

RESOLUTION NO. _____ - 22

A RESOLUTION APPROVING THE FIFTH AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT AMONG EL PASO COUNTY, COLORADO, THE CITY OF COLORADO SPRINGS, THE CITY OF MANITOU SPRINGS, THE TOWN OF GREEN MOUNTAIN FALLS, THE TOWN OF RAMAH, AND THE TOWN OF CALHAN REGARDING THE PIKES PEAK RURAL TRANSPORTATION AUTHORITY

WHEREAS, the City Council approved the "Intergovernmental Agreement Among El Paso County, Colorado, The City of Colorado Springs, The City of Manitou Springs, and The Town of Green Mountain Falls, For the Creation of the Pikes Peak Rural Transportation Authority" ("IGA") which created the Pikes Peak Rural Transportation Authority ("PPRTA"), set forth various aspects related to the PPRTA's capital projects, maintenance programs and City-sponsored transit activities, and memorialized the City's inclusion in the PPRTA; and

WHEREAS, the City Council supported and the voters in the region approved a ten (10) year extension on the collection of a fifty-five percent of the one-percent sales/use tax to be used on a voter approved list of transportation capital improvements from January 1, 2015 to December 31, 2024, administered by the Pikes Peak Rural Transportation Authority ("PPRTA") and the November 6, 2012 election; and

WHEREAS, the City Council approved the "First Amended and Restated Intergovernmental Agreement Among El Paso County, Colorado, The City of Colorado Springs, The City of Manitou Springs, The Town of Green Mountain Falls, and the Town of Ramah Regarding the Pikes Peak Rural Transportation Authority" which memorialized the inclusion of the Town of Ramah in the PPRTA effective January 1, 2009 and revised the IGA to contemplate the extension of the portion of the sales/use tax for transportation capital improvements; and

WHEREAS, the PPRTA Board referred to the voters of the region and the voters approved a ballot question at the November 7, 2017 coordinated election to amend the project list for PPRTA capital projects to include the widening of 1-25 within unincorporated El Paso County north of Monument to the El Paso County line; and

WHEREAS, as a result of passage of the ballot question, a second amendment to the IGA was approved that set forth, pending additional funding through other non-PPRTA sources, the provision of up to \$5,000,000 in PPRTA funds for two (2) consecutive years, for a total of \$10,000,000, for the widening project; and

WHEREAS, the participating entities amended the IGA for a third time to allow for the distribution of funds for PPRTA projects to be in conformance with the specific language contained within the November 7, 2017 ballot question, thus allowing for the disbursement of the funds for the 1-25 widening project in more than a two (2) consecutive year period; and

WHEREAS, the participating entities amended the IGA a fourth time to set forth a weighted voting structure for the PPRTA Board of Directors; and

WHEREAS, the participating entities wish to amend the IGA a fifth time to add language that will be needed for the extension of PPRTA's 0.55% capital projects sales/use

tax which will be referred to the voters at the November 8, 2022 election, memorialize the addition of the Town of Calhan effective January 1, 2022, and make some other minor clean-up edits; and

WHEREAS, pursuant to the IGA, any amendment to the IGA requires the unanimous consent of all the participating entities by a two-thirds (2/3) vote of the membership of each governing body; and

WHEREAS, pursuant to Colorado Revised Statutes § 29-1-203, City Council has the authority to approve an IGA between the PPRTA and the City of Colorado Springs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS THAT:

Section 1. The City Council hereby approves the "Fifth Amended and Restated Establishing Intergovernmental Agreement among El Paso County, Colorado, The City of Colorado Springs, The City of Manitou Springs, The Town of Green Mountain Falls, the Town of Ramah, and the Town of Calhan regarding the Pikes Peak Rural Transportation Authority" ("Fifth Amended and Restated IGA"), attached hereto and incorporated herein as Exhibit A.

Section 2. On behalf of the City, the Mayor is hereby authorized to execute and administer the attached Fifth Amended and Restated IGA.

Section 3. The Fifth Amended and Restated IGA shall be deemed effective upon unanimous approval of all the participating entities by a two-thirds (2/3) vote of the membership of each governing body and its subsequent execution by the participating entities and the passage of the ballot measure certified by the PPRTA Board for the November 8, 2022 election.

Dated at Colorado Springs, Colorado this _____ day of _____, 2022.

Council President

ATTEST:

Sarah B. Johnson, City Clerk