



## RESOLUTION 2022 - 08

### **A RESOLUTION CALLING FOR AN ELECTION ON A REFERRED MEASURE REGARDING AN INCREASE TO THE NEDERLAND FIRE PROTECTION DISTRICT'S MILL LEVY AND THE APPOINTMENT OF A DEO**

**WHEREAS**, the Board of Directors (the "Board") of the Nederland 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 be permitted to increase its mill levy to meet the increasing costs of fire protection and emergency response within the District; 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 exempt the District from the revenue limitations of Article X and § 29-1-301, C.R.S.; and

**WHEREAS**, the Board has determined that it is in the best interest of the District and its citizens to seek voter approval for a tax increase in order to provide additional funds for the District's general operating and capital expenses, as further defined herein; and

**WHEREAS**, pursuant to § 1-1-111(2). C.R.S., the Board is authorized to designate election officials to exercise the statutory authority of the Board in conducting an election pursuant to the Uniform Election Code of 1992, and all laws amendatory thereof and supplemental thereto.

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE NEDERLAND FIRE PROTECTION DISTRICT:**

Section 1. At the general election to be held on Tuesday, November 8, 2022, there shall be submitted to the electors of the District, in substantially the same form, the following ballot issue seeking voter permission for the ability to increase the District's mill levy:

#### **NEDERLAND FIRE PROTECTION DISTRICT BALLOT ISSUE \_\_:**

SHALL NEDERLAND FIRE PROTECTION DISTRICT TAXES BE INCREASED BY UP TO \$250,000 (2024 AMOUNT AFTER ALL PHASED-IN INCREASES) ANNUALLY AND IN EACH YEAR THEREAFTER BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED FROM A PHASED-IN OPERATING MILL LEVY IMPOSED AT A RATE OF 1 MILL IN 2022, AN ADDITIONAL 1 MILL IN 2023, AND AN ADDITIONAL 1 MILL IN 2024 (THE TOTAL OF WHICH IS 3 MILLS AND IS IN ADDITION TO THE MILL LEVY CURRENTLY IMPOSED BY THE DISTRICT), AND CONTINUING THEREAFTER AS PROVIDED BY LAW, WITH SUCH TAX PROCEEDS TO BE USED FOR THE FOLLOWING DISTRICT OPERATIONAL AND CAPITAL EXPENSES:

Nederland Fire Protection District, 650 Lower W 4<sup>th</sup> Street, PO Box 155, Nederland, CO 80466  
Ph: 303-258-9161. In an emergency call 911.

- FUNDING OF A STRUCTURED VEHICLE REPLACEMENT PLAN;
- FUNDING OF VEHICLE MAINTENANCE AND REPLACEMENT; AND
- FUNDING OF BUILDING MAINTENANCE AND CONSTRUCTION;

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 LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION AND SECTION 29-1-301, COLORADO REVISED STATUTES?

Section 2. The President and Secretary and other agents or employees of the District shall and are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution, including the execution of the Intergovernmental Agreement with the Boulder County Clerk and Recorder's office regarding the conduct of the election.

Section 3. A Coordinated Election will be conducted by the County Clerk and Recorder of each county within the District's boundaries and the Clerk and Recorder of Boulder County is hereby authorized to conduct the Election on behalf of the District.

Section 4. The provisions of the *Uniform Election Code*, Sec. 1-1-101, *et seq.*, C.R.S., and all laws amendatory thereof or supplemental thereto, shall govern this election, and Iain Irwin-Powell is hereby appointed as the District's Designated Election Official for such election to assist the County Designated Election Official in conducting the election as a coordinated election.

Section 5. 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 6. All acts, orders, resolutions, or parts thereof, of the District that are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

Section 7. 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 \_\_\_\_\_ day of \_\_\_\_\_, 2022.**

**NEDERLAND FIRE PROTECTION DISTRICT**

By: \_\_\_\_\_  
President and Chair

Nederland Fire Protection District, 650 Lower W 4<sup>th</sup> Street, PO Box 155, Nederland, CO 80466  
Ph: 303-258-9161. In an emergency call 911.

A motion to adopt the foregoing Resolution was duly moved by Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_, put to a vote and carried upon the following vote:

Those voting AYE: Directors:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Those voting NAY:

\_\_\_\_\_  
\_\_\_\_\_

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

(SEAL)

\_\_\_\_\_  
Secretary