



## Legislation Text

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**File #:** 15-00432, **Version:** 1

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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.

**From:**

Mayor John Suthers

**Summary:**

This Resolution refers a ballot question to the qualified registered electors of the City at the November 3, 2015 coordinated election which also constitutes a special municipal election. The ballot question asks the voters whether the City may retain and spend up to \$2.1 million in revenues received by the City during fiscal year 2014 which exceeded the amounts otherwise allowed to be retained and spent under the City Charter § 7-90 and Colorado Constitution Article X, § 20, known as the Taxpayers' Bill of Rights or "TABOR", provided that the funds may only be used for the repair, renovation and improvement of existing priority multi-use park trails in the City. The Resolution also directs City staff to do all things required in connection with having the ballot measure presented to the voters.

**Previous Council Action:**

The concept of asking the voters for authorization to retain and spend the so-called TABOR excess revenue for parks trails has been discussed by Mayor Suthers and City Council beginning on June 12, 2015.

**Background:**

Under Charter § 7-90 (g), the City's authorized change in fiscal year spending is limited to inflation plus City growth, and any voter approved changes. Under Colo. Const. Art. X, § 20 (7) (b), City spending is similarly limited to inflation plus local growth and any voter approved revenue changes. The Finance Department has determined that, in part because of the City's receipt of State grants to assist with the flood disaster during 2014, it would exceed these limitations by \$2.1 million, unless the voters approve the revenue change. The Resolution before City Council would present that question to the voters, with the restriction that the excess amount be spent on repairs and renovations to existing park trails, which work will be contracted out to the private sector.

There is no tax increase of any kind associated with this ballot 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, Shooks Run Trail, Sinton Trail and Skyline Trail.

**Financial Implications:**

If the Resolution is passed by Council and the measure approved by the voters, the City will be permitted to retain and expend the \$2.1 million on repairs and renovations to the specified park trails. Otherwise, the City will be required to refund that amount, See Charter § 7-90 (g); the Charter may also permit the funds to be applied to reduce taxes or bonded debt.

**Board/Commission Recommendation:**

On July 8th the Park Staff shared with the Trails, Open Space and Parks (TOPS) Working Committee that a potential proposal for the \$2.1 million may be available for Park trails. On July 9th the Mayor and Park Staff shared that there would be a proposal moving forward to City Council regarding the retention of the \$2.1 million for park trails. During the Parks Advisory Board meeting, each of the existing trail segments were carefully reviewed. A consensus of the Parks Advisory Board supported the list of projects.

**Stakeholder Process:**

Per the recently adopted Parks System Master Plan trails were rated high for areas to improve and to take care of what we have in our system. We have detailed surveys, public meetings and stakeholders that discussed projects such as these. On July 8, 2015 and August 5, 2015 proposed ballot information and the existing trail segments were shared with the TOPS Working Committee. On July 9, 2015 the Parks Advisory Board reviewed the specific existing trail segments being proposed. Park staff spoke at the District 2 City Council Town Hall Meeting

**Alternatives:**

The City could refund the amount to the taxpayers. The Charter may also permit the funds to be applied to reduce taxes or bonded debt.

**Proposed Motion:**

Move to approve... 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.

N/A