

Summary of Terms of The Intergovernmental Agreement (IGA)

Yampa Valley Regional Transit Authority (RTA) Formation Committee

The following are the mandatory terms included in the contract (IGA) establishing the authority and the terms proposed by the Formation Committee:

IGA Terms Required by Statute	Terms Proposed in Current Draft IGA
<p>The name and purpose of the authority</p>	<p>The new regional transportation authority to be established pursuant to the relevant sections of the Colorado Revised Statutes will be named “Yampa Valley Transportation Authority” (the “Authority”). See Section 2.01 of the draft IGA.</p> <p>The purpose of the Authority is to plan, finance, implement, and operate an efficient, sustainable, and regional public multimodal transportation system and exercise any other powers authorized by applicable laws. See Section 2.02 of the draft IGA.</p>
<p>The regional transportation systems to be providedⁱ</p>	<p>The Authority has broad authority to coordinate and may operate and fund regional transportation systems to the extent allowed under the RTA statute and, more specifically, provide such related services as are necessary to affect the transportation projects described in Appendix C, as amended from time to time. See Section 6.02(a) of the draft IGA. These initial transportation projects specified in Exhibit C are:</p> <ul style="list-style-type: none"> • Increase the number and frequency of buses on Highway 40 between Craig and Steamboat Springs (this goal assumes the RTA will take over operations of the existing SST route; however, SST would still operate existing routes and services within the City of Steamboat Springs). • Establish a new circulator bus route within Craig that would serve both local transportation needs within Craig and as a connecting service to the Highway 40 bus route. • Provide new bus routes to unserved areas such as south Routt County (including Stagecoach, Oak Creek, and Yampa), and unincorporated areas along Highway 40 (such as Steamboat II/Heritage Park). • Provide new ground transportation options to/from the Yampa Valley Regional Airport for employees and visitors. • Improve existing bus stop amenities and first-last mile connectivity to transit access points, and develop new bus stops along new, currently unserved corridors. This goal would include coordination of new amenities with existing bus stop amenities and access to bus stops along the Highway 40 corridor, in Craig on the regional and local circulator routes, and for any new south Routt County transit services. • Create new park-and-ride lots for commuters accessing the Highway 40 bus route and other new routes. • Support roadway safety improvements such as crosswalks and other pedestrian improvements, especially adjacent to bus stops on regional routes, and wildlife crossing through planning, coordination, and possible financial support in the form of matching funds towards state or federal funding. The RTA would expand existing efforts in improving pedestrian safety at key locations, such as at Highway 40 and Heritage Park. • Establish the RTA as a stakeholder in commuter and regional rail discussions and planning. The RTA may also choose to provide possible financial support in the form of matching funds towards state or federal funding. <p>The IGA also calls out specific authority to engage in regional planning; work with other organizations to reduce single occupancy vehicle trips and mitigate climate impacts in Yampa Valley; coordinate with other local, state, and federal jurisdictions with regard</p>

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	to legislation, regional transit, wildlife crossings, and access to parks and trails; work on first and last mile transportation solutions; contract with other entities for transit services, including Steamboat Springs Transit; provide services to non-member jurisdictions for a fee; and maintain and develop new transportation-related infrastructure (e.g., park-n-rides, bus stops, etc.)
<p>The establishment and organization of the board of directors, including:</p> <p>The number of directors, which shall be at least fiveⁱⁱ, all of which shall be elected officials from the members of the combination (the participating entities), and which shall include at least one elected official from each member.</p>	<p>The board of directors of the Authority (the “Board”) will be composed of one director appointed by each member. See Section 3.02 of the draft IGA.</p> <p>In addition to the director, each member will appoint an alternate director. If the director has resigned or been removed and no replacement director has been appointed, or whenever the director is absent from a Board meeting, the alternate director will be deemed the member’s director. See Section 3.03 of the draft IGA.</p> <p>The term of office of each director and alternate director will begin with the first meeting of the Board following his or her appointment and continue until (a) the date on which a successor is appointed or (b) the date on which he or she ceases to be a member of the governing body of the appointing member. See Section 3.05 of the draft IGA.</p>
<p>The manner of the appointment, the qualifications, and the compensation, if any, of the directors and the procedure for filling vacancies.</p>	<p>Both the director and the alternate director appointed by a member need to be members of the governing body of the member. They both need to be appointed by the governing body of the member. See Section 3.04 of the draft IGA. Vacancies of any director or alternate director will be filled in the same manner. See Section 3.07 of the draft IGA.</p> <p>Directors and alternate directors must serve without compensation, but they may be reimbursed for expenses incurred in serving in such capacities according to any requirements and procedures established by the Board. See Section 3.08 of the draft IGA.</p>
<p>The officers of the authority, the manner of their appointment, and their duties.</p>	<p>The Board will appoint a Chair, a Vice Chair, a Secretary, a Treasurer and an Executive Director. The Board may also appoint one or more subordinate officers and agents. The term and authority, powers and duties of each of these officers and agents will be determined by the Board. The Chair and the Vice Chair and Treasurer must be directors. Other officers may, but need not, be directors. The same person can hold two or more of such offices, except that the Chair and the Secretary may not be the same person and the person serving as Executive Director may not hold any other of these offices. All officers of the Authority must be 18 years or older and meet the other qualifications specified in the IGA, as summarized below. See Section 5.01 of the draft IGA.</p>
<p>The voting requirements for action by the board; except that, unless specifically provided otherwise in the [IGA], a majority of the directors of the board constitutes a quorum and a majority of the board is necessary for action by the board.</p>	<p>Generally, the Board must take action by written or oral resolution and, with the exceptions of certain items noted below, resolutions of the Board will be adopted by the affirmative vote of at least two-thirds of the directors then in office who are eligible to vote (i.e., five directors). See Section 3.11(a) of the draft IGA.</p> <p>Exceptions to the two-thirds majority are the following decisions and, when a quorum (i.e., four directors) is present, action will be approved upon the affirmative vote of a majority of the directors then present (i.e., three directors) who are eligible to vote on the action:</p> <ul style="list-style-type: none"> (i) administrative approvals such as setting meeting locations and times, and ministerial actions required for the Authority’s compliance with applicable law; (ii) approvals authorized by bylaws or rules previously approved by the Board; (iii) approval of contracts for expenditures included in an annual budget previously approved by the Board;

