

RESOLUTION NO. 3-16

A RESOLUTION OF THE TOWN OF BERTHOUD, COLORADO, SUBMITTING TO THE REGISTERED ELECTORS VOTING IN THE BERTHOUD MUNICIPAL ELECTION TO BE HELD APRIL 5th, 2016, A BALLOT ISSUE CONCERNING WHETHER THE TOWN OF BERTHOUD SHOULD MAKE PERMANENT THE LEVY PASSED BY THE VOTERS IN 2006 AND SET TO EXPIRE IN 2016, CONTINUING TO IMPOSE A MAXIMUM OF THREE (3) MILLS UPON TAXABLE REAL PROPERTY WITHIN THE TOWN, SUCH REVENUES TO BE COLLECTED, RETAINED, AND SPENT FOR THE SUPPORT OF POLICE AND LAW ENFORCEMENT FUNCTIONS:

WHEREAS, the Town of Berthoud, Colorado ("Town"), is a statutory town; and

WHEREAS, in an election in 2006, the voters of the Town of Berthoud approved the imposition of a tax not to exceed three (3) mills on all taxable real property within the town in order to support law enforcement functions of the Town; and

WHEREAS, the provision of law enforcement services has been contracted to the Larimer County Sheriff's Department, which has allowed increased police services, but still requires more cost than the municipal budget can pay without continuation of the voter-approved levy; and

WHEREAS, voter-approved mill levy is set to expire in tax year 2016; and

WHEREAS, the termination of the law enforcement tax levy would require the Town of Berthoud to curtail police services which the public has indicated are desired; and

WHEREAS, Article X, Section 20, of the Colorado Constitution ("TABOR Amendment") limits the ability of the Town to continue any taxes imposed for a limited period without a vote of the electorate; and

WHEREAS, the TABOR Amendment permits electors of the Town to approve the extension of such taxes and to authorize the expenditure of revenues from such taxes; and

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO, AS FOLLOWS:

Section 1. All actions heretofore taken (not inconsistent with the provisions of this resolution) by the Town and the officers thereof, directed toward the election in the objects and purposes herein stated are hereby ratified, approved and confirmed.

Section 2. The following Ballot Issue shall be submitted to the qualified electors of the Town voting at the Berthoud Municipal Election to be held on April 5th, 2016:

**TOWN OF BERTHOUD
BALLOT QUESTION
POLICE SERVICES MILL LEVY CONTINUATION**

SHALL THE TOWN OF BERTHOUD, COLORADO MAKE PERMANENT THE LEVY PASSED BY THE VOTERS IN 2006 AND SET TO EXPIRE IN 2016, CONTINUING TO IMPOSE A MAXIMUM OF THREE (3) MILLS UPON TAXABLE REAL PROPERTY WITHIN THE TOWN, SUCH REVENUES TO BE COLLECTED, RETAINED, AND SPENT FOR THE SUPPORT OF POLICE AND LAW ENFORCEMENT FUNCTIONS WHICH INCLUDE FUNDING TO APPLY FOR GRANTS WHICH WOULD SUPPORT POLICE OPERATIONS; ENHANCE DRUG AND ALCOHOL ENFORCEMENT WITH EMPHASIS IN THE SCHOOLS; INCREASED PATROLLING FOR THEFT PREVENTION AND SECURITY WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR SECTION 29-1-301, COLORADO REVISED STATUTES?

YES _____

NO _____

Section 3. For purposes of Section 1-11-203.5, C.R.S., this Resolution shall serve to set the ballot title for the ballot issue set forth above, and the ballot title for the ballot issue shall be the text of such ballot issue.

Section 4. In addition to the notice of election required to be published by the Uniform Election Code of 1992, the Town Clerk shall also caused to be published a notice stating that written comments for or against the ballot issue described above may be filed with the Town Clerk on or before 5:00 PM, on February 22, 2016, and that a summary of such comments will be distributed to registered voters in accordance with law.

Section 5. 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 6. Upon approval of the above Ballot Issue by the majority of the registered electors voting thereon, the Board shall enact an implementing ordinance consistent with all of the terms and conditions contained in the above Ballot Issue.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 26th DAY OF
JANUARY, 2016**

TOWN OF BERTHOUD

BY:



David Gregg, Mayor

ATTEST:



Alisa Darrow, Town Clerk