

TOWN OF BASALT, COLORADO
RESOLUTION NO. 27
SERIES OF 2014

**A RESOLUTION OF THE TOWN COUCIL OF THE TOWN OF BASALT,
COLORADO AUTHORIZING THE MAYOR OF BASALT TO EXECUTE AN
INTERGOVERNMENTAL AGREEMENT FOR THE ESTABLISHMENT OF AN
EMERGENCY TELEPHONE AUTHORITY**

RECITALS

WHEREAS, pursuant to Article 11 of Title 29, of the Colorado Revised Statutes (C.R.S.), as amended, the Parties are authorized to enter into agreements for the purpose of providing emergency telephone services; and

WHEREAS, Article 1, Part 2 of Title 29, C.R.S., as amended, encourages and authorizes agreements of this nature; and

WHEREAS, the parties entered into an original Intergovernmental Agreement on February 1, 1990, as amended on August 16, 1994, and March 25, 2009 establishing a separate legal entity known as the "Aspen-Pitkin County Emergency Telephone Service Authority" and;

WHEREAS, the parties hereto desire to update the current agreements and revise the Authorities name to the Pitkin County Regional Emergency Telephone Authority to reflect current practices; and

WHEREAS, it would serve the public welfare and be in the best interest of all Parties to continue to participate in the organization, administration and common use of a coordinated emergency telephone authority; and

WHEREAS, due to changes in fact, circumstances, technology and law since the Parties entered into the original Intergovernmental Agreement, and subsequent amendments thereto, the Parties to this Agreement desire to amend the Agreement for the purpose of complying with Colorado law and to carry out the intents and purposes of the Parties; and

WHEREAS, the Parties intend by entering into this agreement that the Authority hereby shall fall within the definition of a "public entity" under the Colorado Governmental Immunity Act, §24-10-101 C.R.S., and a "nonprofit organization" under the Volunteer Service Act §13-21-115.5, 13-21-115.7 and 13-21-116, C.R.S.; and

WHEREAS, it is the position of the Parties that emergency telephone authorities created pursuant to Title 11 of Article 29, C.R.S., are not subject to the revenue spending limitation imposed by Article 10, Section 20 (2)(d) of the Colorado Constitution ("Amendment 1"), and to the extent Amendment 1 may be deemed to apply to emergency telephone authorities, the authority created hereby shall operate as an enterprise within the meaning of Amendment 1 and shall thereby be exempt from all revenue and spending limitations imposed by said Amendment; and

WHEREAS, The Parties do hereby collectively determine and declare that this agreement is necessary, proper and convenient for the continued administration of an emergency telephone authority.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Basalt, Colorado that:

The Town Council, in an effort to facilitate the assignment of the Intergovernmental Agreement executed between the Town of Basalt and the Pitkin County Regional Emergency Telephone Authority, hereby authorizes the Mayor to execute said Intergovernmental Agreement.

INTRODUCED, READ AND ADOPTED by the Council of the Town of Basalt, Colorado on this 22nd day of April, 2014.

TOWN OF BASALT, COLORADO

ATTEST:

By: _____
Jacque Whitsitt, Mayor

Pamela K. Schilling, Town Clerk