

**RESOLUTION NO. 2019 - \_\_\_\_**

**BOARD OF COUNTY COMMISSIONERS  
OF THE  
COUNTY OF SUMMIT  
STATE OF COLORADO**

**A RESOLUTION AUTHORIZING AN INCREASE IN PROPERTY TAX REVENUES FOR CAPITAL EXPENDITURES PURSUANT TO SECTION 29-1-301, C.R.S. AND RETAINING REVENUES PREVIOUSLY APPROVED BY THE VOTERS OF SUMMIT COUNTY**

**WHEREAS**, Article X, Section 20 of the Colorado Constitution ("TABOR") placed certain limits on the County's property tax mill levy as well as the retention of revenues from taxes and most other sources; and

**WHEREAS**, TABOR allows those limits to be exceeded upon a favorable vote by the electorate of a governmental entity; and

**WHEREAS**, in 1998 the voters of Summit County approved a "revenue retention" ballot issue that had been placed on the ballot by the BOCC, which ballot question requested that the voters allow the County to "collect, retain and expend ... all revenues and other funds from any source during 1998 and each subsequent year as a voter-approved revenue change notwithstanding the limitations in [TABOR]"; and

**WHEREAS**, this approval from the Summit County voters allowed the County to maintain its 1998 property tax mill levy and revenues derived thereunder to avoid the "ratcheting-down" of its property tax mill levy under TABOR; and

**WHEREAS**, the County's property tax revenues are also subject to a separate statutory limit contained in Section 29-1-301, CRS, that predates TABOR and limits annual property tax revenue increases to 5.5 percent, with certain exceptions; and

**WHEREAS**, one of the exceptions in Section 301 allows the County to retain revenues and exceed the otherwise applicable statutory limits on its property tax revenues for capital expenditures; and

**WHEREAS**, in order to avail itself of this allowance for capital expenditures, the BOCC is required to hold a public hearing on the issue of the increase in revenues and vote to approve of the capital expenditures and such property tax revenues as are required to fund the expenditures; and

**WHEREAS**, the BOCC scheduled a public hearing on November 26, 2019, to consider whether the County should increase its property tax revenues to fund certain capital expenditures in accordance with Section 301 and within the TABOR authorization obtained from the voters in 1998 and accordingly, notice of the public hearing has been published twice in the Summit County Journal as required by statute; and

**WHEREAS**, the amount of annual revenues that would be retained by the proposed decision is \$1,403,720 so that the total property taxes levied in 2019 and collected in 2020 (including the proposed increase) would be \$43,385,042 which is a 3.3 % increase in the property tax revenues that would otherwise be allowed under Section 301. The total property tax mill levy to be imposed by Summit County including the retained revenues provided for hereunder is 19.263 mills, which

exceeds the total property tax mill levy that would otherwise be levied under Section 301 (without the retained revenues) by 3.3 percent.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO THAT:**

**AN ANNUAL INCREASE IN PROPERTY TAX REVENUES OF \$1,403,720 FOR THOSE CAPITAL EXPENDITURES IDENTIFIED IN THE ATTACHED ADDENDUM IS HEREBY APPROVED PURSUANT TO C.R.S. SECTION 29-1-301 SO THAT THE CAPITAL EXPENDITURES MILL LEVY FOR 2019 SHALL BE 1.819 MILLS AND THE TOTAL PROPERTY TAX MILL LEVY SHALL BE 19.263 MILLS, AS PROPOSED FOR FINAL ADOPTION BY THE BOARD.**

**ADOPTED THIS 26th DAY OF NOVEMBER 2019.**

**COUNTY OF SUMMIT  
STATE OF COLORADO  
BY AND THROUGH ITS  
BOARD OF COUNTY COMMISSIONERS**

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Thomas C. Davidson, Chair

**ATTEST:**

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Kathleen Neel, Clerk & Recorder