

TOWN OF Jamestown
RESOLUTION 2015 8 - 23

A RESOLUTION CALLING A SPECIAL ELECTION FOR NOVEMBER 3, 2015 TO BE CONDUCTED AS A COORDINATED ELECTION; REFERRING TO REGISTERED ELECTORS AT SUCH ELECTION TABOR BALLOT ISSUES; APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR THE CONDUCT OF SUCH ELECTION; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH SUCH ELECTION

WHEREAS, the Town is authorized to establish a mill levy on taxable real property within the Town, and to increase said mill levy, subject to voter approval; and

WHEREAS, the Boulder County Clerk and Recorder will conduct a coordinated mail ballot election on November 3, 2015 pursuant to the Uniform Election Code and, in particular, C.R.S. Section 1-7-116; and

WHEREAS, the Board of Trustees finds it in the best interests of the Town of Jamestown to call a special election for November 3, 2015 pursuant to state law and to participate in the coordinated election; and

WHEREAS, the Board of Trustees desires to refer the ballot issues set forth herein to the registered electors of the Town at such special municipal election pursuant to Article X, Section 20 of the Colorado Constitution; and

WHEREAS, pursuant to C.R.S. Section 31-10-108, the Board of Trustees may call a special election by resolution adopted not less than 60 days prior to the date of the election, and such election may be held at the same time and place as a statewide general election as a coordinated election;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF JAMESTOWN, COLORADO:

Section 1. Pursuant to C.R.S. Section 31-10-108, a special election for the Town of Jamestown is hereby called and set for Tuesday, November 3, 2015 to be held as part of a coordinated election unless this Resolution is repealed by subsequent action of the Board of Trustees.

Section 2. The purpose of the special election will be to submit to the registered electors of the Town TABOR ballot issues pursuant to Article X, Section 20 of the Colorado Constitution.

Section 3. Pursuant to applicable provisions of the laws of the State of Colorado, the Board of Trustees hereby submits to the registered electors of the Town, at the special election to be held on November 3, 2015 (the "election"), the ballot issues specified in Sections 4 and 5 of this Resolution.

Section 4. The following ballot issue, certified in substantially the form set forth below, is hereby referred to the registered electors of the Town and shall appear on the ballot of the Town of Jamestown special election to be held on November 3, 2015:

BALLOT ISSUE 2A

SHALL TOWN OF JAMESTOWN TAXES BE INCREASED \$15,250 IN 2016 AND THEN ANNUALLY BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED THEREAFTER BY THE IMPOSITION OF AN ADDITIONAL MILL LEVY NOT TO EXCEED FIVE (5) MILLS UPON TAXABLE REAL PROPERTY WITHIN THE TOWN, COMMENCING JANUARY 1, 2016, SUCH REVENUES TO BE COLLECTED, RETAINED, AND SPENT FOR ANY LAWFUL MUNICIPAL PURPOSE; AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH TAX INCREASE AND ANY EARNING THEREON AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSITUTION OR ANY OTHER LAW?

YES _____
NO _____

Section 5. The following ballot issue, certified in substantially the form set forth below, is also hereby referred to the registered electors of the Town and shall appear on the ballot of the Town of Jamestown special election to be held on November 3, 2015:

BALLOT ISSUE 2B

[Insert Text of Second TABOR Ballot Issue]

YES _____
NO _____

Section 6. The Board of Trustees may submit additional ballot issues or other measures to appear on the ballot of the special election by the adoption of appropriate resolutions or ordinances as required by law.

Section 7. Pursuant to C.R.S. Section 31-10-102.7, the Town will utilize the requirements and procedures of the Uniform Election Code of 1992, articles 1 to 13 of title 1, C.R.S., as amended, in lieu of the Colorado Municipal Election Code of 1965, article 10 of title 31, C.R.S., as amended, with respect to the special municipal election to be held on November 3, 2015, and such election shall be conducted as part of the coordinated regular election. The Town Clerk is hereby appointed as the designated election official of the Town for purposes of performing acts required or permitted by law in connection with the election.

