

Resolution 2017-6

2016 Mill Levy Override Election Question

Whereas Colorado Springs School District 11 (the “District”), in the County of El Paso and State of Colorado, is a public corporation duly organized and existing under the Constitution and the laws of the State of Colorado;

Whereas the members of the Board of Education of the District (the “Board”) have been duly elected, chosen, and qualified;

Whereas Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any new tax, the creation of any debt, and for spending certain moneys above limits established by TABOR;

Whereas the Board has determined that the interest of the District and the public interest and necessity demand and require that the District seek voter approval for a tax increase for District purposes as described in Section 3 below to provide additional funds for the District’s general operating expenses pursuant to Section 22-54-108, C.R.S.;

Whereas the Board has determined that the total additional local property tax revenues generated by the tax increase does not exceed twenty-five percent (25%) of the District’s total program funding in compliance with Section 22-54-108, C.R.S.;

Whereas TABOR requires the District to submit ballot issues (as defined in TABOR) to the District’s electors on limited election days before action can be taken on such ballot issues;

Whereas November 8, 2016, is one of the election dates at which ballot issues may be submitted to the eligible electors of the District pursuant to TABOR;

Whereas the County Clerk and Recorder in El Paso County (the “County Clerk”) will conduct the election on November 8, 2016 as a coordinated election (the “election”);

Whereas it is necessary to submit to the eligible electors of the District, at the election, the proposition of increasing District taxes in excess of the District’s total program funding as determined pursuant to the School Finance Act, Title 22, Article 54, Part 1, C.R.S.; now, therefore, be it

Resolved by the Board of Education of Colorado Springs School District 11, in the County of El Paso and State of Colorado:

Section 1. 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 and the questions set forth herein are, ratified, approved and confirmed. Unless otherwise defined herein, all terms used herein shall have the meanings specified in Section 1-1-104, C.R.S.

Section 2. Pursuant to TABOR, Title 22, and the Uniform Election Code of 1992, and all laws amendatory thereof and supplemental thereto, the District hereby determines that an election shall be held on November 8, 2016 (the “election”), and that there shall be submitted to the eligible electors of the District the question set forth herein. Because the election will be held as part of the coordinated election, the Board hereby determines that the County Clerk shall conduct the election on behalf of the District. The officers of the District are hereby authorized to enter into one or more intergovernmental agreements with the County Clerk pursuant to Section 1-7-116, C.R.S. Any such intergovernmental agreement heretofore entered into in connection with the election is hereby ratified, approved and confirmed.

Section 3. The Board hereby authorizes and directs the officers of the District to certify on or before September 9, 2016, the following question in substantially the form hereinafter set forth to the County Clerk. Such question shall be submitted to the eligible electors of the District at the election.

BALLOT ISSUE NO. 3[] – TAX INCREASE FOR GENERAL FUND PURPOSES

SHALL COLORADO SPRINGS SCHOOL DISTRICT 11 TAXES BE INCREASED UP TO \$15,000,000 IN COLLECTION YEAR 2017, \$16,250,000 IN 2018, \$17,500,000 IN 2019, \$18,750,000 IN 2020, \$20,000,000 IN 2021, \$21,250,000 IN 2022, \$22,500,000 IN 2023, AND \$32,600,000 IN 2024 AND THEREAFTER \$32,600,000 ADJUSTED FOR ANNUAL CHANGES IN THE DENVER-BOULDER CONSUMER PRICE INDEX BY A PROPERTY TAX OVERRIDE MILL LEVY FOR DISTRICT EDUCATIONAL PURPOSES AS DETERMINED BY THE DISTRICT AND AS MONITORED BY CITIZEN’S OVERSIGHT COMMITTEE. WITH THE CONTINUATION OF THE INDEPENDENT REVIEW THAT ASSESSES AND REPORTS TO THE PUBLIC THE DISTRICT’S PROGRESS IN MEETING THE GOALS OF THE DISTRICT PERFORMANCE PLAN, INCLUDING BUT NOT LIMITED TO:

- PROVIDING A SAFE AND HEALTHY LEARNING AND WORKING ENVIRONMENT;
- REDUCING CLASS SIZE;
- ATTRACTING, RETAINING AND RECRUITING QUALITY STAFF;
- PROVIDING UP-TO-DATE TECHNOLOGY REQUIREMENTS;
- MAINTAINING EFFICIENT, SECURE BUILDINGS AND EQUIPMENT; AND
- PROVIDING EQUITABLE FUNDING FOR CHARTER SCHOOLS;

ALL AS DESCRIBED IN THE DISTRICT’S “2016 MILL LEVY OVERRIDE SPENDING PLAN” DATED AUGUST 24, 2016, WHICH PLAN IS SUBJECT TO AMENDMENT IN ACCORDANCE WITH THE PLAN;

WHICH PROPERTY TAX OVERRIDE MILL LEVY SHALL BE LIMITED BY APPLICABLE LAW AS PROVIDED IN C.R.S. SECTION 22-54-108 (CURRENTLY 25% OF TOTAL PROGRAM FUNDING);

AND SHALL THE PROPERTY TAX OVERRIDE MILL LEVY APPROVED BY THIS

QUESTION AND THE MILL LEVY REQUIRED FOR THE PAYMENT OF DEBT SERVICE ON GENERAL OBLIGATION BONDS OF THE DISTRICT APPROVED ON OR AFTER NOVEMBER 8, 2016, BE EXCLUDED FROM THE MILL LEVY LIMIT CONTAINED IN THE OVERRIDE TAX QUESTION APPROVED BY THE VOTERS ON NOVEMBER 7, 2000; AND SHALL THE DIRECT AND INDIRECT REVENUES FROM SUCH TAXES (E.G. SPECIFIC OWNERSHIP TAXES AND ANY EARNINGS FROM THE INVESTMENT OF SUCH REVENUES), BE COLLECTED AND SPENT AS A VOTER-APPROVED REVENUE CHANGE AND EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

Section 4. Dr. Mary Thurman is hereby appointed as the designated election official of the District for purposes of performing acts required or permitted by law in connection with the election.

