



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: AUGUST 6, 2019**

**AGENDA TITLE**

Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8346 submitting to the registered electors of the City of Boulder at the municipal coordinated election to be held on Tuesday November 5, 2019, the question of whether the City of Boulder should extend and dedicate to Open Space and the General Fund a 0.15 cent sales tax; with seven potential alternative options for dedication of the revenue including options for a 10-year or 20-year extension, options to fund Transportation and for funding the acquisition of a property interest in an approximately 25-acre property known as Long's Gardens and setting forth the ballot title and other election procedures and setting forth related details.

**PRESENTERS**

Jane S. Brautigam, City Manager  
Thomas A. Carr, City Attorney  
Cheryl Pattelli, Chief Financial Officer

**EXECUTIVE SUMMARY**

At the July 23, 2019 Study Session, council members discussed various approaches to addressing the need to fund the Open Space and Mountain Parks, Transportation Departments, and general government operations. Council members considered extending a 0.15 cent sales tax, which expires December 31, 2019 and dedicating the funding to specific city needs. Although there was no clear consensus among council members, council members expressed support for the following options:

- A. A dedication of 0.10 to Open Space and 0.05 to the General Fund for 10 Years
- B. A dedication of 0.10 to Open Space and 0.05 to the General Fund for 20 Years
- C. A dedication of 0.10 to Open Space and 0.05 to the General Fund including funding to purchase a conservation easement at Long's Gardens for 10 Years
- D. A dedication of 0.10 to Open Space and 0.05 to the General Fund including funding to purchase a conservation easement at Long's Gardens for 20 Years
- E. A dedication of 0.10 to Open Space and 0.05 to Transportation for 10 Years
- F. A dedication of 0.10 to Open Space and 0.05 to Transportation for 20 Years
- G. A dedication of 0.15 to Open Space for 10 Years
- H. A dedication of 0.15 to Open Space for 20 Years

Staff members have developed the proposed ordinance which would adopt the first option presented above. Staff members have also developed seven alternatives, which are attachments B through H representing the other alternatives. Staff chose the proposed ordinance at random. The schedule should allow ample time for council to receive public input and vote to adopt a preferred alternative. The proposed schedule would be as follows:

First Reading: August 6, 2019

Second Reading: August 20, 2019

Third Reading: September 3, 2019

Hopefully, council will select the preferred alternative at the August 20 council meeting, allowing for the amendments to be included in the third reading version to be adopted on September 3, 2019.

## **STAFF RECOMMENDATION**

### **Suggested Motion Language**

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to introduce and order published by title only, Ordinance 8346 submitting to the registered electors of the City of Boulder at the municipal coordinated election to be held on Tuesday November 5, 2019, the question of whether the City of Boulder should extend and dedicate to Open Space and the General Fund a 0.15 cent sales tax and setting forth the ballot title and other election procedures and setting forth related details.

## **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

- Economic – The renewal of the 0.15 cent sales taxes will not create any incremental economic impact on any businesses or individuals since the programs the tax currently supports are already absorbed within the macro economy of the city.
- Environmental – The existing tax funds transportation construction, maintenance and operations. Renewal of a portion of these taxes for open space will support land management activities such as weed and wildlife management and environmental education.
- Social – The use of sales taxes to fund the maintenance of mountain parks and natural lands that are accessible to all members of the community, foster a sense of place and provide opportunities for recreation.

## **OTHER IMPACTS**

- Fiscal – The fiscal impact to the city is covered in the analysis section of this agenda item.
- Staff time – The staff time needed to complete the background work for the ballot item is included within the departmental work plans.

## **ANALYSIS**

### **1. Open Space**

The various options would provide additional funding dedicated to open space. The options include dedicating either 0.10 cent or 0.15 cent to open space. These alternatives would be projected to produce approximately \$3.5 million and \$5.3 million respectively each year to fund open space operations, maintenance and acquisitions.

### **2. Transportation**

The proposed alternatives in attachments E and F would dedicate 0.05 cent of the 0.15 cent tax renewal to transportation maintenance, expansion and mass transit. This would be expected to produce approximately \$1.76 million each year.

### **3. General Government Operations**

There remains a need to fund general government operations. The funding gap persists and is projected to increase over time. The General Fund provides support to departments that do not have a dedicated funding source like public safety (police and fire), which makes up 37 percent of total budget within the General Fund. Accordingly, the proposed ordinance and the alternatives in attachments A, B, C, and D would dedicate

0.05 cent of the 0.15 cent sales tax for general government operations. This would be expected to produce approximately \$1.76 million each year.

#### 4. Long's Gardens

Council has expressed a desire to acquire a property interest in the 25.34-acre property known as "Long's Gardens." It does not appear that the entire property fits appropriately as an Open Space project. Existing budget priorities, as established by council, do not provide for the funds necessary to make a purchase of this magnitude. Council directed that staff provide language that would allow for the use of 0.05 cent of the 0.15 cent sales tax for the acquisition of a property interest in Long's Gardens at the discretion of the City Council. Such a tax would be expected to produce approximately \$1.76 million each year. Council may wish to consider whether to add additional bonding authority to the bonding measure that council is also considering to allow for the issuance of additional debt to purchase the property interest.

