

**TOWN OF NEDERLAND
Boulder County, Colorado**

RESOLUTION 2016 - 03

A RESOLUTION REFERRING A BALLOT QUESTION CONCERNING AN EXEMPTION FROM THE REVENUE AND EXPENDITURE LIMITATIONS IMPOSED BY STATE LAW AND BY THE TAXPAYER'S BILL OF RIGHTS (TABOR) TO TOWN VOTERS AT THE APRIL 5, 2016 REGULAR MUNICIPAL ELECTION

WHEREAS, the Town of Nederland, Colorado (the "Town"), is a Colorado statutory municipality, duly organized and existing under the laws of the State of Colorado; and

WHEREAS, the members of the Town Board of Trustees (the "Board") hereby finds that the revenue and expenditure limitations imposed by various sources, including the Colorado Constitution and the Colorado Revised Statutes, have the effect of limiting the Town's options to fund and provide better or additional municipal services to its residents; and

WHEREAS, the Board hereby finds and determines that it is in the public interest to refer to the Town electors the question of exempting the Town from the revenue and expenditure limitations of Article X, Section 20 of the Colorado Constitution ("TABOR"), C.R.S. § 29-1-301 (the 5.5% property tax growth cap) and all other limitations; and

WHEREAS, TABOR requires voter approval for any exemption from the Constitution's revenue and expenditure limits; and

WHEREAS, TABOR further requires the Town to submit ballot issues, as defined in TABOR, to the Town's electors only on certain election days; and

WHEREAS, the Town's biennial local election is one at which TABOR questions may be decided, and one such election is scheduled for April 5, 2016; and

WHEREAS, the Board is of the opinion that the Town should seek voter approval of an exemption from state-imposed revenue and expenditure limitations at the April 5, 2016 election.

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

Section 1. Ballot Question Established. The following ballot question shall be referred to the Town electors and placed upon the ballot of the regular Town election to be conducted on April 5, 2016:

"SHALL THE TOWN OF NEDERLAND, COLORADO, WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAXES, BE PERMITTED TO COLLECT, RETAIN AND SPEND THE FULL AMOUNT OF TOWN TAXES, GRANTS AND ALL OTHER REVENUE COLLECTED FROM ALL SOURCES, IN 2016 AND EACH SUBSEQUENT YEAR THEREAFTER, NOTWITHSTANDING ANY STATE OF COLORADO

LIMITATIONS ON REVENUE, GROWTH OR EXPENDITURES, INCLUDING THOSE CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION (TABOR)?”

YES _____
NO _____

RESOLVED, APPROVED and ADOPTED this 19th day of January, 2016.

TOWN OF NEDERLAND

By: 
Mayor Joe Gierlach

ATTEST:


Laura Jane Baur, Town Clerk

