



Colorado Springs    El Paso County    Manitou Springs    Green Mountain Falls    Ramah

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**RESOLUTION OF THE BOARD OF DIRECTORS OF  
PIKES PEAK RURAL TRANSPORTATION AUTHORITY  
REGARDING THE REQUEST BY THE TOWN OF CALHAN TO JOIN THE  
PIKES PEAK RURAL TRANSPORTATION AUTHORITY**

At a special meeting of the Board of Directors of the Pikes Peak Rural Transportation Authority, held at 1:30 P.M., on Wednesday, April 14, 2021, at <https://ppacg.zoom.us/j/91598517858?pwd=dmdXY1FsbHJnZzcrL2ZjL2dCVdJ6UT09> Dial-in Number: +1 253 215 8782, Meeting ID: 915 9851 7858, Passcode: 743139, at which a quorum was present, the following resolution was adopted:

**WHEREAS**, Pikes Peak Rural Transportation Authority (the “PPRTA”) is a political subdivision and body corporate of the State of Colorado organized pursuant to the Regional Transportation Authority Act, Part 6 of Article 4 of Title 43, C.R.S, (the “Act”) after approval of the registered electors of the PPRTA and issuance of a certificate by the director of the division of local government in the department of local affairs; and

**WHEREAS**, the PPRTA is governed by the Third 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 For Creation of the Pikes Peak Rural Transportation Authority (the "Establishing IGA"); and

**WHEREAS**, the Establishing IGA and C.R.S. §§ 43-4-603(1)(h) and 43-4-605(2) control how new territory and participants members may be added to the PPRTA; and

**WHEREAS**, the Town of Calhan adopted Resolution 2021-03 on March 8, 2021, attached hereto as **Exhibit A** and incorporated herein by this reference (the “Calhan Resolution”); and

**WHEREAS**, the Calhan Resolution, among other things, (1) affirms in accordance with Section 12.1 of the Establishing IGA that the Town is a municipality as defined by § 31-1-101(6), C.R.S that may request to become a party to the Establishing IGA and a member of the PPRTA, (2) requests in accordance with Section 12.2 of the Establishing IGA, that the Town to be added as a new member of the PPRTA, a party to the Establishing IGA, and seeking inclusion of the territory within the Town limits into the boundaries of the PPRTA, and (3) consents in accordance with C.R.S. § 43-4-605(2)(a) to the inclusion of the territory within the Town limits being included into the boundaries of the PPRTA; and

**WHEREAS**, the Calhan Resolution also requested confirmation from the Board of Directors of the PPRTA that it intends to cooperate in the addition of the Town as a new member of the PPRTA, a party to the Establishing IGA, and to have the territory within the Town limits included into the boundaries of the PPRTA; and

**WHEREAS**, the Board of Directors of the PPRTA (the “PPRTA Board”) wishes to express its present intention regarding the Town’s request and refer the matter for consideration to the existing parties to the Establishing IGA;

**NOW, THEREFORE**, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PIKES PEAK RURAL TRANSPORTATION AUTHORITY THAT:

1. The PPRTA Board hereby acknowledges receipt of the Calhan Resolution in satisfaction of Section 12.1 of its Establishing IGA and partial satisfaction of Section 12.2 of its Establishing IGA.

2. The PPRTA Board recognizes that Section 12.2 requires that prior to the Town being added as a party to the Establishing IGA and its corporate boundaries being added to the territory of the Authority, the Town shall place the matter of joining the PPRTA on the ballot at any general or special election for approval of a majority of the voters residing in its boundaries. As such, any formal determination by the PPRTA Board regarding addition of the Town as a party the Establishing IGA and/or inclusion of its territory into the boundaries of the PPRTA will be subject to prior receipt of certification from the Town that it has fulfilled all legal requirements related to such addition and inclusion and that a majority of the voters residing in its boundaries have voted in favor thereof at a general or special election held by the Town in accordance with all applicable laws.

3. The PPRTA Board further recognizes that Section 12.3 of its Establishing IGA requires that the Town may only become a party to the Establishing IGA if the current parties to the Establishing IGA unanimously consent to such addition of a new party as determined by a majority vote of the governing bodies of each existing party. As such, the PPRTA Board hereby refers to the governing bodies of 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 for consideration of the matter of adding the Town as a party to the Establishing IGA and requests that each governing body take action on such matter on or before August 1, 2021.