The following chart sets out the options:

Attachment	0.10%	0.05%	Term	Projected Annual Funding
<b>A</b>	Open Space	General Fund	10 years	\$3.50 million per year to OSMP \$1.76 million per year to the General Fund
<b>B</b>	Open Space	General Fund	20 years	\$3.50 million per year to OSMP \$1.76 million per year to the General Fund
<b>C</b>	Open Space	General Fund + Long's Gardens	10 years	\$3.50 million per year to OSMP \$1.76 million per year to the General Fund including Long's Gardens
<b>D</b>	Open Space	General Fund + Long's Gardens	20 years	\$3.50 million per year to OSMP \$1.76 million per year to the General Fund including Long's Gardens
<b>E</b>	Open Space	Transportation	10 years	\$3.50 million per year to OSMP \$1.76 million per year to Transportation
<b>F</b>	Open Space	Transportation	20 years	\$3.50 million per year to OSMP \$1.76 million per year to Transportation
<b>G</b>	Open Space	Open Space	10 years	\$5.30 million per year to OSMP
<b>H</b>	Open Space	Open Space	20 years	\$5.30 million per year to OSMP

#### ATTACHMENTS

- A. Proposed Ordinance 8346: 0.10 Open Space/ 0.05 General Fund 10 Years
- B. Alternative: 0.10 Open Space/0.05 General Fund 20 Years
- C. Alternative: 0.10 to Open Space/0.05 to the General Fund including funding to purchase a conservation easement at Long's Gardens for 10 Years
- D. Alternative: 0.10 Open Space/ 0.05 General Fund including funding to purchase a conservation easement at Long's Gardens for 20 Years
- E. Alternative: 0.10 Open Space/0.05 Transportation 10 Years
- F. Alternative: 0.10 Open Space/0.05 Transportation 20 Years
- G. Alternative: 0.15 Open Space 10 Years
- H. Alternative: 0.15 Open Space 20 Years

ORDINANCE 8346

(0.10 Open Space, 0.05 General Fund – 10 year)

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2019, THE QUESTION OF, WITHOUT RAISING ADDITIONAL TAXES, EXTENDING THE EXISTING 0.15 CENT CITY SALES AND USE TAX APPROVED BY THE VOTERS BY ORDINANCE NO. 7913, BEYOND THE CURRENT EXPIRATION DATE OF DECEMBER 31, 2019 UNTIL DECEMBER 31, 2029; AND BEGINNING JANUARY 1, 2020 UNTIL DECEMBER 31, 2029, 0.10 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND THE ACQUISITION AND PRESERVATION OF OPEN SPACE, AND 0.05 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO GENERAL FUND SERVICES SUCH AS FIRE, POLICE, LIBRARIES, PARKS, RECREATION, HUMAN SERVICES AND OTHER GENERAL FUND PURPOSES; AS A VOTER APPROVED REVENUE CHANGE; AND SETTING FORTH THE BALLOT TITLE AND OTHER ELECTION PROCEDURES AND SETTING FORTH RELATED DETAILS.

WHEREAS the City Council finds that:

A. The voters of the city have earmarked sales and use taxes to fund transportation construction and services, such as maintenance of pavement, construction of transportation infrastructure, transit service and other transportation purposes by approval of a sales and use tax in the amount of 0.15 cents on each dollar sales, which tax expires at the end of 2019.

B. The electorate should consider authorizing the City Council to continue the collection of a 0.15 cents on each dollar sales and use tax from its present expiration date of December 31, 2019 and beginning January 1, 2020 designate the revenue generated to fund open space purposes and other general funds purposes;

C. It is appropriate for voters to approve of the continued collection, retention and

1 expenditure of the full tax proceeds and any related earnings from this portion of the sales and  
2 use tax; and  
3

4 D. The purposes that will be served by the continued collection of the tax are critical  
5 for the continued provision of essential general fund city services.  
6

7 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
8 OF BOULDER, COLORADO:

9 Section 1. A municipal coordinated election will be held in the City of Boulder, County  
10 of Boulder and State of Colorado, on Tuesday, November 5, 2019.

11 Section 2. At that election, there shall be submitted to the electors of the City of Boulder  
12 entitled by law to vote the question of authorizing the City Council, by duly passed ordinance, to  
13 amend that portion of section 3-2-5, "Rate of Tax," B.R.C. 1981, that pertains to the  
14 transportation tax that is currently set to expire at midnight on December 31, 2019 by extending  
15 the tax beyond its current sunset date until December 31, 2029.  
16

17 Section 3. The official ballot shall contain the following ballot title, which shall also be  
18 the designation and submission clause for the issue: *(see following page)*  
19  
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**BALLOT ISSUE \_\_\_\_\_**

**SALES AND USE TAX EXTENSION**

WITHOUT RAISING ADDITIONAL TAXES, SHALL THE EXISTING 0.15 CENT CITY SALES AND USE TAX FOR TRANSPORTATION PURPOSES, APPROVED BY THE VOTERS BY ORDINANCE NO. 7913, BE EXTENDED BEYOND THE CURRENT EXPIRATION DATE OF DECEMBER 31, 2019 UNTIL DECEMBER 31, 2029; AND BEGINNING JANUARY 1, 2020 UNTIL DECEMBER 31, 2029 DESIGNATING 0.10 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND THE ACQUISITION AND PRESERVATION OF OPEN SPACE LAND AND 0.05 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND SERVICES SUCH AS FIRE, POLICE, LIBRARIES, PARKS, RECREATION, HUMAN SERVICES AND OTHER GENERAL FUND PURPOSES AS A VOTER APPROVED REVENUE CHANGE?

