK

APPROVED AS TO FORM:

Kenneth S. Fellman
ACTING CITY ATTORNEY

CITY OF LITTLETON:

By: _____
Bruce O. Beckman
MAYOR

ATTEST:

Secretary

CUNNINGHAM FIRE
PROTECTION DISTRICT

By: _____
Board President