4. The PPRTA Board hereby confirms that its present intent is to cooperate in the addition of the Town as a new member of the PPRTA, a party to the Establishing IGA, and to have the territory within the Town limits included into the boundaries of the PPRTA, subject to Town’s receipt of voter approval by a majority vote regarding such matters, provided that all legal requirements therefore are met, and provided the necessary unanimous consent from all of the present parties to the Establishing IGA is obtained.

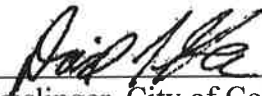
5. All actions not inconsistent with the provisions of this Resolution heretofore taken by the members of the Board and the officers, agents and employees of the PPRTA and directed toward the purposes stated herein are hereby ratified, approved and confirmed.

6. If any section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution, it being the intention that the various parts hereof are severable.

7. This Resolution shall take effect on the date and at the time of its adoption.

**WHEREUPON**, a motion was made and seconded, and upon a majority vote this Resolution was approved by the Board.

**ADOPTED AND APPROVED** THIS 14<sup>th</sup> day of April 2021

  
\_\_\_\_\_  
David Geislinger, City of Colorado Spring Councilmember  
PPRTA Chairperson

ATTEST:

  
\_\_\_\_\_  
Rick Sonnenburg  
PPRTA Board Secretary

**EXHIBIT A**

Town of Calhan Resolution

**TOWN OF CALHAN  
RESOLUTION 2021-03**

**A RESOLUTION REGARDING THE TOWN'S REQUEST TO JOIN THE PIKES PEAK  
RURAL TRANSPORTATION AUTHORITY**

WHEREAS, the Board of Trustees of the Town of Calhan (the "Town") desires to join the Pikes Peak Rural Transportation Authority (the "PPRTA"), a regional transportation authority organized pursuant to C.R.S. § 43-4-601, *et seq.*;

WHEREAS, the PPRTA is governed by the Third 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 For Creation of the Pikes Peak Rural Transportation Authority (the "Establishing IGA");

WHEREAS, the Establishing IGA and C.R.S. §§ 43-4-603(1)(h) and 43-4-605(2) control how new territory and members may be added to the PPRTA;

WHEREAS, before the Town can be added to the PPRTA a number of steps must be taken, including, but not limited to, the Town voters will need to approve the Town becoming a member of the PPRTA, including the territory within the Town limits within the boundaries of PPRTA, and imposing the PPRTA sales and use tax within the Town;

WHEREAS, the Town plans to place ballot questions on the ballot at a November 2, 2021, special election to enable its addition to the PPRTA;

WHEREAS, also before the Town can be added to the PPRTA, the Establishing IGA may need to be amended to include the Town as a party; and

WHEREAS, at this early stage, so as to make its intentions clear, the Town wishes to take the preliminary step of requesting inclusion into the PPRTA.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Town of Calhan as follows:

**Section 1.** In accordance with Section 12.1 of the Establishing IGA, the Town Board of Trustees (the "Town Board") recognizes that it is a municipality as defined by C.R.S. § 31-1-101(6) that may request to become a party to the Establishing IGA and a member of the PPRTA.

**Section 2.** In accordance with Section 12.2 of the Establishing IGA, the Town Board hereby formally requests to be added as a new member of the PPRTA, a party to the Establishing IGA, and to have the territory within the Town limits included into the boundaries of the PPRTA.

**Section 3.** In accordance with C.R.S. § 43-4-605(2)(a) the Town Board hereby consents to the inclusion of the territory within the Town limits being included into the boundaries of the PPRTA.

**Section 4.** If determined necessary by the Board of Directors of the PPRTA or one of the current parties to the Establishing IGA, the Town hereby requests an amendment to the Establishing IGA to effectuate its addition as a party to the Establishing IGA and member of the PPRTA.

**Section 5.** The Town Board further requests confirmation from the Board of Directors of the PPRTA that it intends to cooperate in the addition of the Town as a new member of the PPRTA, a party to the Establishing IGA, and to have the territory within the Town limits included into the boundaries of the PPRTA, subject to Town voter approval and provided that all legal requirements therefore are met and provided the necessary unanimous consent from all of the present members of the PPRTA is obtained as required by Section 12.3 of the Establishing IGA.

**Section 6.** The Mayor and Town staff are hereby authorized to take such additional steps as may be necessary to pursue addition of the Town as a new member of the PPRTA, a party to the Establishing IGA, and to have the territory within the Town limits included into the boundaries of the PPRTA.

Adopted this 8<sup>th</sup> day of March, 2021.

(SEAL)

  
Roger Lemesany, Mayor

Attest:   
CINDY M. TOMPKINS  
Town Clerk