YES/FOR \_\_\_\_\_

NO/AGAINST \_\_\_\_\_

Section 4. If a majority of all the votes cast at the election on the issue submitted are for the issue, the issue shall be deemed to have passed, and the City Council authorized to make amendments to the Boulder Revised Code, 1981, to implement this issue.

Section 5. The election shall be conducted under the provisions of the Colorado Constitution, the Charter and ordinances of the city, the Boulder Revised Code, 1981, and this ordinance.

Section 6. The officers of the city are authorized to take all action necessary or appropriate to effectuate the provisions of this ordinance and to contract with the county clerk to conduct the election for the city.

Section 7. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining provisions of this ordinance. The tax established by this issue is intended to be authorized under

1 any lawful means of taxation, including license taxation pursuant to City of Boulder Charter  
2 Section 122.

3  
4 Section 8. This ordinance is necessary to protect the public health, safety, and welfare of  
5 the residents of the city, and covers matters of local concern.

6 Section 9. The City Council deems it appropriate that this ordinance be published by title  
7 only and orders that copies of this ordinance be made available in the office of the city clerk for  
8 public inspection and acquisition.

9  
10 INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY  
11 TITLE ONLY this 6th day of August 2019.

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14 \_\_\_\_\_  
Suzanne Jones,  
Mayor

15 Attest:

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17 \_\_\_\_\_  
Lynnette Beck,  
18 City Clerk

19 READ ON SECOND READING, PASSED, AS AMENDED this 20th day of August  
20 2019.

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23 \_\_\_\_\_  
Suzanne Jones,  
Mayor

24 Attest:

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26 \_\_\_\_\_  
Lynnette Beck,  
27 City Clerk  
28



1                   READ ON THIRD READING, PASSED, ADOPTED, AND ORDERED PUBLISHED  
2  
3 BY TITLE ONLY this 3rd day of September 2019.

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5 \_\_\_\_\_  
6 Suzanne Jones,  
7 Mayor

8 Attest:

9 \_\_\_\_\_  
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11 City Clerk

ORDINANCE 8346

(0.10 Open Space, 0.05 General Fund – 20 year)

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B. The electorate should consider authorizing the City Council to continue the collection of a 0.15 cents on each dollar sales and use tax from its present expiration date of December 31, 2019 and beginning January 1, 2020 designate the revenue generated to fund open space purposes and other general funds purposes;

C. It is appropriate for voters to approve of the continued collection, retention and

1 expenditure of the full tax proceeds and any related earnings from this portion of the sales and  
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Section 7. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining provisions of this ordinance. The tax established by this issue is intended to be authorized under

any lawful means of taxation, including license taxation pursuant to City of Boulder Charter  
Section 122.

Section 8. This ordinance is necessary to protect the public health, safety, and welfare of  
the residents of the city, and covers matters of local concern.

Section 9. The City Council deems it appropriate that this ordinance be published by title  
only and orders that copies of this ordinance be made available in the office of the city clerk for  
public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY  
TITLE ONLY this 6th day of August 2019.

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Suzanne Jones,  
Mayor

Attest:

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Lynnette Beck,  
City Clerk

READ ON SECOND READING, PASSED, AS AMENDED this 20th day of August  
2019.

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Suzanne Jones,  
Mayor

Attest:

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City Clerk

BY TITLE ONLY this 3rd day of September 2019.

Attest:

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ORDINANCE 8346

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WHEREAS the City Council finds that:

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B. The electorate should consider authorizing the City Council to continue the collection of a 0.15 cents on each dollar sales and use tax from its present expiration date of December 31, 2019 and beginning January 1, 2020 designate the revenue generated to fund open space purposes and other general funds purposes, including the purchase of a conservation

1 easement over the property known as Long's Gardens at the discretion of the City Council;

