

RESOLUTION NO. 08-33

INTRODUCED BY:

Councilperson Neely
Councilperson Hoffman

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF CASTLE PINES NORTH
REGARDING CASTLE PINES NORTH METROPOLITAN DISTRICT**

WHEREAS, Section 31-11-111(2), C.R.S., states that the legislative body of any municipality may submit any question to a vote of the registered electors of the municipality; and

WHEREAS, by Resolution 08-26, the City Council of the City of Castle Pines North (the "City Council") submitted the following questions to a vote of the registered electors of the City in the November 4, 2008 state general election:

FIRST BALLOT ISSUE:

SHALL THE CITY OF CASTLE PINES NORTH, WITHOUT INCREASING AD VALOREM PROPERTY TAXES AUTHORIZED BY BALLOT QUESTION 2E APPROVED IN 2007 BY THE ELECTORS OF THE CITY OF CASTLE PINES NORTH, BE AUTHORIZED TO INSTITUTE A NEW AD VALOREM PROPERTY TAX, ON ALL PROPERTY TAXABLE BY LAW, RESULTING IN AN INCREASE TO THE CITY OF CASTLE PINES NORTH OF \$2,786,780 ANNUALLY (ESTIMATED FIRST FISCAL YEAR DOLLAR INCREASE), BEGINNING THE FIRST FISCAL YEAR OF 2009, AND BY WHATEVER ADDITIONAL AMOUNTS ARE PRODUCED EACH YEAR THEREAFTER, WITH SUCH REVENUES TO BE GENERATED FROM A PROPERTY TAX NOT TO EXCEED A RATE OF 19 MILLS, PROVIDED THAT THE CITY MAY IMPOSE SUCH TAX ONLY IN THE EVENT THAT THE CASTLE PINES NORTH METROPOLITAN DISTRICT REDUCES OR ELIMINATES ITS CURRENT MILL LEVY, THEN THE CITY MAY IMPOSE A MILL LEVY EQUAL TO THE AMOUNT OF REDUCTION FOR ANY AND ALL GENERAL MUNICIPAL PURPOSES, PROVIDED HOWEVER, THAT THE CITY MAY NEVER CHARGE ON ITS RESIDENTS A NON-UNIFORM TAX, AND THE CITY WILL NOT LEVY MORE THAN A TOTAL OF 19 MILLS, AND SHALL SUCH INCREASED TAXES CONSIST OF PROPERTY TAXES IMPOSED BY THE CITY THROUGH ORDINANCES ADOPTED FROM TIME TO TIME, SUCH ORDINANCES SUBJECT ONLY TO THE LIMITATIONS CONTAINED IN THE COLORADO AND U.S. CONSTITUTIONS; AND SHALL THE PROCEEDS OF SUCH TAXES AND ANY INVESTMENT INCOME THEREON BE COLLECTED, RETAINED AND SPENT BY THE CITY IN THE FISCAL YEAR 2009 AND IN EACH FISCAL YEAR THEREAFTER AS A VOTER-APPROVED REVENUE CHANGE WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, THE LIMITS IMPOSED ON INCREASES IN PROPERTY TAXATION BY SECTION 29-1-301, C.R.S. IN ANY YEAR, OR ANY OTHER LAW WHICH PURPORTS TO LIMIT THE CITY'S REVENUES OR EXPENDITURES AS IT CURRENTLY EXISTS OR AS IT MAY BE AMENDED IN THE FUTURE, ALL WITHOUT LIMITING IN ANY

YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED, RETAINED AND SPENT BY THE CITY? _____

SECOND BALLOT ISSUE:

SHALL THE CITY OF CASTLE PINES NORTH BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND THE FULL AMOUNT OF ALL AD VALOREM PROPERTY TAXES, ALL OTHER TAXES, TAX INCREMENT REVENUES, INVESTMENT INCOME, TAP FEES, PARK FEES, FACILITY FEES, SERVICE CHARGES, INSPECTION CHARGES, ADMINISTRATIVE CHARGES, GRANTS OR ANY OTHER FEE, RATE, TOLL, PENALTY, OR CHARGE AUTHORIZED BY LAW OR CONTRACT TO BE IMPOSED, COLLECTED OR RECEIVED BY THE CITY DURING 2009 AND EACH FISCAL YEAR THEREAFTER, SUCH AMOUNTS TO CONSTITUTE A VOTER-APPROVED REVENUE CHANGE AND BE COLLECTED, RETAINED AND SPENT BY THE CITY WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, THE LIMITS IMPOSED ON INCREASES IN PROPERTY TAXATION BY SECTION 29-1-301, C.R.S. IN ANY YEAR, OR ANY OTHER LAW WHICH PURPORTS TO LIMIT THE CITY'S REVENUES OR EXPENDITURES AS IT CURRENTLY EXISTS OR AS IT MAY BE AMENDED IN THE FUTURE, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED, RETAINED AND SPENT BY THE CITY? _____; and

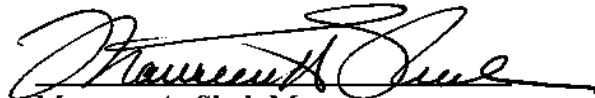
WHEREAS, any ad valorem property taxes to be imposed by the City of Castle Pines under the First Ballot Issue are conditioned upon the Castle Pines North Metropolitan District reducing or eliminating its current mill levy; and

WHEREAS, the Castle Pines North Metropolitan District is required to certify its mill levy to the Board of County Commissioners for Douglas County no later than December 15, 2008.

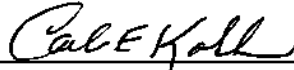
THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO:

Section 1. The City Council hereby requests that the Board of Directors of the Castle Pines North Metropolitan District ("Board") issue a statement of intent, in the form of a resolution or in such other form as the Board may use, expressing the Board's intent to reduce by 9.5 mills its current mill levy for debt service when the Board certifies its mill levy on or before December 15, 2008.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH the 10th day of September, 2008.

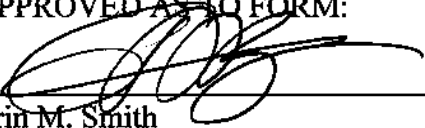

Maureen A. Shul, Mayor

ATTEST:



Carl E. Kollmar, City Clerk

APPROVED AS TO FORM:



Erin M. Smith
City Attorney