

RESOLUTION NO. __-24

A RESOLUTION APPROVING THE SIXTH 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 supported and the voters in the region approved a ten (10) year extension on the collection of a one-percent sales tax to be used on a voter approved list of capital projects, maintenance programs and City-sponsored transit activities from 2015 to 2024, administered by the Pikes Peak Rural Transportation Authority ("PPRTA"); 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" ("IGA"), thus setting forth the City's inclusion in the PPRTA; and

WHEREAS, the PPRTA Board referred to the voters of the region a ballot question to the November 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, the voters of the region passed the ballot question authorizing the use of \$10,000,000 in PPRTA excess revenues to help fund the widening of 1-25; 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 a 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 the weighted voting structure for the PPRTA Board of Directors; and

WHEREAS, the participating entities amended 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, memorialize the addition of the Town of Calhan effective January 1, 2022, and make some other minor clean-up edits; and

WHEREAS, the participating entities wish to amend the IGA a sixth time to add language 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 PPRTA Board

members present and voting; 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 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 "Sixth 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" ("Sixth 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 Sixth Amended and Restated IGA.

Section 3. The Sixth Amended and Restated IGA shall be deemed effective upon unanimous consent of all the participating entities by a two-thirds (2/3) vote of each governing body and its subsequent execution by the participating entities.

Dated at Colorado Springs, Colorado this _____ day of _____, 2024.

Randy Helms, Council President

ATTEST:

Sarah B. Johnson, City Clerk