2 C. It is appropriate for voters to approve of the continued collection, retention and  
3 expenditure of the full tax proceeds and any related earnings from this portion of the sales and  
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5 D. The purposes that will be served by the continued collection of the tax are critical  
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20 Section 3. The official ballot shall contain the following ballot title, which shall also be  
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WITHOUT RAISING ADDITIONAL TAXES, SHALL THE EXISTING 0.15 CENT CITY SALES AND USE TAX FOR TRANSPORTATION PURPOSES, APPROVED BY THE VOTERS BY ORDINANCE NO. 7913, BE EXTENDED BEYOND THE CURRENT EXPIRATION DATE OF DECEMBER 31, 2019 UNTIL DECEMBER 31, 2029; AND BEGINNING JANUARY 1, 2020 UNTIL DECEMBER 31, 2029 DESIGNATING 0.10 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND THE ACQUISITION AND PRESERVATION OF OPEN SPACE LAND AND 0.05 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND SERVICES SUCH AS FIRE, POLICE, LIBRARIES, PARKS, RECREATION, HUMAN SERVICES AND OTHER GENERAL FUND PURPOSES, INCLUDING AT THE DISCRETION OF THE CITY COUNCIL, TO PURCHASE A CONSERVATION EASEMENT AT LONG'S GARDENS AS A VOTER APPROVED REVENUE CHANGE?

YES/FOR \_\_\_\_\_

NO/AGAINST \_\_\_\_\_

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Suzanne Jones,  
Mayor

Attest:

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Lynnette Beck,  
City Clerk

1 READ ON SECOND READING, PASSED, AS AMENDED this 20th day of August  
2 2019.

3  
4  
5 \_\_\_\_\_  
6 Suzanne Jones,  
7 Mayor

8 Attest:

9 \_\_\_\_\_  
10 Lynnette Beck,  
11 City Clerk

12 READ ON THIRD READING, PASSED, ADOPTED, AND ORDERED PUBLISHED  
13 BY TITLE ONLY this 3rd day of September 2019.

14  
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ORDINANCE 8346

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YES/FOR \_\_\_\_\_

NO/AGAINST \_\_\_\_\_

Section 4. If a majority of all the votes cast at the election on the issue submitted are for the issue, the issue shall be deemed to have passed, and the City Council authorized to make amendments to the Boulder Revised Code, 1981, to implement this issue.

Section 5. The election shall be conducted under the provisions of the Colorado Constitution, the Charter and ordinances of the city, the Boulder Revised Code, 1981, and this ordinance.

Section 6. The officers of the city are authorized to take all action necessary or appropriate to effectuate the provisions of this ordinance and to contract with the county clerk to conduct the election for the city.

Section 7. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining provisions of this ordinance. The tax established by this issue is intended to be authorized under

any lawful means of taxation, including license taxation pursuant to City of Boulder Charter  
Section 122.

Section 8. This ordinance is necessary to protect the public health, safety, and welfare of  
the residents of the city, and covers matters of local concern.

Section 9. The City Council deems it appropriate that this ordinance be published by title  
only and orders that copies of this ordinance be made available in the office of the city clerk for  
public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY  
TITLE ONLY this 6th day of August 2019.

---

Suzanne Jones,  
Mayor

Attest:

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Lynnette Beck,  
City Clerk

1 READ ON SECOND READING, PASSED, AS AMENDED this 20th day of August  
2 2019.  
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4  
5 \_\_\_\_\_  
6 Suzanne Jones,  
7 Mayor

8 Attest:

9 \_\_\_\_\_  
10 Lynnette Beck,  
11 City Clerk

12 READ ON THIRD READING, PASSED, ADOPTED, AND ORDERED PUBLISHED  
13 BY TITLE ONLY this 3rd day of September 2019.  
14

15 \_\_\_\_\_  
16 Suzanne Jones,  
17 Mayor

18 Attest:

19 \_\_\_\_\_  
20 Lynnette Beck,  
21 City Clerk



ORDINANCE 8346

(0.10 Open Space, 0.05 Transportation – 10 year)

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2019, THE QUESTION OF, WITHOUT RAISING ADDITIONAL TAXES, EXTENDING THE EXISTING 0.15 CENT CITY SALES AND USE TAX APPROVED BY THE VOTERS BY ORDINANCE NO. 7913, BEYOND THE CURRENT EXPIRATION DATE OF DECEMBER 31, 2019 UNTIL DECEMBER 31, 2029; AND BEGINNING JANUARY 1, 2020 UNTIL DECEMBER 31, 2029, 0.10 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND THE ACQUISITION AND PRESERVATION OF OPEN SPACE, AND 0.05 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND TRANSPORTATION CONSTRUCTION AND SERVICES, SUCH AS MAINTENANCE OF PAVEMENT, CONSTRUCTION OF TRANSPORTATION INFRA-STRUCTURE, TRANSIT SERVICE AND OTHER TRANSPORTATION PURPOSES; AND SETTING FORTH THE BALLOT TITLE AND OTHER ELECTION PROCEDURES AND SETTING FORTH RELATED DETAILS.

WHEREAS the City Council finds that:

A. The voters of the city have earmarked sales and use taxes to fund transportation construction and services, such as maintenance of pavement, construction of transportation infrastructure, transit service and other transportation purposes by approval of a sales and use tax in the amount of 0.15 cents on each dollar sales, which tax expires at the end of 2019.

