

**RESOLUTION NO. \_\_\_\_\_ - 15**

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 3, 2015, THE QUESTION OF RETAINING AND SPENDING UP TO \$2,100,000, THE ESTIMATED 2014 FISCAL YEAR REVENUE ABOVE THE 2014 FISCAL YEAR REVENUE AND SPENDING LIMITATIONS, AS A VOTER APPROVED REVENUE CHANGE; 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 2014 fiscal year revenues of the City exceed the 2014 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 for park trail improvements 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 3, 2015, also 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 2014 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 2014 fiscal year revenues exceeding the 2014 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.

**Section 2.** The Election shall be a special municipal election held as part of the Coordinated Election conducted by mail ballot on November 3, 2015.

**Section 3.** The question of retention of the 2014 Fiscal Year revenues, exceeding the 2014 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 RAISING TAXES, SHALL THE CITY OF COLORADO SPRINGS BE PERMITTED TO RETAIN AND SPEND UP TO \$2,100,000 FOR PARK TRAIL IMPROVEMENTS AS A VOTER APPROVED REVENUE CHANGE, THIS AMOUNT BEING THE ESTIMATED 2014 REVENUES ABOVE THE 2014 FISCAL YEAR REVENUE/SPENDING LIMITATIONS?

(Ballot Text)

If approved by the electors, the City of Colorado Springs shall be authorized to retain and spend up to \$ 2,100,000 only for the purposes of repair, renovation and improvement to existing segments of priority multi-use park trails in the City, which amount is the estimated amount by which 2014 fiscal year revenues exceeded the 2014 Fiscal Year revenue and spending limitations set forth in Article X § 20 of the Colorado Constitution and Section 7-90 of the City Charter, often referred to as the Taxpayer's Bill of Rights or TABOR. These revenues will be earmarked and used only for repair, renovation and improvement to existing segments of such trails in the City, which work will be contracted out to the private sector. There is no tax increase of any kind associated with the measure. These funds are intended to be used for work on existing segments of the following trail corridors:

Homestead Trail  
Palmer Mesa Trail  
Pikes Peak Greenway  
Rock Island Trail  
Sand Creek Trail  
Shooks Run Trail  
Sinton Trail  
Skyline Trail

**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 of 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 \_\_\_\_\_ day of August, 2015.

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Merv Bennett, Council President

ATTEST:

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Sarah B. Johnson, City Clerk