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	<p>(iv) approval of contracts for transportation services included in an annual budget previously approved by the Board;</p> <p>(v) approval of contracts for the assumptions of existing facilities and transportation infrastructure, or the development of new facilities and transportation infrastructure, included in an annual budget previously approved by the Board; and</p> <p>(vi) other actions that are incidental to prior Board approvals made by affirmative vote of two-thirds of the directors then in office who are eligible to vote. See Section 3.11(b) of the draft IGA.</p> <p>In addition, amendments to the IGA must be approved by a vote of all of the member jurisdictions, minus one. See Section 12.1 of the draft IGA.</p>
<p>Provisions for the distribution, disposition, or division of the assets of the authority.</p>	<p>Upon termination of this IGA, after payment of all bonds and other obligations of the Authority, the net assets of the Authority will be distributed to the members in proportion to the sum of:</p> <p>(i) the amount of cash and the value of property and services contributed by each member to the Authority minus the amount of cash and the value of property previously distributed to them by the Authority; and</p> <p>(ii) the total amount of Authority taxes or other charges (other than fares) paid by each member’s residents to the Authority. See Section 10.03 of the draft IGA.</p>
<p>The boundaries of the authority, which:</p> <p>May not include territory outside of the boundaries of the members of the combination.</p> <p>May not include territory within the boundaries of a municipality that is not a member of the combination as the boundaries of the municipality exist on the date the authority is created without the consent of the governing body of such municipality.</p> <p>May not include territory within the unincorporated boundaries of a county that is not a member of the combination as the unincorporated boundaries of the county exist on the date the authority is created without the consent of the governing body of such county.</p>	<p>The initial boundaries of the Authority will consist of all territory within the City of Steamboat Springs, the Town of Yampa, the Town of Oak Creek, the Town of Hayden, and the City of Craig, and all territory within Routt County excluding territory within the Town of Oak Creek, the Town of Yampa, the Town of Hayden, and the City of Steamboat Springs, if the registered electors of these jurisdictions approve their respective ballot questions. See Sections 2.03 and 2.05 and Appendix A-2 of the draft IGA.</p>
<p>The term of the [IGA] which may be for a definite term or until rescinded or terminated.</p>	<p>The term of this IGA begins when all the conditions to the establishment of the Authority specified in the IGA have been satisfied. The term of this IGA ends when all the then-current members agree in writing to terminate this IGA. See Sections 10.01 and 10.02 of the draft IGA.</p>

