

ORDINANCE NO. 20-4

AN ORDINANCE AMENDING ORDINANCE NO. 18-118 (2019 APPROPRIATION ORDINANCE) FOR A SUPPLEMENTAL APPROPRIATION TO THE GENERAL FUND IN THE AMOUNT OF \$6,984,844, AND TO THE LODERS AND AUTO RENTAL TAX (LART) FUND IN THE AMOUNT OF \$167,394 WHICH WILL BE TRANSFERRED TO THE GENERAL FUND AND IS INCLUDED IN THE \$6,984,844, FOR THE RETENTION OF 2018 FISCAL YEAR REVENUE ABOVE THE 2018 FISCAL YEAR REVENUE AND SPENDING LIMITS (TABOR CAP), APPROVED BY VOTERS IN THE NOVEMBER 2019 COORDINATED ELECTION (ISSUE 2B) TO BE RETAINED AND SPENT FOR PARKS, SPORTS AND CULTURAL FACILITIES, AND TRAIL IMPROVEMENT PROJECTS

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

Section 1. That Ordinance No. 18-118 is hereby amended by increasing the expenditure appropriation in the amount of \$6,984,844 in the General Fund which is the amount of the 2018 Fiscal Year Revenue above the 2018 Fiscal Year Revenue and Spending Limits (TABOR Cap), approved by voters in the November 2019 coordinated election (Issue 2B) to be retained and spent for parks, sports and cultural facilities, and trail improvement projects. The source of funds is restricted General Fund balance of \$6,817,450 and a transfer from the LART Fund Restricted Fund Balance of \$167,394.

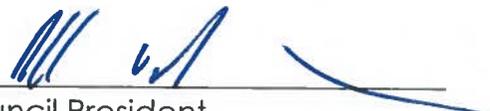
Section 2. That Ordinance No. 18-118 is hereby amended by increasing the expenditure appropriation in the LART Fund in the amount of \$167,394, to be transferred to the General Fund as part of the supplemental appropriation of \$6,984,844. The source of funds is the LART Fund Restricted Fund Balance.

Section 3. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 4. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance shall be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 14th day of January, 2020.

Finally passed: January 28th, 2020



Council President

Mayor's Action:

- Approved: January 31, 2020
 Disapproved: _____, based on the following objections:



Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:


Sarah B. Johnson, City Clerk



TJF

I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE AMENDING ORDINANCE NO. 18-118 (2019 APPROPRIATION ORDINANCE) FOR A SUPPLEMENTAL APPROPRIATION TO THE GENERAL FUND IN THE AMOUNT OF \$6,984,844, AND TO THE LODERS AND AUTO RENTAL TAX (LART) FUND IN THE AMOUNT OF \$167,394 WHICH WILL BE TRANSFERRED TO THE GENERAL FUND AND IS INCLUDED IN THE \$6,984,844, FOR THE RETENTION OF 2018 FISCAL YEAR REVENUE ABOVE THE 2018 FISCAL YEAR REVENUE AND SPENDING LIMITS (TABOR CAP), APPROVED BY VOTERS IN THE NOVEMBER 2019 COORDINATED ELECTION (ISSUE 2B) TO BE RETAINED AND SPENT FOR PARKS, SPORTS AND CULTURAL FACILITIES, AND TRAIL IMPROVEMENT PROJECTS”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on January 14th, 2020; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 28th day of January, 2020, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 31st day of January, 2020.


Sarah B. Johnson, City Clerk



1st Publication Date: January 17th, 2019
2nd Publication Date: February 5th, 2020

Effective Date: February 10th, 2020

Initial: SBJ
City Clerk

RESOLUTION NO. 77-19

A RESOLUTION SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF THE CITY OF COLORADO SPRINGS, COLORADO, AT THE COORDINATED ELECTION CONDUCTED BY MAIL BALLOT TO BE HELD ON TUESDAY, NOVEMBER 5, 2019, THE QUESTION OF RETAINING AND SPENDING UP TO \$7,000,000, THE ESTIMATED 2018 FISCAL YEAR REVENUE ABOVE THE 2018 FISCAL YEAR REVENUE AND SPENDING LIMITATIONS, FOR CITY PARKS, SPORTS AND CULTURAL FACILITIES AND TRAIL IMPROVEMENTS, AS A VOTER APPROVED REVENUE CHANGE; PROVIDING FOR THE FORM OF THE BALLOT TITLE; 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 the estimated 2018 fiscal year revenues of the City exceed the 2018 Fiscal Year revenue and spending limitations of Article X, § 20 of the Colorado Constitution and City Charter § 7-90, and that such revenues, if retained by the City, will be used solely for the parks, sports and cultural facilities and trail improvement projects located within the City of Colorado Springs which are described in Section 3 of this Resolution, and that are in the best interest of the residents of, and visitors to, the City; and

