

RESOLUTION 2016-02

HYGIENE FIRE PROTECTION DISTRICT

A RESOLUTION CALLING FOR A MAIL BALLOT ELECTION ON THE ISSUE OF REFERRED MEASURES REGARDING AN INCREASE IN THE MILL LEVY

WHEREAS, the Board of Directors (the "Board") of the Hygiene Fire Protection District, (the "District"), hereby determines and declares that the interests of the District, and the public's interest in health, welfare and safety, require that the District increase its revenues to offset the increasing costs of providing fire protection and rescue services; and

WHEREAS, pursuant to the provisions of Article X, Section 20 of the Colorado Constitution, voter approval is required for the District to increase its mill levy and to exceed the revenue limitations set forth therein; and

WHEREAS, § 29-1-301, C.R.S., limits the amount of revenue available to the District to 5.5% of those tax revenues collected in the prior year notwithstanding that the District's revenues may not be subject to the limitation of Article X, Section 20 of the Colorado Constitution; and

WHEREAS, voter approval is also required to exempt the District from the limitations of such § 29-1-301, C.R.S. with respect to all tax revenues.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HYGIENE FIRE PROTECTION DISTRICT:

Section 1. At a mail ballot election to be held on Tuesday, May 3, 2016, there shall be submitted to the electors of the District a ballot issue seeking permission to increase the District's mill levy over a three (3) year period, the ballot issue to be in the following general form:

HYGIENE FIRE PROTECTION DISTRICT BALLOT ISSUE 5A:

SHALL HYGIENE FIRE PROTECTION DISTRICT TAXES BE INCREASED BY \$432,707 (PHASED-IN FINAL FULL FISCAL YEAR INCREASE FOR COLLECTION YEAR 2019) AND IN EACH YEAR THEREAFTER BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED FROM A PHASED-IN INCREASE TO THE EXISTING GENERAL OPERATIONS MILL LEVY WITH THE INCREASE PHASED-IN OVER THE NEXT THREE CALENDAR YEARS AT A RATE OF 7.099 MILLS (FIRST YEAR INCREASE OF 3 MILLS) IN LEVY YEAR 2016 FOR COLLECTION IN CALENDAR YEAR 2017, AN ADDITIONAL INCREASE TO 8.099 MILLS (SECOND YEAR INCREASE OF 1 MILL) IN LEVY YEAR 2017 FOR COLLECTION IN CALENDAR YEAR 2018, AND AN ADDITIONAL INCREASE TO 9.099 MILLS (THIRD YEAR INCREASE OF 1 MILL) IN LEVY YEAR 2018 FOR COLLECTION IN CALENDAR YEAR 2019, FOR A TOTAL GENERAL OPERATIONS MILL LEVY INCREASE OF NOT MORE THAN 5.0 MILLS TO BE IN ADDITION TO THE EXISTING 4.099 MILLS WITH SUCH PROCEEDS TO BE USED FOR THE INCREASED COSTS OF THE DISTRICT'S GENERAL OPERATIONS, SPECIFICALLY INCLUDING, BUT NOT LIMITED TO,

- **IMPROVING 911 RESPONSE TIMES;**
- **MAINTAINING A RELIABLE FLEET OF EMERGENCY RESPONSE VEHICLES;**
- **PROVIDING ESSENTIAL SAFETY GEAR FOR FIREFIGHTERS; AND**
- **REPAIRING AND UPDATING THE FIRE DEPARTMENT FACILITY TO ADDRESS SAFETY CONCERNS AND IMPROVE OPERATIONAL EFFICIENCY**

AND SHALL SUCH TAX PROCEEDS BE COLLECTED AND SPENT BY THE DISTRICT AS VOTER APPROVED REVENUE AND SPENDING CHANGES IN EACH YEAR, WITHOUT REGARD TO ANY SPENDING OR REVENUE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR SECTION 29-1-301, COLORADO REVISED STATUTES?

Section 2. 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.

Section 3. The President and Secretary and other agents or employees of the District shall and they are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution.

Section 4. The election shall be conducted as a regular biennial special district mail ballot election pursuant to the Colorado Local Government Election Code, Article 13.5 of Title 1 of the Colorado Revised Statutes, and all laws amendatory thereof and supplemental thereto; and Margaret Personeus is hereby appointed as the District's Designated Election Official for such election to conduct the election as a mail ballot election.

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 (5) days after the title of the ballot issue or ballot question is set.

Section 6. All orders, bylaws and resolutions, or parts thereof, in conflict with this Resolution, are hereby repealed.

Section 7. 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.

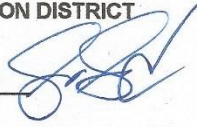
Section 8. The provisions of this Resolution shall take effect immediately and continue hereafter until modified or repealed by further formal action of the Board.

ADOPTED AND APPROVED this 6th day of March, 2016.

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HYGIENE FIRE PROTECTION DISTRICT

Director Scott Snyder
President/Chairman



A motion to adopt the foregoing Resolution was duly moved by Director Judith Koslov and seconded by Director Mary Baldrige, put to a vote and carried upon the following vote:

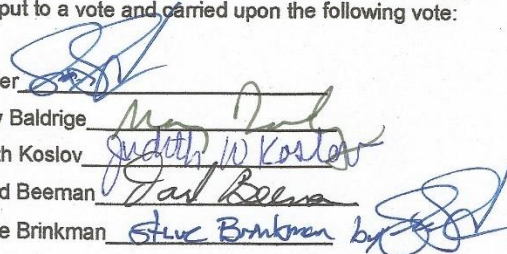
Those voting AYE: Directors: Scott Snyder

Mary Baldrige

Judith Koslov

David Beeman

Steve Brinkman



Those voting NAY: _____

Thereupon the presiding officer declared the motion carried and the Resolution duly passed and adopted.

Judith Koslov
Secretary