Section 5. If a majority of the votes cast on the question to authorize the tax increase submitted at the election shall be in favor of incurring such tax increase provided in such question, the District acting through the Board shall be authorized to proceed with the necessary action to levy such 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. The officers of the District are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 7. All orders, bylaws and resolutions, or parts thereof, in conflict with this resolution, are hereby repealed.

Section 8. 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.

ADOPTED AND APPROVED this August 24, 2016.

(SEAL)



ATTEST:

Theresa A. Noll

Secretary

Colorado Springs School District 11

Susan Long
President
Colorado Springs School District 11

STATE OF COLORADO)
)
COUNTY OF EL PASO) SS.
)
COLORADO SPRINGS)
SCHOOL DISTRICT 11)

I, Theresa Null, am the duly qualified and acting Secretary Colorado Springs School District 11 (the "District"), in the County of El Paso and State of Colorado, and I do hereby certify:

1. The foregoing pages are a true and correct copy of a resolution (the "Resolution") passed and adopted by the Board of Education of the District (the "Board") at a regular meeting of the Board held on August 24, 2016.

2. The Resolution was duly moved and seconded and the Resolution was adopted at the meeting of August 24, 2016, by an affirmative vote of a majority of the members of the Board as follows:

Name	"Yes"	"No"	Absent	Abstain
LuAnn Long, President	<u>yes</u>			
Jim Mason, Vice President	<u>yes</u>			
Theresa Null, Secretary	<u>yes</u>			
Nora Brown, Treasurer	<u>yes</u>			
Mary Coleman, Director	<u>yes</u>			
Shawn Gullixson, Director	<u>yes</u>			
Elaine Naleski, Director	<u>yes</u>			

3. The members of the Board were present at such meeting and voted on the passage of such Resolution as set forth above.

4. The Resolution was approved and authenticated by the signature of the President of the Board, sealed with the District seal, attested by the Secretary and recorded in the minutes of the Board.

5. Attached hereto as Exhibit A is a copy of the notice of the meeting on August 24, 2016 which notice was posted in one place within the District at least 24 hours before such meeting and which notice included agenda information, if available.

6. There are no bylaws, rules or regulations of the Board which prevent the immediate adoption of the Resolution set forth in the foregoing proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said District, this August 24, 2016.

Theresa A. Noll
Secretary

(SEAL)





**Wednesday, August 24, 2016
Regular Board Meeting**

Call to Order at 5:30 p.m., followed by Executive Session

**The Regular meeting begins at 6:30 p.m.
Boardroom - Main Administration Building
1115 N. El Paso Street, CSC 80903**

A. PRELIMINARIES

1. Call to Order and Roll Call
2. Moment of Silence
3. Adoption of the Agenda

B. EXECUTIVE SESSION

1. Executive Session - 60 minutes

C. RECONVENE IN PUBLIC SESSION

1. Modification of the Agenda
2. Pledge of Allegiance
3. Good Things
4. Citizens' Comments-General

D. SPECIAL REPORTS

1. Board Members' Reports

E. CONSENT ITEMS

1. Adoption of Consent Items
2. Approval of August 10, 2016, Regular Board Meeting Minutes
3. Approval of August 15, 2016, Special Board Meeting Minutes
4. Personnel Recommendations - August 24, 2016

F. ACTION ITEMS

1. Citizens' Comments Pertaining to Items on the Action Agenda
2. Request to Relinquish Exclusive Chartering Authority - Colorado Military Academy (CMA) - 15 minutes
3. Budget Transfers, Appropriations, and FTE Approvals
4. Resolution 2017-6 2016 Mill Levy Override Election Question - 10 minutes
5. 2016 Mill Levy Override Governance Plan - 10 minutes

6. 2016 Mill Levy Override Spending Plan - 10 minutes
7. Resolution 2017-7 2016 Bond Election Question - 10 minutes
8. 2016 Bond Governance Plan - 10 minutes
9. 2016 Bond Spending Plan - 10 minutes
10. Contract Awards: Intergovernmental Agreement (IGA) - 10 minutes
11. Resolution 2017-8, Arts in Education Week - 5 Minutes
12. Resolution 2017-10, Approving the Use of Charter Buses to Transport District Students to and from School Activities - 10 minutes

G. NON-ACTION ITEMS

1. Citizens' Comments Pertaining to Items on the Non-Action Agenda
2. Amended Board Meeting Dates for 2016-2017 - 10 minutes

H. FUTURE AGENDA ITEMS/TASKS

1. Request for New Agenda Items from Board Discussion/Tasks

I. CALENDAR REVIEW

1. Calendar Review

J. ADJOURNMENT

1. Adjournment

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