

RESOLUTION NO. \_\_\_\_\_ - 21

A RESOLUTION SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF THE CITY OF COLORADO SPRINGS, COLORADO, AT THE GENERAL MUNICIPAL ELECTION CONDUCTED BY MAIL BALLOT TO BE HELD ON TUESDAY, APRIL 6, 2021, THE QUESTION OF EXTENDING THE SALES AND USE TAX FOR TRAILS, OPEN SPACE AND PARKS PROGRAM ("TOPS") FOR [REDACTED] YEARS, PROVIDING FOR THE FORM OF THE BALLOT TITLE AND TEXT, PROVIDING FOR CERTAIN MATTERS WITH RESPECT TO THE ELECTION, AND PROVIDING THE EFFECTIVE DATE OF THIS RESOLUTION

WHEREAS, the City Council (the "Council") of the City of Colorado Springs, Colorado (the "City"), a municipal corporation duly organized and existing as a home rule city under Article XX of the Constitution of the State of Colorado and the City Charter ("Charter"), has determined that extending the City sales and use tax for Trails, Open Space and Parks Program for [REDACTED] years is in the best interest of the residents of, and visitors to, the City; and

WHEREAS, the Council does hereby determine that the Election conducted by mail ballot on April 6, 2021, is designated as a general municipal election pursuant to Section 11-20 of the City Charter and Section 31-10-108, C.R.S. (the "Election") at which the question of extending the City sales and use tax for Trails, Open Space and Parks Program for [REDACTED] years shall be submitted to the City's electors qualified and registered to vote thereon.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:**

Section 1. Council hereby submits and refers to the vote of the registered qualified electors of the City to be held at the Election (as defined in Section 2), the question regarding extending the City's sales and use tax for the Trails, Open Space and Parks Program to and until December 31, 20[REDACTED] which appears in full in Section 3 of this Resolution.

Section 2. The Election shall be a General Municipal Election conducted by mail ballot on April 6, 2021.

Section 3. The question of extending the City sales and use tax for Trails, Open Space and Parks Program as a voter approved change, shall be submitted to the registered qualified electors of the City in substantially the following form:

SHALL THE EXISTING 0.1% CITY SALES AND USE TAX DEDICATED FOR TRAILS, OPEN SPACE AND PARKS (TOPS), APPROVED INITIALLY BY THE VOTERS IN 1997 AND SUBSEQUENTLY AMENDED BY THE VOTERS IN 2003, 2010, AND 2013, BE EXTENDED FOR [REDACTED] ( ) YEARS FROM ITS CURRENT EXPIRATION OF DECEMBER 31, 2025 TO AND UNTIL DECEMBER 31, 20[REDACTED]?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

Section 4. The City Council finds and declares that: If the question set forth in Section 3 is approved by the electors voting thereon, the City of Colorado Springs shall be authorized to continue its sales and use tax for the Trails, Open Space and Parks Program to and until December 31, 20[redacted]. As is currently the case, the revenues from the sales and use tax for the Trails, Open Space and Parks Program will be placed in a dedicated fund to be used only for funding the acquisition, protection and maintenance of natural areas, wildlife habitat and open space; conservation of lands along waterways and creeks that protect water quality; conservation of forest lands that are critical to water supplies and help reduce risks of wildfires; construction, repairs and improvements of neighborhood and community parks and trails; and, provision of opportunities for active recreation for children, youth, adults and seniors. No more than 3% of the fund balance may be used for program management of the Trails, Open Space and Parks Program.

Section 5. The City Clerk and officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of the resolution. The City Clerk shall conduct the General Municipal Election.

Section 6. All actions heretofore taken by the Council and officers of the City, not inconsistent with the provisions of the resolution and toward the general election, are hereby ratified, approved and confirmed.

Section 7. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 8. All resolutions, bylaws and regulations of the City in conflict with this resolution, are hereby repealed to the extent of any conflict. This repealer shall not be construed

to revive any ordinance, resolution, bylaw or regulation, in whole or in part, previously repealed.

Section 9. This Resolution shall be effective upon passage.

Dated at Colorado Springs, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
Sarah B. Johnson, City Clerk