

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS (“BOCC”)
OF PITKIN COUNTY, COLORADO,
SUBMITTING TO THE ELECTORATE AT THE ELECTION TO BE HELD ON
NOVEMBER 6, 2018, A BALLOT ISSUE DEDICATING PROPERTY TAX FOR
THE HEALTHY COMMUNITY FUND**

RESOLUTION NO. 059 -2018

RECITALS:

1. Pursuant to Section 2.8.3 (Actions) of the Pitkin County Home Rule Charter (“HRC”) official action by formal resolution shall be required for all actions of the Board not requiring ordinance power on matters of significant importance affecting citizens.
2. The members of the Board of County Commissioners of the County (the “Board”) have been duly elected, chosen and qualified.
3. The Board has a tax proposal that requires voter approval pursuant to Section 20 of Article X of the State Constitution and Article IX of the Charter, and it desires to submit such proposal to the electorate at the election to be held on November 6, 2018.
4. Section 20 of Article X of the State Constitution (“TABOR”) requires voter approval of certain local government matters including the following:
 - a. approval of a new tax, tax rate increase, mill levy above that for the prior year, or extension of an expiring tax, or a tax policy change directly causing a net tax revenue gain pursuant to Section 20(4)(a);
 - b. approval of revenue changes pursuant to Section 20(7).
5. Section 9.1.1 of the Charter provides in part that “except as provided in 9.1.3, no increase in the rate or levy of any tax imposed or collected by the County...and no new or additional tax may be levied or collected unless and until such increase, change or new or additional tax is submitted to and approved by a majority of those actually voting in an election on such issue.”
6. The Healthy Community Fund is a valuable dedicated property tax with a mission to help Pitkin County citizens and employees be independent, healthy and safe. The annual grant program works to support non-profit organizations that provide critical Health and Human Services and Community Resources to people who live and/or work in Pitkin County. For the past sixteen years, the Healthy Community Fund has provided millions of dollars to promote the social, emotional, physical and economic well-being of our families, youth and seniors.

7. It is estimated that each year the Healthy Community Fund agencies reach and support over 55,000 people from Aspen to Parachute, improving access to health services, preventing and treating substance abuse, diminishing the impacts of mental illness, protecting vulnerable children and adults, caring for the terminally ill and their families, and optimizing the quality of life for residents and workers in Pitkin County.

8. The BOCC finds that it is in the best interests of the citizens of Pitkin County to approve this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pitkin County, Colorado that it hereby adopts a **Ballot Issue Dedicating Property Tax for the Healthy Community Fund** and authorizes the Chair to sign the Resolution and upon the satisfaction of the County Attorney as to form, execute any other associated documents necessary to complete this matter.

1. The Board has determined, and hereby determines that the interest of the County and the public interest and necessity require the submittal of this tax proposal to the electorate at the election to be held on November 6, 2018.

2. The question to be submitted to the electorate shall be as set forth in Attachment A to this resolution. If the question is approved by the electorate:

- a) The collections of the authorized tax shall be accounted for in a separate fund dedicated for the sole purpose of providing a stable source of funding for health and human service and community non-profit programs and directly related expenses including county staffing and services (the "Healthy Community Fund" or "HCF"). However, this does not guarantee a specific level of funding to any particular agency. The General Fund shall cover Senior Services Capital expenditures and most of the cost of administering the HCF. The BOCC may appropriate funding from the General Fund for Senior Services and Public Health, as needed. When conditions warrant it, at the discretion of the Board, up to 5% of the HCF may be spent on administration (in addition to the statutorily required Treasurers Fees). The funds shall not be spent for other purposes under any circumstance.
- b) The mission of the Healthy Community Fund is to help Pitkin County citizens and employees be independent, healthy and safe.
- c) The programs to be funded shall promote and achieve the priorities listed in the ballot question. The Healthy Community Fund will also support agencies that are working towards the community goals and objectives set forth by the Board which includes the list below:

Family and Youth Well-Being - Promote the social, emotional and economic well-being of families and youth

Physical Health and Public Health - Promote the physical wellbeing of individuals

Mental Health and Substance Use Prevention - Promote the psychological wellbeing of individuals, provide treatment and promote prevention

The Well-Being of Seniors - Promote the social, emotional, economic and physical well-being of senior adults

Cultural Treasures and Environmental Quality – Promote and optimize the quality of life for residents and workers in Pitkin County and enhance and sustain natural resources

- d) The Board of County Commissioners shall appoint 4-5 members to a Citizen Grant Review Committee (and up to two youth members). Each committee member shall be a resident of Pitkin County, shall hold no other County or municipal office, shall be willing to recuse him/herself on the basis of conflict of interest, and shall serve without pay.
- e) The Citizen Grant Review Committee shall:
- (1) Make recommendations to the Board of County Commissioners to update the Community Goals as necessary.
 - (2) Within those goals establish priorities and criteria for funding health and human service and community non-profit programs.
 - (3) Review all grant applications and ensure fiscal and programmatic compliance.
 - (4) Make recommendations to the Board of County Commissioners for distribution of funds to programs that are responsive to current and changing community needs and that also demonstrate accountability by measuring programmatic impact. The Citizen Grant Review Committee will evaluate all grants based on “Grant Criteria” that are approved by the Board of County Commissioners. Highest priority for funding will go to agencies providing basic health and human needs. Other funding will be allocated based on availability. Initial percentages of funding will include:
 - 22% for 7 Core Public Health services as mandated by the 2008 Colorado Public Health Act and clinical nursing services for family planning, immunizations and tuberculosis control and monitoring,
 - 46% to non-profit Health and Human Services agencies
 - 15% to Senior Services
 - 12% to Community Non-Profits
 - and up to 5% for HCF Management.The Citizen Grant Review Committee is encouraged to recommend and the BOCC can make adjustments to these percentages to meet changing community needs.