B. The electorate should consider authorizing the City Council to continue the collection of a 0.15 cents on each dollar sales and use tax from its present expiration date of December 31, 2019 and beginning January 1, 2020 designate the revenue generated to fund open space purposes and transportation purposes;

C. It is appropriate for voters to approve of the continued collection, retention and

1 expenditure of the full tax proceeds and any related earnings from this portion of the sales and  
2 use tax; and  
3

4 D. The purposes that will be served by the continued collection of the tax are critical  
5 for the continued provision of essential general fund city services.  
6

7 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
8 OF BOULDER, COLORADO:

9 Section 1. A municipal coordinated election will be held in the City of Boulder, County  
10 of Boulder and State of Colorado, on Tuesday, November 5, 2019.

11 Section 2. At that election, there shall be submitted to the electors of the City of Boulder  
12 entitled by law to vote the question of authorizing the City Council, by duly passed ordinance, to  
13 amend that portion of section 3-2-5, "Rate of Tax," B.R.C. 1981, that pertains to the  
14 transportation tax that is currently set to expire at midnight on December 31, 2019 by extending  
15 the tax beyond its current sunset date until December 31, 2029.  
16

17 Section 3. The official ballot shall contain the following ballot title, which shall also be  
18 the designation and submission clause for the issue: (*see following page*)  
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**BALLOT ISSUE \_\_\_\_\_**

**SALES AND USE TAX EXTENSION**

WITHOUT RAISING ADDITIONAL TAXES, SHALL THE EXISTING 0.15 CENT CITY SALES AND USE TAX FOR TRANSPORTATION PURPOSES, APPROVED BY THE VOTERS BY ORDINANCE NO. 7913, BE EXTENDED BEYOND THE CURRENT EXPIRATION DATE OF DECEMBER 31, 2019 UNTIL DECEMBER 31, 2029; AND BEGINNING JANUARY 1, 2020 UNTIL DECEMBER 31, 2029 DESIGNATING 0.10 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND THE ACQUISITION AND PRESERVATION OF OPEN SPACE LAND AND 0.05 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND TRANSPORTATION CONSTRUCTION AND SERVICES, SUCH AS MAINTENANCE OF PAVEMENT, CONSTRUCTION OF TRANSPORTATION INFRA-STRUCTURE, TRANSIT SERVICE AND OTHER TRANSPORTATION PURPOSES AS A VOTER APPROVED REVENUE CHANGE?

YES/FOR \_\_\_\_\_

NO/AGAINST \_\_\_\_\_

Section 4. If a majority of all the votes cast at the election on the issue submitted are for the issue, the issue shall be deemed to have passed, and the City Council authorized to make amendments to the Boulder Revised Code, 1981, to implement this issue.

Section 5. The election shall be conducted under the provisions of the Colorado Constitution, the Charter and ordinances of the city, the Boulder Revised Code, 1981, and this ordinance.

Section 6. The officers of the city are authorized to take all action necessary or appropriate to effectuate the provisions of this ordinance and to contract with the county clerk to conduct the election for the city.

Section 7. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining provisions of this ordinance. The tax established by this issue is intended to be authorized under

any lawful means of taxation, including license taxation pursuant to City of Boulder Charter  
Section 122.

Section 8. This ordinance is necessary to protect the public health, safety, and welfare of  
the residents of the city, and covers matters of local concern.

Section 9. The City Council deems it appropriate that this ordinance be published by title  
only and orders that copies of this ordinance be made available in the office of the city clerk for  
public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY  
TITLE ONLY this 6th day of August 2019.

---

Suzanne Jones,  
Mayor

Attest:

---

Lynnette Beck,  
City Clerk

READ ON SECOND READING, PASSED, AS AMENDED this 20th day of August  
2019.

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Suzanne Jones,  
Mayor

Attest:

---

Lynnette Beck,  
City Clerk

1 READ ON THIRD READING, PASSED, ADOPTED, AND ORDERED PUBLISHED  
2  
3 BY TITLE ONLY this 3rd day of September 2019.  
4

5 \_\_\_\_\_  
6 Suzanne Jones,  
7 Mayor

8 Attest:

9 \_\_\_\_\_  
10 Lynnette Beck,  
11 City Clerk  
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ORDINANCE 8346

(0.10 Open Space, 0.05 Transportation – 20 year)

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2019, THE QUESTION OF, WITHOUT RAISING ADDITIONAL TAXES, EXTENDING THE EXISTING 0.15 CENT CITY SALES AND USE TAX APPROVED BY THE VOTERS BY ORDINANCE NO. 7913, BEYOND THE CURRENT EXPIRATION DATE OF DECEMBER 31, 2019 UNTIL DECEMBER 31, 2039; AND BEGINNING JANUARY 1, 2020 UNTIL DECEMBER 31, 2039, 0.10 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND THE ACQUISITION AND PRESERVATION OF OPEN SPACE, AND 0.05 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND TRANSPORTATION CONSTRUCTION AND SERVICES, SUCH AS MAINTENANCE OF PAVEMENT, CONSTRUCTION OF TRANSPORTATION INFRA-STRUCTURE, TRANSIT SERVICE AND OTHER TRANSPORTATION PURPOSES; AS A VOTER APPROVED REVENUE CHANGE; AND SETTING FORTH THE BALLOT TITLE AND OTHER ELECTION PROCEDURES AND SETTING FORTH RELATED DETAILS.

