



COUNCIL AGENDA ITEM
MEETING DATE: August 6, 2019

TO: City Council

FROM: Tom Carr

DATE: August 6, 2019

AGENDA

ITEM: 2O – 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.

See the attached potential alternative Ordinance 8346 (Alternative I) purposing the extension of the 0.15 cent city sales and use tax beyond the current expiration date of December 31, 2019 until December 31, 2020, to fund the purchase of a conservation easement over the property known as Long’s Gardens as requested by Council Members Young and Yates.

ORDINANCE 8346

(0.15 Long's Gardens – 1 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, 2020; TO FUND THE PURCHASE OF A CONSERVATION EASEMENT OVER THE PROPERTY KNOWN AS LONG'S GARDENS; 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 the purchase of a conservation easement over the property known as Long's Gardens; and

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.

1 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
2 OF BOULDER, COLORADO:
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4 Section 1. A municipal coordinated election will be held in the City of Boulder, County
5 of Boulder and State of Colorado, on Tuesday, November 5, 2019.

6 Section 2. At that election, there shall be submitted to the electors of the City of Boulder
7 entitled by law to vote the question of authorizing the City Council, by duly passed ordinance, to
8 amend that portion of section 3-2-5, "Rate of Tax," B.R.C. 1981, that pertains to the
9 transportation tax that is currently set to expire at midnight on December 31, 2019 by extending
10 the tax beyond its current sunset date until December 31, 2020.
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12 Section 3. The official ballot shall contain the following ballot title, which shall also be
13 the designation and submission clause for the issue: *(see following page)*
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1 **BALLOT ISSUE _____**

2 **SALES AND USE TAX EXTENSION**
3 **TO PURCHASE A CONSERVATION**
4 **EASEMENT AT LONG'S GARDENS**

5 WITHOUT RAISING ADDITIONAL TAXES, SHALL THE
6 EXISTING 0.15 CENT CITY SALES AND USE TAX FOR
7 TRANSPORTATION PURPOSES, APPROVED BY THE VOTERS BY
8 ORDINANCE NO. 7913, BE EXTENDED BEYOND THE CURRENT
9 EXPIRATION DATE OF DECEMBER 31, 2019 UNTIL DECEMBER
10 31, 2020; DESIGNATING THE REVENUES COLLECTED TO FUND
11 THE ACQUISITION OF A CONSERVATION EASEMENT AT
12 LONG'S GARDENS AS A VOTER APPROVED REVENUE
13 CHANGE?

14 YES/FOR _____

15 NO/AGAINST _____

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

19 Section 4. The election shall be conducted under the provisions of the Colorado
20 Constitution, the Charter and ordinances of the city, the Boulder Revised Code, 1981, and this
21 ordinance.

22 Section 5. The officers of the city are authorized to take all action necessary or
23 appropriate to effectuate the provisions of this ordinance and to contract with the county clerk to
24 conduct the election for the city.

25 Section 6. If any section, paragraph, clause, or provision of this ordinance shall for any
26 reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining
27 provisions of this ordinance. The tax established by this issue is intended to be authorized under
28 any lawful means of taxation, including license taxation pursuant to City of Boulder Charter
Section 122.

1 Section 7. 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.

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4 Section 8. 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.

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13 Attest:

Suzanne Jones,
Mayor

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15 _____
Lynnette Beck,
16 City Clerk

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

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23 Attest:

Suzanne Jones,
Mayor

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25 _____
Lynnette Beck,
26 City Clerk

1 READ ON THIRD READING, PASSED, ADOPTED, AND ORDERED PUBLISHED
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3 BY TITLE ONLY this 3rd day of September 2019.
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5 _____
6 Suzanne Jones,
7 Mayor

8 Attest:

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10 Lynnette Beck,
11 City Clerk
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