(5) Establish relationships with local non-profits to more effectively discharge Committee responsibilities.

3. For purposes of C.R.S. § 1-11-203.5, this Resolution shall serve to set the ballot title and the ballot issue for the ballot question, and the ballot title for the ballot question shall be the text of the ballot question itself.

4. Pursuant to C.R.S. § 1-5-205, a notice of the election including mail in ballot requirements and questions submitted shall be published one time in The Aspen Times Weekly and shall be posted in a conspicuous place at the County Clerk's office at least 10 days before the date of the election and until after the election.

5. The County Clerk shall provide such notices as are required by Section 20(3)(b) of Article X of the State Constitution.

6. The officers of the County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

7. If any section, paragraph, clause or provision of this Resolution or ballot question 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 or the ballot question, as applicable.

8. This Resolution shall be in full force and effect immediately upon its final adoption.

INTRODUCED AND FIRST READ ON THE 5th DAY OF August,
2018 AND SET FOR SECOND READING AND PUBLIC HEARING ON THE
22nd DAY OF August 2018.

NOTICE OF PUBLIC HEARING AND TITLE AND SHORT SUMMARY OF THE
RESOLUTION PUBLISHED IN THE ASPEN TIMES WEEKLY ON THE 9th
DAY OF August, 2018.

NOTICE OF PUBLIC HEARING AND THE FULL TEXT OF THE RESOLUTION
POSTED ON THE OFFICIAL PITKIN COUNTY WEBSITE (www.pitkincounty.com)
ON THE 9th DAY OF August 2018.

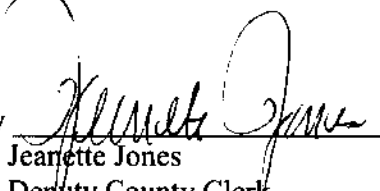
ADOPTED AFTER FINAL READING AND PUBLIC HEARING ON THE 22nd
DAY OF August 2018.

PUBLISHED BY TITLE AND SHORT SUMMARY, AFTER ADOPTION, IN THE
ASPEN TIMES WEEKLY ON THE 30th DAY OF August, 2018.

POSTED BY TITLE AND SHORT SUMMARY ON THE OFFICIAL PITKIN
COUNTY WEBSITE (www.pitkincounty.com) ON THE 23rd DAY
OF August 2018.


ATTEST:

By


Jeanette Jones
Deputy County Clerk

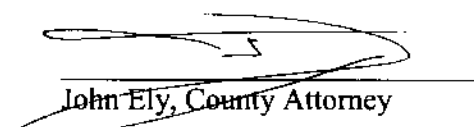
BOARD OF COUNTY COMMISSIONERS

By:



Patti Clapper, Chair

Date: 08-28-18

APPROVED AS TO FORM:


John Ely, County Attorney

MANAGER APPROVAL


Jon Reacock, County Manager

ATTACHMENT A

DEDICATED PROPERTY TAX FOR HEALTHY COMMUNITY FUND

SHALL PITKIN COUNTY TAXES BE INCREASED BY UP TO \$750,000 ANNUALLY THROUGH AN INCREASE IN AND EXTENSION OF THE EXISTING HEALTHY COMMUNITY FUND PROPERTY TAX LEVY, RESULTING IN A TOTAL HEALTHY COMMUNITY FUND PROPERTY TAX LEVY OF UP TO \$3,079,189 COMMENCING WITH THE 2019 COLLECTION YEAR, AND THE SAME AMOUNT, ADJUSTED ANNUALLY FOR INFLATION AND LOCAL GROWTH, FOR EIGHT YEARS THEREAFTER FOR THE SOLE PURPOSE OF PROVIDING A STABLE FUNDING SOURCE FOR HEALTH AND HUMAN SERVICE AND COMMUNITY NON-PROFIT PROGRAMS INCLUDING:

- PROTECTIVE AND SUPPORTIVE SERVICES FOR CHILDREN AND THEIR FAMILIES IN AT-RISK HOUSEHOLDS
- PROTECTION OF THE QUALITY OF OUR NATURAL RESOURCES
- SUPPORTING SURVIVORS OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT
- MENTAL HEALTH AND SUBSTANCE USE PREVENTION, INTERVENTION, TREATMENT, AND AFTERCARE SERVICES FOR ALL COMMUNITY MEMBERS
- CARE FOR THE TERMINALLY ILL AND THEIR FAMILIES
- PHYSICAL, SOCIAL, EDUCATIONAL AND RECREATIONAL ACTIVITIES FOR OLDER ADULTS THAT SUPPORT HEALTH AND AGING WITH DIGNITY
- ACCESS TO PREVENTION AND INTEGRATED HEALTH CARE SERVICES FOR LOWER-INCOME CITIZENS
- WORKING WITH DEVELOPMENTALLY DISABLED CITIZENS AND THEIR FAMILIES TO ENHANCE THEIR ABILITY TO LIVE INDEPENDENT LIVES

AND SHALL PITKIN COUNTY BE ENTITLED TO COLLECT, RETAIN, AND SPEND THE FULL REVENUES FROM SUCH TAX INCREASE AS A VOTER-APPROVED REVENUE CHANGE REGARDLESS OF WHETHER THE ANNUAL REVENUES FROM SUCH TAX INCREASE IN ANY YEAR AFTER THE FIRST FULL YEAR IN WHICH IT IS IN EFFECT EXCEED THE ESTIMATED DOLLAR AMOUNT STATED ABOVE AND NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATION IN THE STATE CONSTITUTION, STATE LAW OR THE COUNTY HOME RULE CHARTER?