

RESOLUTION NO. 2016-99

A Resolution of the Board of County Commissioners of Boulder County certifying ballot titles to the November 8, 2016, general election ballot, and approving amendments to the ballot titles approved in Resolution Nos. 2016-78, 2016-80 and 2016-92.

Recitals:

A. The Board has adopted Resolution Nos. 2016-77, 2016-79, 2016-89 and 2016-91, approving ballot titles for the following County referred ballot measure proposals:

A proposal to extend one-half (0.125%) of the existing 0.25% countywide open space sales and use tax for the purpose of continuing to fund the open space program; for the issuance of open space capital improvement trust fund bonds through a multiple-fiscal year commitment of revenues from such tax and from other open space sales and use tax revenues, general fund moneys and other legally available funds; a voter-approved revenue change; and providing other matters relating thereto (Resolution No. 2016-77);

A proposal to extend one-half (0.125%) of the existing 0.25% countywide open space sales and use tax for the purpose of funding sustainability infrastructure and programs; a voter-approved revenue change; and providing other matters relating thereto (Resolution No. 2016-79);

A proposal for an increase in the Boulder County ad valorem property tax mill levy to provide funding for road and bridge projects within the municipalities located in Boulder County and rehabilitation of paved public subdivision roads in unincorporated Boulder County (Resolution No. 2016-89); and

A proposal to extend the term limits for the Boulder County District Attorney, Twentieth Judicial District, State of Colorado (Resolution No. 2016-91).

B. Based upon the proposals for each of these ballot measures, the Board considered and adopted appropriate ballot titles for each proposal in Resolution Nos. 2016-78, 2016-80, 2016-90 and 2016-92.

C. Through this Resolution, the Board desires to certify the ballot measures and titles to the County Clerk for publication of the ballot titles on the ballots for the voters for the November 8, 2016, general election, on or before September 9, 2016.

D. The Board further desires through this Resolution to make certain amendments to the ballot titles adopted in Resolution Nos. 2016-78, 2016-80 and 2016-92 to reflect minor corrections to the language of these titles as they will appear on the general election ballot:

i. Regarding the ballot title approved in Resolution No. 2016-78 for the proposal of a countywide open space sales and use tax bond authorization and tax extension, the Board desires for the ballot title to expressly state that the revenues of the sales and use tax and bonds will be a voter-approved revenue change under Article X, § 20 of the Colorado Constitution, consistent with the ballot measure proposal approved in Resolution No. 2016-77, as shown on Exhibit B attached hereto and incorporated herein by this reference.

ii. Regarding the ballot title approved in Resolution No. 2016-80 for the proposal of a countywide sustainability sales and use tax extension, the Board desires for the ballot title to expressly state that the revenues of the sales and use tax will be a voter-approved revenue change under Article X, § 20 of the Colorado Constitution, consistent with the ballot measure proposal approved in Resolution No. 2016-79, as shown on Exhibit C attached hereto and incorporated herein by this reference.

iii. Regarding the ballot title approved in Resolution No. 2016-92 for the proposal to extend the District Attorney term limit to four terms, the Board desires to re-format the ballot title to appear in upper and lower case type, consistent with Secretary of State Election Rule 4.8 requiring that the text of ballot questions not subject to Article X, § 20 of the Colorado Constitution appear in upper and lower case, as shown on Exhibit D attached hereto and incorporated herein by this reference.

E. The Board desires to make no changes to the ballot title approved in Resolution No. 2016-90 for the proposal to increase the countywide road and bridge mill levy, as shown on Exhibit A attached hereto and incorporated herein by this reference.

F. In addition to the above described amendments, the Board desires to certify the order of the ballot titles as they will appear on the general election ballot.

G. The order in which the titles for all county referred measures are to appear on the general election ballot is established by the requirements of Article X, § 20 of the Colorado Constitution and Colorado Secretary of State Election Rule 4.5.2, 8 C.C.R. 1505-1, such that titles have the following order of preference: referred measures to increase taxes; referred measures to retain excess revenues; referred measure to increase debt; other referred measures.

H. Subject to any further amendments or modifications or additions that the Board desires to make and of which the County Clerk is notified prior to the September 9, 2016 ballot certification deadline, the Board desires to proceed to certify the County ballot measures according to their respective approved ballot titles to the County Clerk for placement on the ballot for the November 8, 2016, general election.

Therefore, the Board resolves:

1. The County ballot measures, each of which is a referred measure, as represented by their ballot titles complete with submission clauses, shall be placed upon the November 8, 2016, general election ballot, to appear as set forth in Exhibits A, B, C and D attached hereto, and in that same order, and the amendments to the titles set forth in Exhibit B, C and D are hereby approved.

2. Upon approval of this Resolution, the County's designated Election Officer, Michelle Krezek, Commissioners' Deputy and Designated Election Officer, shall forthwith transmit this Resolution to the Boulder County Clerk and Recorder, in both .pdf and MS Word formats, for placement of the foregoing ballot measures by title on the November 8, 2016, general election ballot, and all other constitutionally and statutorily required matters shall be performed in order to effectuate the submission of these measures to election.

A motion to approve this Resolution 2016-99 was made by Commissioner _____, seconded by Commissioner _____, and passed by a _____ vote.

ADOPTED this ____ Day of September, 2016.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY**

(SEAL)

Elise Jones, Chair

ATTEST:

Cindy Domenico, Vice-Chair

Michelle Krezek,
Commissioners' Deputy
and Designated
Election Officer

Deb Gardner, Commissioner