RESOLUTION NO. 013-2019

A RESOLUTION OF THE TOWN BOARD OF TRUSTEES OF THE TOWN OF CRESTONE REFERRING THE ISSUE OF AN INCREASE OF THE TOWN'S RETAIL SALES TAX FROM THE CURRENT THREE PERCENT (3%) TO THREE POINT FIVE PERCENT (3.5%) UPON THE RETAIL SALE OF TANGIBLE PERSONAL PROPERTY WITHIN THE TOWN OF CRESTONE, TO THE TOWN ELECTORATE

WHEREAS, the Board of Trustees has determined that, in order to meet the town's operational expenses of operating the Town's Water and Sewer systems, an increase in town sales tax structure is necessary; and

WHEREAS, the Town Board of Trustees has further determined that an increase in the sales tax by allocating such increase to the water and sewer enterprise funds in order to cover costs for operating the water and sewer system in the sales tax is a more equitable manner of distributing the tax over all persons who are residents and non-residents who purchase goods, retail property and commodities within the town instead of seeking a mill levy increase upon the residential and business owners of real property located within the town; and

WHEREAS, Article X, Section 20 of the Colorado Constitution requires any increase of taxes by the town to be approved by a vote of the town electorate;

NOW THEREFORE be it hereby resolved by the Board of Trustees of the Town of Crestone that the following measure shall be submitted to the town electorate at the regular municipal election to be held on April 7, 2020, to wit:

BALLOT TITLE:

AN AMENDMENT TO ORDINANCE #2000-1 (WHICH ENACTED A 3% SALES TAX FOR THE TOWN OF CRESTONE) INCREASING THE TOWN SALES TAX BY 0.5% TO A TOTAL OF 3.5% ON THE RETAIL SALE OF PERSONAL PROPERTY WITHIN THE TOWN OF CRESTONE

BALLOT ISSUE:

SHALL THE TOWN OF CRESTONE'S TAXES BE INCREASED BY UP TO $60,000 (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE ADOPTION OF AN ORDINANCE AMENDING ORDINANCE #2000-1, INCREASING THE SALES TAX ESTABLISHED BY SAID ORDINANCE BY 0.5% ON THE SALE OF TANGIBLE PERSONAL PROPERTY AT RETAIL RESULTING IN A TOTAL TOWN SALES TAX OF 3.5% THE PROCEEDS OF WHICH SHALL BE DEPOSITED INTO THE TOWN GENERAL FUND AND ALLOCATED TO THE WATER AND SEWER ENTERPRISE FUNDS FOR OPERATIONAL EXPENSES EFFECTIVE APRIL 7, 2020, AND SHALL SUCH REVENUES CONSTITUTE A VOTER-APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

YES ________   NO ________

The Town Board of Trustees finds and determines:

A. If a majority of all the votes cast at the election shall approve the ballot issue, described herein, then the Town Board of Trustees shall enact an Ordinance amending Ordinance #2000-1, which shall allow the collection of sales tax at a rate of 3.5% upon tangible personal property sold within the Town of Crestone and retail establishments within the Town shall be required and authorized to collect, and remit said tax to the Town in accordance with the requirements of law, which shall be used for operational expenses of the water and sewer enterprise funds.

B. The Town Clerk shall serve as the designated election officer of the Town for the purpose of performing acts required or permitted by law in connection with the election on the ballot issue and shall take such action as may be required to comply with all applicable laws pertaining to the conduct of the election.

DONE and SIGNED this 9th day of December, 2019.

Kairina Danforth, Mayor

Attest:

Allyson Ransom
Allyson Ransom
Town Clerk