

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 43
SERIES OF 2024**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEADVILLE
SUBMITTING AN INITIATED MEASURE TO CITY VOTERS AT A CITY SPECIAL
ELECTION TO BE HELD ON NOVEMBER 5, 2024, IN COORDINATION WITH LAKE
COUNTY, AND SETTING THE BALLOT QUESTIONS THEREFOR**

WHEREAS, the City received a sufficient petition from PB Swims seeking to initiate an ordinance for an aquatics center sales tax;

WHEREAS, August 26, 2024, was the date of “final determination of petition sufficiency” as defined in Colorado Revised Statutes (“C.R.S.”) § 31-11-103(2);

WHEREAS, on September 3, 2024, the City Council voted against adoption of Ordinance No. 6, Series of 2024, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEADVILLE ADOPTING A CITIZEN INITIATED MEASURE TO CREATE AND AUTHORIZE PRESCRIBED USE AND SPENDING OF A PERMANENT AQUATICS CENTER FUND FINANCED BY A NEW ONE-HALF PERCENT (0.5%) SALES TAX, SUBJECT TO VOTER APPROVAL;

WHEREAS, as required by C.R.S. § 31-11-104(1) the City has or will publish Ordinance No. 6 in The Herald Democrat as other City ordinances are published;

WHEREAS, pursuant to C.R.S. § 31-11-104(1) Ordinance No. 6 must now be referred to the registered electors of the City at a regular or special election held not less than sixty (60) days and not more than one hundred fifty (150) days after the final determination of petition sufficiency;

WHEREAS, by adoption of Resolution No. 37, Series of 2024, and approval of an intergovernmental agreement for conduct of the election with Lake County, the City has declared its intent to coordinate its November 5, 2024, special election with Lake County; and

WHEREAS, the City Council therefore desires to submit approval of Ordinance No. 6, Series of 2024 and the associated ballot issue needed to lawfully impose the one half percent (0.5%) sales tax included within Ordinance No. 6 to the City’s registered electors at a City special election to be held on November 5, 2024, seventy one (71) days from the date of final determination of petition of sufficiency.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Leadville, Colorado, as follows:

Section 1. At the City’s November 5, 2024, special election to be coordinated with Lake County, the following ballot questions shall be submitted to the registered electors of the City:

Question No. 1

Shall Ordinance No. 6, Series of 2024, creating a new Chapter 3.38 within Title 3 of the Leadville Municipal Code and an associated one half percent (0.5%) sales tax for aquatics center purposes, subject to all the terms and conditions set forth in Ordinance No. 6, Series 2024, be approved, subject to separate voter approval of the sales tax established therein?

Yes ____ No ____

Question No. 2

SHALL CITY OF LEADVILLE TAXES BE INCREASED \$500,000 ANNUALLY IN THE FIRST FISCAL YEAR AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF A NEW 0.5% CITY SALES TAX TO BE USED EXCLUSIVELY TO CREATE AND FUND A PERMANENT AQUATICS CENTER FUND AS CALLED FOR BY INITIATED ORDINANCE NO. 6 THAT SHALL BE USED ONLY FOR:

- 1) THE ACQUISITION OF LAND OR THE PERMANENT IMPROVEMENT OF AN AQUATICS CENTER THAT MAY BE OPERATED AND MAINTAINED UNDER CONTRACT BY A THIRD PARTY,
- 2) AQUATICS CENTER PROGRAMS AND FACILITIES, AND
- 3) OPERATION AND MAINTENANCE OF THE AQUATICS CENTER AND ITS PROGRAMS AND FACILITIES;

AND SHALL REVENUE IN THE AQUATICS CENTER FUND BE MAINTAINED AND ALLOWED TO GROW UNTIL SUCH TIME AS THERE IS A SUFFICIENT AMOUNT IN THE FUND MEET THEN CURRENT NEEDS OF THE AQUATICS CENTER; AND SHALL THE CITY BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND ALL REVENUE GENERATED BY SUCH TAX IN EXCESS OF THE LIMITATION PROVIDED IN SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION AS A VOTER-APPROVED REVENUE CHANGE?

YES ____ NO ____

Section 2. This Resolution shall be effective upon its adoption.

ADOPTED this 3rd day of September, 2024 by a vote of 7 in favor, 0 against, 0
abstaining, and 0 absent.

CITY OF LEADVILLE, COLORADO



Dana Greene, Mayor

ATTEST:



Sarah Bushman, Deputy City Clerk