WHEREAS, the Council does hereby determine that the Coordinated Election conducted by mail ballot on November 5, 2019, be designated as a special 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 retaining the estimated Fiscal Year 2018 revenues exceeding such Fiscal Year revenue and spending limitations 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. There shall be submitted to the registered qualified electors of the City at the Election the question regarding a retention of the 2018 fiscal year revenues exceeding the 2018 Fiscal Year revenue and spending limitations, as a voter approved revenue change, exempt from revenue and spending limitations, which appears in full in Section 3 of this Resolution.

EXHIBIT

Section 2. The Election shall be a special municipal election held as part of the Coordinated Election conducted by mail ballot on November 5, 2019.

Section 3. The question of retention of the 2018 Fiscal Year revenues, exceeding the 2018 Fiscal Year revenue and spending limitations, as a voter approved revenue change, exempt from revenue and spending limitations, shall be submitted to the registered qualified electors of the City in substantially the following form:

WITHOUT IMPOSING ANY NEW TAX OR INCREASING THE RATE OF ANY EXISTING TAX, SHALL THE CITY OF COLORADO SPRINGS BE PERMITTED TO RETAIN AND SPEND UP TO \$7,000,000, THE ESTIMATED 2018 FISCAL YEAR REVENUE ABOVE THE 2018 FISCAL YEAR REVENUE AND SPENDING LIMITATIONS, SOLELY FOR THE FOLLOWING PARKS, SPORTS AND CULTURAL FACILITIES AND TRAIL IMPROVEMENT PROJECTS LOCATED WITHIN THE CITY OF COLORADO SPRINGS:

- REPAIR, RESTORATION AND IMPROVEMENTS TO ACACIA, ANTLERS, MONUMENT VALLEY, PALMER AND PANORAMA PARKS
- REPAIR, RESTORATION AND IMPROVEMENTS TO ALAMO SQUARE/PIONEERS MUSEUM
- REPAIR, RESTORATION AND IMPROVEMENTS TO COTTONWOOD CREEK BASEBALL FIELDS, LEON YOUNG SPORTS COMPLEX, BOULDER PARK SPORTS COURTS AND THORNDALE PARK SPORTS COURTS
- TRAIL IMPROVEMENTS TO HOMESTEAD, MESA, SANDCREEK AND LEGACY LOOP TRAILS
- REPAIR AND REPAVING OF EVERGREEN AND FAIRVIEW CEMETERY PARKING AREAS
- PREPARATION OF COMMUNITY PARK MASTER PLAN FOR COLEMAN PARK

, AS A VOTER APPROVED REVENUE CHANGE AND EXCEPTION TO ANY CONSTITUTIONAL, CHARTER, OR CITY ORDINANCE OR CODE LIMITATIONS THAT MAY OTHERWISE APPLY?

Section 4. 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 this resolution. The City Clerk shall assist and cooperate with the County Clerk and Recorder in conducting the special municipal election held as part of a Coordinated Election.

Section 5. All actions heretofore taken by the Council and officers of the City, not inconsistent with the provisions of this resolution and toward the special municipal election herein authorized, be and the same are hereby ratified, approved and confirmed.

Section 6. 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 such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 7. All resolutions, bylaws and regulations of the City in conflict with this resolution, are hereby repealed to the extent only of such inconsistency. The repealer shall not be construed to revive any ordinance, resolution, bylaw or regulation or part thereof, heretofore repealed. If passed by the electorate, the ballot measure shall be effective hereafter as provided by law.

Section 8. This resolution shall be effective upon passage.

Dated at Colorado Springs, Colorado this 13th day of August, 2019.



Council President

ATTEST:


Sarah B. Johnson, City Clerk