WHEREAS the City Council finds that:

A. The voters of the city have earmarked sales and use taxes to fund transportation construction and services, such as maintenance of pavement, construction of transportation infrastructure, transit service and other transportation purposes by approval of a sales and use tax in the amount of 0.15 cents on each dollar sales, which tax expires at the end of 2019.

B. The electorate should consider authorizing the City Council to continue the collection of a 0.15 cents on each dollar sales and use tax from its present expiration date of December 31, 2019 and beginning January 1, 2020 designate the revenue generated to fund open space purposes and transportation purposes;

1 C. It is appropriate for voters to approve of the continued collection, retention and  
2 expenditure of the full tax proceeds and any related earnings from this portion of the sales and  
3 use tax; and  
4

5 D. The purposes that will be served by the continued collection of the tax are critical  
6 for the continued provision of essential general fund city services.  
7

8 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
9 OF BOULDER, COLORADO:

10 Section 1. A municipal coordinated election will be held in the City of Boulder, County  
11 of Boulder and State of Colorado, on Tuesday, November 5, 2019.  
12

13 Section 2. At that election, there shall be submitted to the electors of the City of Boulder  
14 entitled by law to vote the question of authorizing the City Council, by duly passed ordinance, to  
15 amend that portion of section 3-2-5, "Rate of Tax," B.R.C. 1981, that pertains to the  
16 transportation tax that is currently set to expire at midnight on December 31, 2019 by extending  
17 the tax beyond its current sunset date until December 31, 2039.  
18

19 Section 3. The official ballot shall contain the following ballot title, which shall also be  
20 the designation and submission clause for the issue: (*see following page*)  
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**BALLOT ISSUE \_\_\_\_\_**

**SALES AND USE TAX EXTENSION**

WITHOUT RAISING ADDITIONAL TAXES, SHALL THE EXISTING 0.15 CENT CITY SALES AND USE TAX FOR TRANSPORTATION PURPOSES, APPROVED BY THE VOTERS BY ORDINANCE NO. 7913, BE EXTENDED BEYOND THE CURRENT EXPIRATION DATE OF DECEMBER 31, 2019 UNTIL DECEMBER 31, 2039; AND BEGINNING JANUARY 1, 2020 UNTIL DECEMBER 31, 2039 DESIGNATING 0.10 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND THE ACQUISITION AND PRESERVATION OF OPEN SPACE LAND AND 0.05 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND TRANSPORTATION CONSTRUCTION AND SERVICES, SUCH AS MAINTENANCE OF PAVEMENT, CONSTRUCTION OF TRANSPORTATION INFRA-STRUCTURE, TRANSIT SERVICE AND OTHER TRANSPORTATION PURPOSES AS A VOTER APPROVED REVENUE CHANGE?

YES/FOR \_\_\_\_\_

NO/AGAINST \_\_\_\_\_

Section 4. If a majority of all the votes cast at the election on the issue submitted are for the issue, the issue shall be deemed to have passed, and the City Council authorized to make amendments to the Boulder Revised Code, 1981, to implement this issue.

Section 5. The election shall be conducted under the provisions of the Colorado Constitution, the Charter and ordinances of the city, the Boulder Revised Code, 1981, and this ordinance.

Section 6. The officers of the city are authorized to take all action necessary or appropriate to effectuate the provisions of this ordinance and to contract with the county clerk to conduct the election for the city.

Section 7. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining



1 provisions of this ordinance. The tax established by this issue is intended to be authorized under  
2 any lawful means of taxation, including license taxation pursuant to City of Boulder Charter  
3 Section 122.  
4

5 Section 8. This ordinance is necessary to protect the public health, safety, and welfare of  
6 the residents of the city, and covers matters of local concern.

7 Section 9. The City Council deems it appropriate that this ordinance be published by title  
8 only and orders that copies of this ordinance be made available in the office of the city clerk for  
9 public inspection and acquisition.  
10

11 INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY  
12 TITLE ONLY this 6th day of August 2019.  
13

14 \_\_\_\_\_  
15 Suzanne Jones,  
16 Mayor

17 Attest:

18 \_\_\_\_\_  
19 Lynnette Beck,  
20 City Clerk  
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1 READ ON SECOND READING, PASSED, AS AMENDED this 20th day of August  
2 2019.  
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4  
5 \_\_\_\_\_  
6 Suzanne Jones,  
7 Mayor

8 Attest:

9 \_\_\_\_\_  
10 Lynnette Beck,  
11 City Clerk

12 READ ON THIRD READING, PASSED, ADOPTED, AND ORDERED PUBLISHED  
13 BY TITLE ONLY this 3rd day of September 2019.  
14

15 \_\_\_\_\_  
16 Suzanne Jones,  
17 Mayor

18 Attest:

19 \_\_\_\_\_  
20 Lynnette Beck,  
21 City Clerk

ORDINANCE 8346

(0.15 Open Space – 10 year)

