

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, REFERRING
TO THE ELIGIBLE ELECTORS OF THE TOWN OF BASALT AT THE
COORDINATED ELECTION TO BE HELD NOVEMBER 5, 2019 A BALLOT ISSUE
REGARDING THE TOWN'S GENERAL OPERATING MILL LEVY**

**Town of Basalt
Resolution No. 33
Series of 2019**

RECITALS

- A. The Town of Basalt ("Town"), acting by and through its Town Council ("Town Council"), has the power to refer to the electors ballot issues as provided by law.
- B. In 1992, State of Colorado voters approved an amendment to the Colorado Constitution to add Article X, Section 20, commonly referred to as the Taxpayer's Bill of Rights, or TABOR.
- C. TABOR requires, among other things, voter approval for any "new tax, tax rate increase, mill levy above that for the prior year, valuation for assessment ratio increase for a property class, or extension of an expiring tax, or a tax policy change directly causing a net tax revenue gain to any district."
- D. In 1994, the Town's voters approved a ballot issue to "de-Bruce" the Town's sales tax and property tax, authorizing the Town "to collect and expend the full revenues generated during 1994 and each subsequent year," allowing the Town to retain revenues generated by the Town's sales tax and property tax in excess of TABOR and statutory limits.
- E. There have not been any voter-approved changes to the Town's general operating mill levy since TABOR was approved by voters.
- F. Since 1994, the Town's general operating mill has ranged from 6.151 mills for the 1994 fiscal year, to a low of 2.562 mills in the 2010 fiscal year, and is presently 5.957 mills for the 2019 fiscal year.
- G. The Town Council finds and determines that in order to maintain the present, desired levels of municipal services, that is in the best interests of the Town to obtain voter-approval for the Town's general operating mill levy at 5.957 mills.
- H. The Town Council finds and determines it is in the best interests of the Town to have the ability to collect, retain, and expend each year the full amount of revenues generated from the Town's general operating mill levy
- I. The Town Council determines it is proper to submit to the eligible electors of the

Town at a coordinated election to be held on November 5, 2019 the ballot issue regarding approval of a general operating mill levy of 5.957 mills and to “de-Bruce” the same.

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

1. Recitals. The foregoing recitals are incorporated herein as findings of Town Council.
2. General Operating Mill Levy. The following ballot issue shall be submitted to the electors voting in the Town of Basalt election to be held November 5, 2019.

SHALL TOWN OF BASALT TAXES BE INCREASED BY NOT MORE THAN \$740,000.00 IN TAX COLLECTION YEAR 2020 AND BY WHATEVER ADDITIONAL AMOUNTS ARE GENERATED ANNUALLY THEREAFTER BY INCREASING THE GENERAL OPERATING MILL LEVY FROM 2.562 MILLS TO NOT MORE THAN 5.957 MILLS (WHICH IS THE AMOUNT LEVIED LAST YEAR) FOR GENERAL MUNICIPAL PURPOSES OF THE TOWN, INCLUDING:

- PUBLIC SAFETY AND POLICE SERVICES,
- FIRE AND FLOOD MITIGATION,
- ROAD MAINTENANCE, SIDEWALK REPAIRS, STREET PLOWING AND SWEEPING, AND
- PARK MAINTENANCE AND RECREATIONAL PROGRAMS;

AND SHALL TOWN COUNCIL BE AUTHORIZED TO ADJUST THE RATE WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE DOES NOT EXCEED 5.957 MILLS; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND SUCH REVENUES NOTWITHSTANDING ANY APPLICABLE REVENUE OR EXPENDITURE LIMITATION IMPOSED BY ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

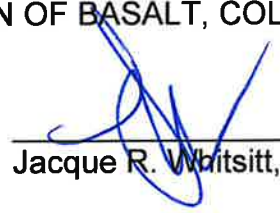
- [] YES/FOR
[] NO/AGAINST

3. Challenges to Ballot Title and Content. For the purposes of C.R.S. § 1-11-203.5, this Resolution shall serve to set the title and content of the ballot issue set forth herein and the ballot title for such ballot issue shall be the text of the ballot issue itself. Any petition to contest the form or content of the ballot title must be filed with the District Court in and for Eagle County and a copy served on the Town Clerk within five days after the date of this Resolution.

4. Conduct of Election. The officers and employees of the Town are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution.
5. Severability. If any clause or provision of this resolution is held to be invalid or unenforceable, the invalidity or unenforceability of the clause or provisions will not affect the validity of any of the remaining clauses or provisions of this resolution, which, upon the date that it is to take effect, will become, and remain thereafter, in full force and effect.
6. Invalidity. If this Resolution does not for any reason become effective, or is declared invalid by a court, the provisions of this Resolution will have no force or effect, and all other acts, orders, or ordinances of the Town will continue to be effective as if this Resolution was never adopted.

READ AND ADOPTED on August 27, 2019, by a vote of 7 to 0.

TOWN OF BASALT, COLORADO

By: 
Jacque R. Whitsitt, Mayor

ATTEST

By: 
Pamela K. Schilling, Town Clerk

