

**SECOND AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE BOARDS OF COUNTY COMMISSIONERS OF LA PLATA COUNTY,  
COLORADO AND ARCHULETA COUNTY, COLORADO REGARDING THE  
HOUSING OF ARCHULETA COUNTY INMATES AT THE LA PLATA COUNTY  
DETENTION CENTER**

THIS SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT (“Second Amendment”) is entered into effective as of \_\_\_\_\_, 2020, by and between the Board of County Commissioners of La Plata County, a political subdivision of the State of Colorado (hereinafter “La Plata County”), and the Board of County Commissioners of Archuleta County, a political subdivision of the State of Colorado (hereinafter “Archuleta County”) (collectively, the “Parties”).

**RECITALS**

**WHEREAS**, the Parties entered into that Intergovernmental Agreement (the “Agreement”) dated August 11, 2015, allowing Archuleta County to rent bed space from La Plata County for Archuleta County Inmates until such time as Archuleta County is able to house inmates in its own facility; and

**WHEREAS**, the Parties entered into that First Amendment to the Agreement effective on October 10, 2017, to clarify responsibilities and reimbursement for actual costs associated with Archuleta County's use of La Plata County's Courthouse, Archuleta County's liability for any claims arising from Archuleta County inmates under this Agreement, and to clarify procedures and responsibilities for costs and damages to La Plata County property caused by Archuleta County inmates while housed and transported under the Agreement or this First Amendment, and to extend the term of the Agreement an additional two years; and

**WHEREAS**, the First Amendment to the Agreement appears to have expired in October 2019, and the Parties desire to execute this Second Amendment to extend the term of the Agreement and First Amendment.

**NOW THEREFORE**, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the adequacy and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. The parties acknowledge that this Second Amendment, though signed after the expiration date of the Agreement and the First Amendment, is effective nunc pro tunc to the date of expiration of the Agreement.
2. The term of the Agreement and the First Amendment shall be extended until December 31, 2020.
3. Unless specifically amended by this Second Amendment, all terms and conditions of the First Amendment and Agreement shall remain the same.

4. Each person signing this Second Amendment in a representative capacity expressly represents that the signatory has the subject Party's authority to so sign and that the subject Party will be bound by the signatory's execution of this Amendment.
5. If any term or provision of this Second Amendment shall be adjudicated to be invalid, illegal or unenforceable, this Second Amendment shall be deemed amended to delete therefrom the term or provision thus adjudicated to be invalid, illegal or unenforceable and the validity of the other terms and provisions of this Second Amendment shall not be affected thereby.
6. Terms used, but not otherwise defined in this Second Amendment shall have the same meaning as those terms in the Agreement and First Amendment.

IN WITNESS WHEREOF, the Parties enter into this SECOND AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN THE BOARDS OF COUNTY COMMISSIONERS OF LA PLATA COUNTY, COLORADO AND ARCHULETA COUNTY, COLORADO REGARDING THE HOUSING OF ARCHULETA COUNTY INMATES AT THE LA PLATA COUNTY DETENTION CENTER, effective as stated in paragraph 1, above.

**BOARD OF COUNTY COMMISSIONERS  
LA PLATA COUNTY, COLORADO**

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_

Attest:  
 \_\_\_\_\_

**LA PLATA COUNTY SHERIFF**

\_\_\_\_\_  
 Sean Smith, Sheriff

**BOARD OF COUNTY COMMISSIONERS  
ARCHULETA COUNTY, COLORADO**

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

Attest:

Name: \_\_\_\_\_

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

\_\_\_\_\_

**ARCHULETA COUNTY SHERIFF**

\_\_\_\_\_

Rich Valdez, Sheriff