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2019, THE QUESTION OF, WITHOUT RAISING ADDITIONAL TAXES, EXTENDING THE EXISTING 0.15 CENT CITY SALES AND USE TAX APPROVED BY THE VOTERS BY ORDINANCE NO. 7913, BEYOND THE CURRENT EXPIRATION DATE OF DECEMBER 31, 2019 UNTIL DECEMBER 31, 2029; AND BEGINNING JANUARY 1, 2020 UNTIL DECEMBER 31, 2029, 0.15 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND THE ACQUISITION AND PRESERVATION OF OPEN SPACE AS A VOTER APPROVED REVENUE CHANGE; AND SETTING FORTH THE BALLOT TITLE AND OTHER ELECTION PROCEDURES AND SETTING FORTH RELATED DETAILS.

WHEREAS the City Council finds that:

A. The voters of the city have earmarked sales and use taxes to fund transportation construction and services, such as maintenance of pavement, construction of transportation infra-structure, transit service and other transportation purposes by approval of a sales and use tax in the amount of 0.15 cents on each dollar sales, which tax expires at the end of 2019.

B. The electorate should consider authorizing the City Council to continue the collection of a 0.15 cents on each dollar sales and use tax from its present expiration date of December 31, 2019 and beginning January 1, 2020 designate the revenue generated to fund open space purposes;

C. It is appropriate for voters to approve of the continued collection, retention and expenditure of the full tax proceeds and any related earnings from this portion of the sales and use tax; and

1 D. The purposes that will be served by the continued collection of the tax are critical  
2 for the continued provision of essential general fund city services.  
3

4 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
5 OF BOULDER, COLORADO:  
6

7 Section 1. A municipal coordinated election will be held in the City of Boulder, County  
8 of Boulder and State of Colorado, on Tuesday, November 5, 2019.

9 Section 2. At that election, there shall be submitted to the electors of the City of Boulder  
10 entitled by law to vote the question of authorizing the City Council, by duly passed ordinance, to  
11 amend that portion of section 3-2-5, "Rate of Tax," B.R.C. 1981, that pertains to the  
12 transportation tax that is currently set to expire at midnight on December 31, 2019 by extending  
13 the tax beyond its current sunset date until December 31, 2029.  
14

15 Section 3. The official ballot shall contain the following ballot title, which shall also be  
16 the designation and submission clause for the issue: (*see following page*)  
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**BALLOT ISSUE \_\_\_\_\_**

**SALES AND USE TAX EXTENSION**

WITHOUT RAISING ADDITIONAL TAXES, SHALL THE EXISTING 0.15 CENT CITY SALES AND USE TAX FOR TRANSPORTATION PURPOSES, APPROVED BY THE VOTERS BY ORDINANCE NO. 7913, BE EXTENDED BEYOND THE CURRENT EXPIRATION DATE OF DECEMBER 31, 2019 UNTIL DECEMBER 31, 2029; AND BEGINNING JANUARY 1, 2020 UNTIL DECEMBER 31, 2029 DESIGNATING 0.15 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND THE ACQUISITION AND PRESERVATION OF OPEN SPACE LAND AS A VOTER APPROVED REVENUE CHANGE?

YES/FOR \_\_\_\_\_

NO/AGAINST \_\_\_\_\_

Section 4. If a majority of all the votes cast at the election on the issue submitted are for the issue, the issue shall be deemed to have passed, and the City Council authorized to make amendments to the Boulder Revised Code, 1981, to implement this issue.

Section 5. The election shall be conducted under the provisions of the Colorado Constitution, the Charter and ordinances of the city, the Boulder Revised Code, 1981, and this ordinance.

Section 6. The officers of the city are authorized to take all action necessary or appropriate to effectuate the provisions of this ordinance and to contract with the county clerk to conduct the election for the city.

Section 7. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining provisions of this ordinance. The tax established by this issue is intended to be authorized under any lawful means of taxation, including license taxation pursuant to City of Boulder Charter Section 122.

1           Section 8. This ordinance is necessary to protect the public health, safety, and welfare of  
2 the residents of the city, and covers matters of local concern.

3  
4           Section 9. The City Council deems it appropriate that this ordinance be published by title  
5 only and orders that copies of this ordinance be made available in the office of the city clerk for  
6 public inspection and acquisition.

7           INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY  
8 TITLE ONLY this 6th day of August 2019.

9  
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12  
13 Attest:

\_\_\_\_\_  
Suzanne Jones,  
Mayor

14  
15 \_\_\_\_\_  
Lynnette Beck,  
16 City Clerk

17           READ ON SECOND READING, PASSED, AS AMENDED this 20th day of August  
18 2019.

19  
20  
21  
22 Attest:

\_\_\_\_\_  
Suzanne Jones,  
Mayor

23  
24 \_\_\_\_\_  
Lynnette Beck,  
25 City Clerk

1 READ ON THIRD READING, PASSED, ADOPTED, AND ORDERED PUBLISHED  
2  
3 BY TITLE ONLY this 3rd day of September 2019.  
4