Section 7. Because the election will be held as part of the coordinated general election, the Board of Trustees hereby determines that the Boulder County Clerk and Recorder shall conduct the election on behalf of the Town. The officers of the Town are hereby authorized to enter into and execute on behalf of the Town one or more intergovernmental agreements with the Boulder County Clerk and Recorder for the conduct of such election, pursuant to C.R.S. Section 1-7-116. Any such intergovernmental agreement heretofore entered into in connection with the election is hereby ratified, approved and confirmed.

Section 8. Pursuant to C.R.S. Section 1-5-205, no later than twenty days prior to the election, the designated election official of the Town, or the coordinated election official if so provided by an intergovernmental agreement, shall provide notice by publication of the election as described by C.R.S. Section 1-1-104(34), which notice shall include the information required by C.R.S. Section 1-5-205. Such notice shall also be mailed to the County Clerk if required by C.R.S. Section 1-5-205 and shall be posted at least ten days prior to the election and until two days after the election in a conspicuous place in the office of the designated election official of the County Clerk if the election is coordinated by the County Clerk.

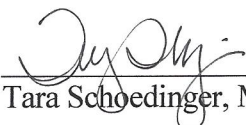
Section 9. Pursuant to C.R.S. Section 1-7-904, on or before the 42nd day prior to the election, the designated election official shall cause any notices required by Section 20(3)(b) of Article X of the Colorado Constitution to be prepared and delivered to the County Clerk.

Section 10. The officers and employees of the Town are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

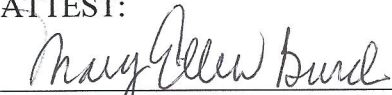
Section 11. All actions heretofore taken (not inconsistent with the provisions of this Resolution) by the Town, directed towards the election and the objects and purposes herein stated, are hereby ratified, approved and confirmed.

INTRODUCED, READ, SIGNED AND APPROVED this 31st day of August, 2015.

TOWN OF JAMESTOWN, COLORADO


Tara Schoedinger, Mayor

ATTEST:


Mary Ellen Burch, Town Clerk

**Town of Jamestown – 2015 Special Election
Options for Second TABOR Ballot Issue
For Discussion Purposes**

Option One – Temporary mill levy increase of three mills for three years.

BALLOT ISSUE 2B

1.7
\$5,241.67

SHALL TOWN OF JAMESTOWN TAXES BE INCREASED \$9,250 IN 2016 AND THEN ANNUALLY IN 2017 AND 2018 BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED IN SUCH YEARS BY THE IMPOSITION OF A TEMPORARY, ADDITIONAL MILL LEVY NOT TO EXCEED ~~THREE (3)~~ 1.7 MILLS AND TO BE IMPOSED FOR NOT MORE THAN THREE (3) YEARS UPON TAXABLE REAL PROPERTY WITHIN THE TOWN, COMMENCING JANUARY 1, 2016, WITH THE REVENUES FROM SUCH TEMPORARY MILL LEVY TO BE COLLECTED, RETAINED, AND SPENT FOR ANY LAWFUL MUNICIPAL PURPOSE; AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH TEMPORARY TAX INCREASE AND ANY EARNING THEREON AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

YES _____
NO _____

Option Two – Authorization to use for general purposes revenues generated from three mills previously approved for department expenses.

BALLOT ISSUE 2B

WITHOUT INCREASING THE TOWN OF JAMESTOWN'S PROPERTY TAX MILL LEVY, SHALL THE TOWN OF JAMESTOWN BE AUTHORIZED, FOR A TEMPORARY, THREE-YEAR PERIOD FOR FISCAL YEARS 2016, 2017 AND 2018, TO USE FOR GENERAL TOWN OPERATING EXPENSES OR ANY OTHER LAWFUL MUNICIPAL PURPOSE THE REVENUES GENERATED FROM THREE (3) MILLS OF THE MILL LEVIES PREVIOUSLY APPROVED BY THE TOWN'S VOTERS FOR DEFRAYING FIRE DEPARTMENT EXPENSES, WITH SUCH TEMPORARY AUTHORITY TO EXPIRE AT THE END OF FISCAL YEAR 2018?

YES _____
NO _____