

**TOWN COUNCIL  
TOWN OF GYPSUM COLORADO**

**RESOLUTION NO. 15 (SERIES 2022)**

**A RESOLUTION OF THE TOWN COUNCIL OF GYPSUM COLORADO APPROVING  
THE EAGLE VALLEY TRANSPORTATION AUTHORITY (“EVTA”)  
INTERGOVERNMENTAL AGREEMENT, CALLING FOR A SPECIAL ELECTION  
TO BE HELD ON THE 8TH DAY OF NOVEMBER, 2022, ON THE QUESTION OF  
ESTABLISHING THE EVTA AND ESTABLISHING A SALES TAX TO FUND THE  
EVTA, AND REPEALING RESOLUTION NO. 5 (SERIES 2022)**

**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 Town of Gypsum residents, businesses and visitors is a crucial step in meeting our community’s workforce, economic and environmental stewardship 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 Gypsum; and

**WHEREAS**, the Town Council has completed at least two public hearings pursuant to section 603(3) of the Act, and, by Resolution No. 5 (Series 2022) dated July 12, 2022 initially approved, with conditions, Town of Gypsum’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 Town Council; and

**WHEREAS**, the RTA Formation Committee, of which the Town of Gypsum 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 Town Council has reviewed such revisions to the proposed Intergovernmental Agreement ; and

**WHEREAS**, the Town Council 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 Town of Gypsum's visitors and employee base, strengthen the connection between the valley's different communities and improve air quality by reducing car trips and increasing the use of low or zero emission 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 Town Council 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

**WHEREAS**, the Town Council wishes to repeal Resolution No. 5 (Series 2022) and replace the approvals, authorizations and directives contained therein with those provided in this Resolution:

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, STATE OF COLORADO:**

**THAT**, Resolution No. 5, (Series 2022) is hereby repealed.

**THAT**, the Town Council hereby approves the Intergovernmental Agreement and authorizes the Mayor to execute it in the form attached as Exhibit B to this Resolution, with any such non-substantive revisions or modifications approved by the Town Manager and Town.

**THAT**, a special election of the registered electors of the Town of Gypsum is hereby called pursuant to Section 2.2 of the Town of Gypsum Home Rule Charter and shall be held on Tuesday, November 8<sup>th</sup>, 2022, at which there shall be submitted to the registered electors of the Town the question substantially in the form as attached as Exhibit A, hereafter set forth. The election shall be conducted as a coordinated mail ballot election by the Eagle County Clerk and Recorder, who

**EXHIBIT A**  
**(Ballot Language)**

**BALLOT ISSUE [TBD] – [TOWN OF GYPSUM]**

**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?

is appointed as the Designated Election Official (“DEO”) for the conduct of the election on behalf of the Town. The DEO is authorized and directed to proceed with any action necessary or appropriate to carry out the provisions of this Resolution and the election laws, and among other matters, shall arrange for the required notices of election, including the notice required by TABOR.

**THAT**, the Town Council 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 entity:


**MOVED, READ AND ADOPTED** by the Town Council of the Town of Gypsum, State of Colorado, at its regular meeting held this August 23, 2022.

TOWN COUNCIL  
TOWN OF GYPSUM, COLORADO

By:   
~~Stephen M. Carver, Mayor~~  
Chris Huffman

Date: 8/23/22

ATTEST:

  
Becky Close, Town Clerk

