

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

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 2, 2021, THE QUESTION OF RETAINING AND SPENDING UP TO \$20,000,000 ON CITY-WIDE AND REGIONAL WILDFIRE MITIGATION AND PREVENTION, THIS AMOUNT BEING THE ESTIMATED 2021 FISCAL YEAR REVENUE ABOVE THE 2021 FISCAL YEAR REVENUE AND SPENDING LIMITATIONS, AND RESETTING THE REVENUE AND SPENDING LIMITATIONS FOR LATER YEARS BASED THEREON, AS VOTER APPROVED REVENUE CHANGES; 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 the estimated 2021 Fiscal Year revenues of the City exceed the 2021 Fiscal Year revenue and spending limitations of Article X, § 20 of the Colorado Constitution and City Charter § 7-90; and

WHEREAS, refunding the unexpected increase in City revenues during the COVID-19 pandemic would result in the loss of valuable funding which, if retained, would be utilized solely to increase City-wide and Pikes Peak region wildfire mitigation and prevention efforts that are in the best interest of the residents of the City; and

WHEREAS, the Council requests voter authorization to retain Fiscal Year 2021 excess revenues received by the City for City-wide and Pikes Peak region wildfire mitigation, prevention, and evacuation planning efforts, and establish the amount of total revenue allowed under TABOR to be the total revenue received by the City in 2021, adjusted in each year thereafter for inflation and City growth as provided by Charter.

**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 of approving the retention and spending of the 2021 Fiscal Year revenues exceeding the 2021 Fiscal Year revenue and spending limitations, and resetting the revenue and spending limitations for later years based thereon, as voter-approved revenue changes, which appears in full in Section 3 of this resolution.

Section 2. The Election shall be a Special Municipal Election held as part of the Coordinated Election conducted by mail ballot on November 2, 2021.

Section 3. The question of approval of the retention and spending of the 2021 Fiscal Year revenues exceeding the 2021 Fiscal Year revenue and spending limitations, and resetting the revenue and spending limitations for later years based thereon, as voter-approved revenue changes, 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 \$20,000,000 TO CREATE A CITY-WIDE AND REGIONAL WILDFIRE MITIGATION AND PREVENTION PROGRAM TO BE MANAGED BY THE COLORADO SPRINGS FIRE DEPARTMENT, THIS AMOUNT BEING THE ESTIMATED 2021 REVENUES ABOVE THE 2021 FISCAL YEAR REVENUE/SPENDING LIMITATIONS, AND ANY FUTURE INTEREST RECEIVED THEREON, OF WHICH NO MORE THAN 5% OF THE BALANCE OF THE FUND WILL BE SPENT ANNUALLY, AND FOR CITY FISCAL YEAR 2022 AND THEREAFTER, THE AMOUNT ALLOWED BY CITY REVENUE AND SPENDING LIMITATIONS SHALL BE THE TOTAL ANNUAL REVENUES RECEIVED IN 2021, ADJUSTED IN EACH FISCAL YEAR THEREAFTER FOR INFLATION AND CITY GROWTH AS PROVIDED BY CHARTER, AS VOTER APPROVED REVENUE CHANGES AND

EXCEPTIONS TO ANY CONSTITUTIONAL, STATUTORY AND CHARTER REVENUE AND SPENDING LIMITATIONS THAT MAY OTHERWISE APPLY?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

Section 4. The Mayor shall appoint a citizen advisory committee to provide consultation to the Colorado Springs Fire Department regarding the use of program funds for City-wide and Pikes Peak region wildfire mitigation, prevention, and evacuation planning efforts.

Section 5. If in any future fiscal year the total program fund for City-wide and Pikes Peak region wildfire mitigation, prevention, and evacuation planning efforts contains less than \$100,000, the City shall have the authority, but not be required, to spend the remaining fund balance.

Section 6. 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 7. All actions heretofore taken by the Council and officers of the City, not inconsistent with the provisions of this resolution and toward the Election, are hereby ratified, approved and confirmed.

Section 8. 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 resolution.

Section 9. 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 10. This resolution shall be effective upon passage.

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

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Council President

ATTEST:

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Sarah B. Johnson, City Clerk