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### MEMORANDUM

**DATE:**            October 9, 2024

**TO:**                Pikes Peak Rural Transportation Authority Board of Directors

**FROM:**            Rick Sonnenburg, Program/Contracts Manager

**SUBJECT:**        Draft 6<sup>th</sup> Amended and Restated Establishing IGA

<b><i>ACTION REQUESTED: Approval</i></b>
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As the Board will recall, in the lead-up to the November 2022 ballot measure for the PPRTA-3 Capital projects renewal, the member governments' staff members, the CAC, and the Board prepared an extensive list of issues (at the time it was called a matrix) to be discussed and decided by the Board. This matrix was approved by the Board at its January 2022 meeting.

One of the issues on the matrix that the Board decided was to place on the November 2022 ballot a new program fund in the "Regional Collaborative Projects" section called "State and Federal Discretionary Grant Match Fund—Phase 1." It states that "B" list capital projects and non-listed capital projects may be approved by the Board for a member government to access this new PPRTA-3 fund via a 2/3 supermajority vote. As was presented at the September CAC meeting, the PPRTA Establishing IGA in Section 6.15 does not allow for supermajority votes. It only allows for simple majority votes of those Board members present and voting.

Consequently, the Board decided to postpone consideration of draft Board Policy #34 and send the issue to the CAC for further review of options for how to proceed. At its September 4, 2024 meeting, the CAC recommended the first option in the list, which was to proceed with the process to amend the Establishing IGA soon via referral to the six member governments (please remember that the Establishing IGA is between the six member governments, not the PPRTA Board's to amend) to allow PPRTA-3 "B" list and non-listed capital projects to have access to the State and Federal Discretionary Grant Match Fund via a supermajority vote of those Board members present and voting.

At its September 11, 2024 meeting, the Board agreed with the CAC and directed Board attorney Jennifer Ivey to prepare a draft 6<sup>th</sup> Amended and Restated Establishing IGA to add a section to accomplish this option. This draft 6<sup>th</sup> Amended and Restated Establishing IGA is attached with

its new section 5.1.4. At its October 2, 2024 meeting, the CAC approved a positive recommendation for the Board to accept the draft 6<sup>th</sup> Amended and Restated Establishing IGA for referral to the six member government for approval.

**RECOMMENDATION TO THE CAC:**

PPRTA CAC recommends that the Board accept the draft 6<sup>th</sup> Amended and Restated Establishing IGA for referral to the six member governments for approval.

Attachments:

1. Draft 6<sup>th</sup> Amended and Restated Establishing IGA