



RESOLUTION 5, SERIES 2022

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF RED CLIFF, COLORADO, REFERRING A BALLOT QUESTION FOR THE FORMATION OF THE EAGLE VALLEY TRANSIT AUTHORITY TO AN ELECTION OF THE TOWN OF RED CLIFF

WHEREAS, pursuant to Title 43, Article 4, Part 6 of the Colorado Revised Statutes, as amended (the “Act”), Colorado counties and municipalities are authorized to establish, by contract, regional transportation authorities (“RTAs”) to finance, construct, operate and maintain regional transportation systems; and

WHEREAS, pursuant to Title 29, Article 1, Part 2 of the Colorado Revised Statutes, as amended, and Article XIV, Section 18 of the Colorado Constitution, governments may contract with one another to provide any function, service or facility lawfully authorized to each of the contracting units and any such contract may provide for the joint exercise of the function, service or facility, including the establishment of a separate legal entity to do so; and

WHEREAS, enhancing regional transportation services for the Town of Red Cliff’s residents, businesses and visitors is a crucial step in meeting our community’s workforce and economic goals; and

WHEREAS, extensive input from local officials, businesses, employees, nonprofits and community members have made clear that the creation of an RTA is a desirable way to plan, finance, implement and operate a regional public transportation system that better meets the needs of the Town of Red Cliff; and

WHEREAS, the Board of Trustees has completed at least two public hearings pursuant to section 603(3) of the Act, and, by resolution dated May 17, 2022, approved the Town of Red Cliff’s entry into an Intergovernmental Agreement by and among Beaver Creek Metropolitan District, the Town of Avon, Eagle County, the Town of Eagle, the Town of Gypsum, the Town of Minturn, the Town of Red Cliff, and the Town of Vail, establishing the Eagle Valley Transportation Authority (“EVTA”) as a Colorado RTA (the “Intergovernmental Agreement”) in substantially the form presented to the Board; and

WHEREAS, the RTA Formation Committee, of which the Town of Red Cliff is a member, provided copies of the Intergovernmental Agreement to neighboring jurisdictions for review and comment pursuant to section 603(1) of the Act, and received responses indicating no further action was required pursuant to section 603(1.5) of the Act; and

WHEREAS, the RTA Formation Committee, provided a copy of the Intergovernmental Agreement to the Colorado Department of Transportation for review and comment pursuant to section 603(1) of the Act, and received a response from the Colorado Department requiring no further action pursuant to section 603(1.5) of the Act; and

WHEREAS, the RTA Formation Committee subsequently made certain revisions to the Intergovernmental Agreement to reflect critical input received at public hearings and through additional stakeholder engagements; and

WHEREAS, the Board of Trustees has reviewed such revisions to the proposed Intergovernmental Agreement ; and

WHEREAS, the Board of Trustees supports such revisions and the collaborative approach memorialized in the Intergovernmental Agreement and concurs that the proposed EVTA is poised to improve transit service, increase ridership and efficiency across the valley’s existing transit agencies, provide affordable or free transit to the Town of Red Cliff’s visitors and employee base, strengthen the connection between the valley’s different communities and advance the local climate goals by reducing car trips and increasing the use of electric public transportation; and

WHEREAS, section 603(4) of the Act provides that no contract establishing an RTA shall take effect unless first submitted to a vote of the registered electors residing within the boundaries of the proposed authority; and

WHEREAS, the Board of Trustees has agreed to seek voter approval of the establishment of the EVTA; the baseline funding of the EVTA in accordance with Article 7 and the exemption of certain Authority revenues from the revenue limitations of Article X, Section 20 of the Colorado Constitution (“TABOR”) at an election to be held on November 8, 2022, that is conducted in accordance with the Act and other applicable law; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF RED CLIFF, STATE OF COLORADO:

THAT, the Board of Trustees hereby approves the Intergovernmental Agreement for signature in the form attached as Exhibit B to this resolution.

THAT, the Board of Trustees intends to put forth a ballot measure at the election to be held on November 8, 2022, through the Clerk of Eagle County to the appropriate registered electors residing within the boundaries of the proposed authority.

THAT, the Board of Trustees has concluded its separate review and consideration of ballot language and hereby approves the ballot language in the form presented as Exhibit A to this resolution, in its entirety:

MOVED, READ AND ADOPTED by the BOARD OF TRUSTEES OF THE TOWN OF RED CLIFF, COLORADO, at its regular meeting held this 6th day of September, 2022.




TOWN OF RED CLIFF, COLORADO

By: 

Duke Gerber, Mayor

ATTEST:



Melissa Matthews, Town Clerk

EXHIBIT A
(Ballot Language)

BALLOT ISSUE [2E] – TOWN OF RED CLIFF

FORMATION OF EAGLE VALLEY TRANSPORTATION AUTHORITY

SHALL EAGLE VALLEY TRANSPORTATION AUTHORITY (“EVTA”) TAXES BE INCREASED \$15,563,303 IN 2023 (FIRST FULL FISCAL YEAR) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER FROM THE LEVY OF AN ADDITIONAL 0.50% SALES TAX (ONE CENT ON EACH TWO DOLLARS OF TAXABLE SALES) ON EVERY TRANSACTION OR INCIDENT WITH RESPECT TO WHICH A SALES TAX IS LEVIED BY THE STATE OF COLORADO; PROVIDED THAT SUCH TAX INCREASE SHALL COMMENCE ON JANUARY 1, 2023;

AND SHALL THE EVTA BE ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS OF THE EAGLE VALLEY TRANSPORTATION AUTHORITY INTERGOVERNMENTAL AGREEMENT (THE “EVTA IGA”) AS MAY BE AMENDED FROM TIME TO TIME BETWEEN EAGLE COUNTY, THE TOWNS OF AVON, EAGLE, GYPSUM, MINTURN, RED CLIFF, AND VAIL, AND BEAVER CREEK METROPOLITAN DISTRICT, FOR THE PURPOSES OF PROVIDING ENHANCED REGIONAL TRANSPORTATION SERVICES IN ACCORDANCE WITH THE EVTA IGA, INCLUDING, BUT NOT LIMITED TO:

- EXPANDING TRANSIT SERVICE, EXPRESS ROUTES, AND TRANSPORTATION OPTIONS ACROSS THE EAGLE VALLEY;
- ENHANCING CONNECTIONS BETWEEN GYPSUM AND EAGLE AND OTHER COMMUNITIES;
- ENHANCING AIR SERVICE AND IMPROVING ACCESS AT EAGLE COUNTY AIRPORT;
- PROVIDING A FARE-FREE TRANSIT ZONE FROM EDWARDS TO VAIL, INCLUDING AVON, BEAVER CREEK, MINTURN, AND EAGLE-VAIL;
- REDUCING ENVIRONMENTAL IMPACTS FROM TRANSPORTATION; AND

SHALL ALL AMOUNTS RECEIVED BY EVTA FROM SUCH TAX INCREASES, CONTRIBUTIONS, AND OTHERWISE PURSUANT TO THE EVTA IGA AND EARNINGS THEREON BE COLLECTED AND SPENT WITHOUT LIMITATION OR CONDITION AS A VOTER-APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

EXHIBIT B

(Eagle Valley Transportation Authority Intergovernmental Agreement)