

EFFECTIVE DATE: 6-3-19

RESOLUTION NO. R2019 - 38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, APPROVING THE AGREEMENT REGARDING MEMBER
FUNDING TRANSFERS PURSUANT TO THE AEROTROPOLIS REGIONAL
TRANSPORTATION AUTHORITY ESTABLISHMENT AGREEMENT

WHEREAS, the Aerotropolis Regional Transportation Authority (ARTA) was established by IGA on February 27, 2018, and includes the City of Aurora, the County of Adams, and the Aerotropolis Area Coordinating Metropolitan District (collectively "Members"); and

WHEREAS, the Members, as Colorado governmental entities, are constitutionally and statutorily empowered pursuant to Colo. Const., Article XIV, §18, and Sections 29-1-201, et seq., C.R.S., to cooperate or contract via intergovernmental agreement with one another to provide functions, services, or facilities authorized to each cooperating government; and

WHEREAS, pursuant to the 2018 IGA (Establishment Agreement), each of the Members generally agreed to the "Budgetary Covenant," which term is defined in the Establishment Agreement and requires the City Manager, County Manager or other officer charged with responsibility for preparation of the budget to prepare and submit annually to their respective governing bodies a request to include in the budget and appropriate the revenues generated by each funding source identified in the Establishment Agreement for remittance to ARTA for the regional transportation system, provided that the decision whether to appropriate the funds annually as requested shall be within the sole discretion of the respective governing bodies; and

WHEREAS, the Members recognize that the Establishment Agreement does not provide clear direction as to the timing of remittances to be made to ARTA pursuant to the Establishment Agreement; and

WHEREAS, the Members of ARTA desire to clarify and set forth their mutual agreement regarding the timing of remittances to be made to ARTA pursuant to the Establishment Agreement by entering into an intergovernmental agreement regarding Member funding transfers; and

WHEREAS, Section 10-12 of the City Charter authorizes the City Council, by resolution, to enter into contracts or agreements with other governmental units or special districts for the joint use of buildings, equipment, or facilities, and for the furnishing or receiving of services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO:

Section 1. The Agreement regarding member funding transfers pursuant to the ARTA Establishment Agreement is hereby approved.

Section 2. The Mayor and the City Clerk are hereby authorized to execute and deliver this Intergovernmental Agreement in substantially the form presented at this meeting, with such

technical additions, deletions, and variations as the City Attorney may deem necessary or appropriate and not inconsistent with this Resolution.

Section 3. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

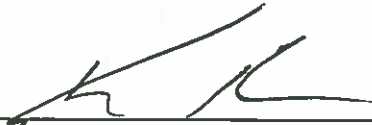
Section 4. This resolution shall take effect immediately without reconsideration.

RESOLVED AND PASSED this 3rd day of June, 2019.



BOB LEGARE, Mayor

ATTEST:



STEPHEN J. RUGER, City Clerk

APPROVED AS TO FORM:



MICHELLE GARDNER, Sr. Assistant City Attorney