5 \_\_\_\_\_  
6 Suzanne Jones,  
7 Mayor

8 Attest:

9 \_\_\_\_\_  
10 Lynnette Beck,  
11 City Clerk  
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ORDINANCE 8346

(0.15 Open Space – 20 year)

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2019, THE QUESTION OF, WITHOUT RAISING ADDITIONAL TAXES, EXTENDING THE EXISTING 0.15 CENT CITY SALES AND USE TAX APPROVED BY THE VOTERS BY ORDINANCE NO. 7913, BEYOND THE CURRENT EXPIRATION DATE OF DECEMBER 31, 2019 UNTIL DECEMBER 31, 2039; AND BEGINNING JANUARY 1, 2020 UNTIL DECEMBER 31, 2039, 0.15 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND THE ACQUISITION AND PRESERVATION OF OPEN SPACE AS A VOTER APPROVED REVENUE CHANGE; AND SETTING FORTH THE BALLOT TITLE AND OTHER ELECTION PROCEDURES AND SETTING FORTH RELATED DETAILS.

WHEREAS the City Council finds that:

A. The voters of the city have earmarked sales and use taxes to fund transportation construction and services, such as maintenance of pavement, construction of transportation infra-structure, transit service and other transportation purposes by approval of a sales and use tax in the amount of 0.15 cents on each dollar sales, which tax expires at the end of 2019.

B. The electorate should consider authorizing the City Council to continue the collection of a 0.15 cents on each dollar sales and use tax from its present expiration date of December 31, 2019 and beginning January 1, 2020 designate the revenue generated to fund open space purposes;

C. It is appropriate for voters to approve of the continued collection, retention and expenditure of the full tax proceeds and any related earnings from this portion of the sales and use tax; and



1           D.       The purposes that will be served by the continued collection of the tax are critical  
2 for the continued provision of essential general fund city services.  
3

4           NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
5 OF BOULDER, COLORADO:  
6

7           Section 1. A municipal coordinated election will be held in the City of Boulder, County  
8 of Boulder and State of Colorado, on Tuesday, November 5, 2019.

9           Section 2. At that election, there shall be submitted to the electors of the City of Boulder  
10 entitled by law to vote the question of authorizing the City Council, by duly passed ordinance, to  
11 amend that portion of section 3-2-5, "Rate of Tax," B.R.C. 1981, that pertains to the  
12 transportation tax that is currently set to expire at midnight on December 31, 2019 by extending  
13 the tax beyond its current sunset date until December 31, 2039.  
14

15           Section 3. The official ballot shall contain the following ballot title, which shall also be  
16 the designation and submission clause for the issue: (*see following page*)  
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**BALLOT ISSUE \_\_\_\_\_**

**SALES AND USE TAX EXTENSION**

WITHOUT RAISING ADDITIONAL TAXES, SHALL THE EXISTING 0.15 CENT CITY SALES AND USE TAX FOR TRANSPORTATION PURPOSES, APPROVED BY THE VOTERS BY ORDINANCE NO. 7913, BE EXTENDED BEYOND THE CURRENT EXPIRATION DATE OF DECEMBER 31, 2019 UNTIL DECEMBER 31, 2039; AND BEGINNING JANUARY 1, 2020 UNTIL DECEMBER 31, 2039 DESIGNATING 0.15 CENT OF EVERY DOLLAR OF THE REVENUES COLLECTED TO FUND THE ACQUISITION AND PRESERVATION OF OPEN SPACE LAND AS A VOTER APPROVED REVENUE CHANGE?

YES/ FOR \_\_\_\_\_

NO/AGAINST \_\_\_\_\_

Section 4. If a majority of all the votes cast at the election on the issue submitted are for the issue, the issue shall be deemed to have passed, and the City Council authorized to make amendments to the Boulder Revised Code, 1981, to implement this issue.

Section 5. The election shall be conducted under the provisions of the Colorado Constitution, the Charter and ordinances of the city, the Boulder Revised Code, 1981, and this ordinance.

Section 6. The officers of the city are authorized to take all action necessary or appropriate to effectuate the provisions of this ordinance and to contract with the county clerk to conduct the election for the city.

Section 7. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining provisions of this ordinance. The tax established by this issue is intended to be authorized under any lawful means of taxation, including license taxation pursuant to City of Boulder Charter Section 122.

Section 8. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 9. The City Council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY  
TITLE ONLY this 6th day of August 2019.

Suzanne Jones,  
Mayor

Attest:

Lynnette Beck,  
City Clerk

READ ON SECOND READING, PASSED, AS AMENDED this 20th day of August  
2019.

Suzanne Jones,  
Mayor

Attest:

Lynnette Beck,  
City Clerk

1 READ ON THIRD READING, PASSED, ADOPTED, AND ORDERED PUBLISHED  
2  
3 BY TITLE ONLY this 3rd day of September 2019.  
4

5 \_\_\_\_\_  
6 Suzanne Jones,  
7 Mayor

8 Attest:

9 \_\_\_\_\_  
10 Lynnette Beck,  
11 City Clerk  
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