

27J SCHOOLS
RESOLUTION NUMBER XXX 2022-2023
MILL LEVY OVERRIDE BALLOT ISSUE FOR THE
2022 NOVEMBER ELECTION

WHEREAS, the School District 27J, in the Counties of Adams, Weld and the City and County of Broomfield and the State of Colorado (the “District”), is a public corporation duly organized and existing under the Constitution and the laws of the State of Colorado; and

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

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; and

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 of 3 mills (\$6,650,000 for the first full fiscal year) for District purposes as described in Section 4 below to provide additional funds for the District’s general operating expenses pursuant to Section 22-54-108, C.R.S.; and

WHEREAS, the Board has determined that the total additional local property tax revenues generated by the tax increase of 3 mills plus any tax revenues generated pursuant to prior authorization does not exceed twenty percent (25%) of the District’s total program at the time of the election in compliance with Section 22-54-108, C.R.S.; and

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; and

WHEREAS, November 8, 2022, is one of the election dates at which ballot issues may be submitted to the eligible electors of the District pursuant to TABOR; and

WHEREAS, the County Clerk and Recorder (the “County Clerk”) in each of Adams, Weld Counties and the City and County of Broomfield (collectively, the “Counties”) will conduct the election on November 8, 2022, as a coordinated election (the “election”); and

WHEREAS, it is necessary to submit to the eligible electors of the District, at the election, the proposition of increasing taxes by 3 mills annually 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.; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF SCHOOL DISTRICT 27J, IN ADAMS AND WELD COUNTIES AND THE CITY AND COUNTY OF BROOMFIELD, 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 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. The election shall be conducted as a coordinated election in each of the Counties pursuant to TABOR, Article 54 of Title 22, C.R.S., and the Uniform Election Code of 1992, and all laws amendatory thereof and supplemental thereto. The election shall also be conducted pursuant to the provisions of intergovernmental agreements (the “intergovernmental agreements”) between the District and the County Clerk of each of the Counties. The District hereby determines that the election shall be held on November 8, 2022, 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 each County Clerk shall conduct the election on behalf of the District pursuant to the Uniform Election Code of 1992 and the applicable intergovernmental agreement. The officers of the District are hereby authorized to enter into one or more intergovernmental agreements with the each 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, 2022, the following question in substantially the form hereinafter set forth to each County Clerk. Such question shall be submitted to the eligible electors of the District at the election.

SAFETY OF STUDENTS, STAFF AND COMMUNITY QUESTION:

SHALL SCHOOL DISTRICT 27J’S TAXES BE INCREASED **\$6.65 MILLION** BEGINNING IN TAX COLLECTION YEAR 2023, AND BY WHATEVER AMOUNTS AS MAY BE GENERATED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN ADDITIONAL MILL LEVY OF NOT TO EXCEED **3 MILLS**, BY THE COLLECTION OF AD VALOREM PROPERTY TAXES FOR DEPOSIT IN THE DISTRICT’S GENERAL FUND FOR THE EXPLICIT PURPOSES DESCRIBED BELOW:

- PROVIDING ARMED SAFETY PERSONNEL FOR SCHOOLS TO PROVIDE PREVENTIVE SAFETY MEASURES TO INCREASE STUDENT, STAFF, AND COMMUNITY SAFETY IN AND AROUND DISTRICT SCHOOLS;
- PROVIDING SAFETY SPECIALISTS TO COLLABORATE WITH SCHOOLS AND LOCAL MUNICIPALITIES TO IMPLEMENT SAFETY AND SECURITY, TRAINING, PROGRAMS, DIRECTIVES AND POLICIES;
- SUPPORTING SCHOOL SAFETY OPERATIONS INCLUDING TRAINING, COMMUNITY ENGAGEMENT, EMERGENCY RESPONSE, SCHOOL SECURITY SYSTEMS, PLANNING, AND ROUTINE EMERGENCY SYSTEM AUDITS;

PROVIDED THAT NO REVENUE FROM THIS TAX WILL BE USED FOR

ADMINISTRATION SALARY INCREASES OR CAPITAL IMPROVEMENTS AND PROVIDED THAT EXPENDITURES WILL BE SUBJECT TO AN ANNUAL AUDIT AND OVERSIGHT BY A COMMITTEE OF COMMUNITY MEMBERS;

AND SHALL SUCH TAX INCREASE BE AN ADDITIONAL PROPERTY TAX MILL LEVY IN EXCESS OF THE LEVY AUTHORIZED FOR THE DISTRICT'S GENERAL FUND, PURSUANT TO AND IN ACCORDANCE WITH SECTION 22-54-108, C.R.S, AND SHALL THE DISTRICT BE AUTHORIZED TO INCREASE SUCH MILL LEVY BEGINNING IN TAX COLLECTION YEAR 2023 AND ANNUALLY THEREAFTER TO OFFSET PROPERTY TAX REFUNDS OR ABATEMENTS OR REDUCTIONS IN THE PERCENTAGE OF ACTUAL VALUATION USED TO DETERMINE ASSESSED VALUATION?

Section 4. Lynn Ann Sheats 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 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. Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

Section 7. The officers of the District are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 8. All orders, bylaws and resolutions, or parts thereof, in conflict with this resolution, are hereby repealed.

Section 9. 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 September 6, 2022.

President

(SEAL)

ATTEST:

Secretary

STATE OF COLORADO)
)
 COUNTIES OF ADAMS AND WELD) SS.
 AND CITY AND COUNTY OF)
 BROOMFIELD)
)
 SCHOOL DISTRICT 27J)

I, Lynn Ann Sheats, am the duly qualified and acting Secretary of the Board of Education of School District 27J (the “District”), in Adams and Weld Counties and the City and County of Broomfield, 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 meeting of the Board held on September 6, 2022.

2. The Resolution was duly moved and seconded and the Resolution was adopted at the meeting of September 6, 2022, by an affirmative vote of a majority of the members of the Board as follows:

Name	“Yes”	“No”	Absent	Abstain
Greg Piotraschke, President				
Lloyd Worth, Vice President				
Ashley Conn, Director				
Tom Green, Director				
Mandy Thomas, Director				
Leon Thornton, Director				
Mary Vigil, Director				

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 held on September 6, 2022, which notice was posted at least 24 hours before such meeting in accordance with law.

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 September 6, 2022.

Lynn Ann Sheats, Secretary

(SEAL)

EXHIBIT A

The notice of the September 6, 2022 School District 27J Board of Education special meeting was posted on September 1, 2022 at the Educational Service Center, 18551 E. 160th Avenue, Brighton, CO 80601. The notice was also placed on the District's website at www.sd27j.org for public viewing.

(SEAL)

Lynn Ann Sheats, Secretary