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The method, if any, by which it may be terminated or rescinded; except that the [IGA] may not be terminated or rescinded so long as the authority has bonds outstanding.	The then-current members can terminate this IGA by agreement in writing. This IGA may not be terminated so long as the Authority has any bonds outstanding. See Section 10.02 of the draft IGA.
The provisions for amendment of the contract.	<p>With the exceptions of the Authority boundaries and the ballot questions, this IGA may be amended only by a resolution approved by the Board of the Authority, which need to be approved by a majority affirmative vote of the governing bodies of all members minus one. See Section 12.01 of the draft IGA.</p> <p>The boundaries of the Authority may be amended in accordance with the procedures described above and with the required approval of the registered voters of any county, municipality or unincorporated portion of a county proposed to be added to the territory of the Authority. See Section 12.02 of the draft IGA.</p> <p>The ballot questions in the appendices to the IGA may not be modified by the governing body of the signatory responsible for submitting the ballot question to the electors. See Section 12.03 of the draft IGA.</p>
The limitations, if any, on the powers granted by [the RTA Law] that may be exercised by the authority.	None proposed
The conditions required when adding or deleting parties to the contract.	<p>Withdrawal of members (see Section 9.02 of the draft IGA):</p> <p>(a) a member may withdraw from the Authority if approved at an election by a majority of the member’s voting electors.</p> <p>(b) If a member withdraws from the Authority:</p> <ul style="list-style-type: none"> (i) the territory within the boundaries of such member will be excluded from the boundaries of the Authority; (ii) the taxes relevant to that member will not be levied after the effective date of the withdrawal; and (iii) the obligations of the member under this IGA will terminate. <p>(c) If a member withdraws from the Authority while the Authority has any bonds outstanding, the member will continue to levy taxes within its boundaries after the effective date of the withdrawal for the period when bond obligations remain outstanding, or as required in the applicable financing documents.</p> <p>Additional members (see Section 9.03 of the draft IGA):</p> <p>Any county, municipality, or special district with street improvement, safety protection, or transportation powers, or a portion of them, which is not an initial member of the Authority, may become a member upon:</p> <ul style="list-style-type: none"> (a) the adoption of a resolution of the Board, which may be conditioned upon the new member complying with certain conditions imposed by the Board; (b) approval by the electors residing within the territory of the new member; and (c) compliance with any other conditions to the admission of the new member imposed by applicable laws.

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Specific regional transportation systems (capital projects, operational priorities, air service commitments, etc.) to be included in the ballot language for approval.	As described above.
Sources of funds	<p>The baseline funding of the Authority will come from the following sources:</p> <ul style="list-style-type: none"> (i) Initial Authority sales tax. Upon approval by the registered electors, a sales tax to be determined in the final IGA will be imposed. (ii) Existing sales tax. Any county, municipality, or special district that is a member may pledge any legally available funds to the Authority. (iii) Other revenues from fees, tolls, rates, and other charges for traveling on the RTA’s regional transportation system. <p>In addition, the Authority may receive funding from the following sources:</p> <ul style="list-style-type: none"> (iv) Vehicle registration fees of not more than \$10 per vehicle. (v) Discretionary member contributions: a member may offer to make cash contributions, provide in-kind services, or pay costs that otherwise would have been paid by the Authority. The Authority may, subject to Board approval on a case-by-case basis, provide additional transportation services for the member or grant the member a credit against its other contributions or contract service payments to the Authority in an amount equivalent to its contribution. (vi) Pursuit of grants and donations. (vii) Capital projects and bonds: the Authority may fund capital projects by the issuance of bonds if voter approval is obtained as required by applicable laws; through lease-purchase agreements or other arrangements permitted by applicable laws; or through one or more agreements with one or more members. Bond issuances by any regional transportation activity enterprise, an entity wholly owned by the Authority, formed by the Board pursuant to Section 606 of the Regional Transportation Authority Law, do not require voter approval. <p>The Authority may not impose property taxes. This is the only limitation placed by the IGA on the Authority’s statutorily authorized funding sources. See Section 7 of the Draft IGA.</p>
Other terms	The IGA also contemplates transition of regional Steamboat Springs Transit service to the RTA, including equipment and facilities. A transition plan will be attached to the final IGA.

Endnotes

ⁱ “Regional transportation system” is defined at 43-4-602(16). (16) “Regional transportation system” means any property, improvement, or system designed to be compatible with established state and local transportation plans that transports or conveys people or goods or permits people or goods to be transported or conveyed within a region by any means, including, but not limited to, an automobile, truck, bus, rail, air, or gondola. The term includes any real or personal property or equipment, or interest therein, that is appurtenant or related to any property, improvement, or system that transports or conveys people or goods or permits people or goods to be transported or conveyed within a region by any means or that is financed, constructed, operated, or maintained in connection with the financing, construction, operation, or maintenance of any such property, improvement, or system. The term may also include, but is not limited to, any highway, road, street, bus system, railroad, airport, gondola system, or mass transit system and any real or personal property or equipment, or interest therein, used in connection therewith; any real or personal property or equipment, or interest therein, that is used to transport or convey gas, electricity, water, sewage, or information or that is used in connection with the transportation, conveyance, or provisions of any other utilities; and paving, grading, landscaping, curbs, gutters, culverts, sidewalks, bikeways, lighting, bridges, overpasses, underpasses, cross-roads, parkways, drainage facilities, mass transit lanes, park and-ride facilities, toll collection facilities, service areas, and administrative or maintenance facilities. Rights-of-way included in a regional transportation system shall be considered public rights-of-way for purposes of the location of utilities owned by persons other than the authority; except that no right-of way within the regional transportation district created and existing pursuant to article 9 of title 32, C.R.S., that is not a publicly dedicated right-of-way by a municipality, a county, or the state shall be considered a public right-of-way as a result of its inclusion in the district.

ⁱⁱ We have assumed the State (CDOT) will not participate in the proposed RTA.