
RESOLUTION

Of the Board of Education of Weld County School District 6



Mill Levy and Ballot Language Resolution

WHEREAS, the Weld County School District 6, in the County of Weld and the State of Colorado, is a public corporation duly organized and existing under the Constitution and the laws of the State of Colorado; and

WHEREAS, the members of the Board of Education of the District (the “Board”) have been duly elected, chosen and qualified; and

WHEREAS, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any new tax, the creation of any debt, and for spending certain moneys above limits established by TABOR; and

WHEREAS, the Board has determined that the interest of the District and the public interest and necessity demand and require that the District seek voter approval for a tax increase for District purposes as described in Section 4 below to provide additional funds for the District’s general operating expenses pursuant to Section 22-54-108, C.R.S.; and

WHEREAS, the Board has determined that the total additional local property tax revenues generated by the tax increase does not exceed twenty-five percent (25%) of the District’s total program in compliance with Section 22-54-108, C.R.S.; and

WHEREAS, TABOR requires the District to submit ballot issues (as defined in TABOR) to the District’s electors on limited election days before action can be taken on such ballot issues; and

WHEREAS, November 7, 2017, is one of the election dates at which ballot issues may be submitted to the eligible electors of the District pursuant to TABOR; and

WHEREAS, the County Clerk and Recorder (the “County Clerk”) in Weld County (the “County”) will conduct the election on November 7, 2017, as a coordinated election (the “election”); and

WHEREAS, it is necessary to submit to the eligible electors of the District, at the election, the proposition of increasing District taxes in excess of the District’s total program funding as determined pursuant to the School Finance Act, Title 22, Article 54, Part 1, C.R.S.; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF WELD COUNTY SCHOOL DISTRICT 6, IN THE COUNTY OF WELD AND THE STATE OF COLORADO:

Section 1. All action heretofore taken (not inconsistent with the provisions of this resolution) by the District and the officers thereof, directed towards the election and the objects and purposes herein stated are ratified, approved and confirmed. Unless otherwise defined herein, all terms used herein shall have the meanings specified in Section 1-1-104, C.R.S.

Section 2. The election shall be conducted as a coordinated election in the County pursuant to TABOR, Article 54 of Title 22, C.R.S., and the Uniform Election Code of 1992, and all laws amendatory thereof and supplemental thereto. The District hereby determines that the election shall be

held on November 7, 2017, and that there shall be submitted to the eligible electors of the District the question set forth herein. Because the election will be held as part of the coordinated election, the Board hereby determines that the County Clerk shall conduct the election on behalf of the District pursuant to the Uniform Election Code of 1992.

Section 3. The Board hereby authorizes and directs the officers of the District to certify to the County Clerk on or before September 8, 2017, the following question in substantially the form hereinafter set forth. Such question shall be submitted to the eligible electors of the District at the election.

2017 MILL LEVY OVERRIDE QUESTION

BALLOT ISSUE NO. __:

SHALL WELD COUNTY SCHOOL DISTRICT 6 TAXES BE INCREASED BY 14 MILLION DOLLARS IN 2017 (FOR COLLECTION IN 2018) AND BY SUCH AMOUNTS GENERATED ANNUALLY THEREAFTER THROUGH 2023 (FOR COLLECTION IN 2024) WHEN THE TAX WILL SUNSET, BY A MILL LEVY OF UP TO 10 MILLS, TO BE EXPENDED FOR EDUCATIONAL PURPOSES AS APPROVED BY THE BOARD OF EDUCATION AND MONITORED BY THE CITIZENS' OVERSIGHT COMMITTEE, WHICH INCLUDE:

- IMPROVING SAFETY, SECURITY, AND TRANSPORTATION;
- SUPPORTING ACADEMIC AND VOCATIONAL PROGRAMS TO GRADUATE CAREER-READY STUDENTS;
- PROVIDING UP-TO-DATE INSTRUCTIONAL MATERIALS AND TECHNOLOGY TO SUPPORT EVERY LEARNER;
- ATTRACTING AND MAINTAINING A COMPETITIVE WORKFORCE;
- ALLOCATING MILL LEVY OVERRIDE REVENUES BASED ON STUDENT COUNT TO DISTRICT CHARTER SCHOOLS AUTHORIZED AS OF JULY 1ST, 2017;

AND SHALL SUCH INCREASE BE AN ADDITIONAL PROPERTY TAX MILL LEVY IN EXCESS OF THE LEVIES THE DISTRICT IS OTHERWISE AUTHORIZED BY LAW TO IMPOSE; AND SHALL THE DISTRICT BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND ALL REVENUES FROM SUCH TAXES AND THE EARNINGS FROM THE INVESTMENT OF SUCH REVENUES AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS THAT WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

Section 4. If a majority of the votes cast on the question to authorize the levy of ad valorem property taxes submitted at the election shall be in favor of levying ad valorem property taxes as provided in such question, the District acting through the Board shall be authorized to proceed with the necessary action to levy ad valorem property taxes in accordance with such question. Any authority to levy ad valorem property taxes, if conferred by the results of the election, shall be deemed and considered a continuing authority to levy the ad valorem taxes so authorized at any one time, or from time to time, and neither the partial exercise of the authority so conferred, nor any lapse of time, shall be considered as exhausting or limiting the full authority so conferred.

Section 5. Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or the form or content of the

ballot title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

Section 6. The officers of the District are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 7. All orders, bylaws and resolutions, or parts thereof, in conflict with this resolution, are hereby repealed.

Section 8. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

ADOPTED AND APPROVED this August 28, 2017.

President
Weld County School District 6

(SEAL)

ATTEST:

Secretary
Weld County School District 6