

RESOLUTION N23-002

A Resolution of the Board of the Boulder County Nederland Eco Pass Public Improvement District approving a ballot title for the November 7, 2023 general election to extend for ten years the existing ad valorem property tax mill levy imposed at a rate not to exceed 1.85 mills for the purpose of paying the costs of providing a RTD EcoPass to all District residents; and shall the District be authorized to administer an EcoPass program for non-resident employees of employers operating within the District; all in accordance with the Board’s Resolution N23-001

Recitals:

A. This Board has adopted Resolution No. 2023-001, referring an issue to the November 7, 2023, general election ballot.

B. This Board desires to determine the ballot title for the issue referred for placement on the ballot for the November 7, 2023 election.

C. Pursuant to Sections 30-11-103.5 and 31-11-111(3), C.R.S., as amended, this Board must fix a ballot title according to the following guidelines: consider the public confusion that might be caused by a misleading title; avoid a title for which the general understanding of the effect of a "yes" or "no" vote would be unclear; no conflict with titles selected for any other measure that will appear on the County ballot in the same election; and the title shall correctly and fairly express the true intent and meaning of the measure.

D. This Board finds that the ballot title set forth below meets the statutory guidelines.

Therefore, the Board resolves:

1. In accordance with the statutory guidelines, the Board does hereby fix the following ballot title for the referred issue:

NEDERLAND ECO PASS PUBLIC IMPROVEMENT DISTRICT ISSUE II (Resident EcoPass Tax Extension and Revenue Change and Authorization for District to Administer Employer EcoPass Program):

WITH NO INCREASE IN ANY DISTRICT TAX, SHALL THE DISTRICT’S EXISTING AD VALOREM PROPERTY TAX MILL LEVY IMPOSED AT A RATE NOT TO EXCEED 1.85 MILLS APPROVED BY THE DISTRICT’S VOTERS IN 2013 BE EXTENDED FOR TEN YEARS FOR THE PURPOSE OF PAYING THE COSTS OF PROVIDING A REGIONAL TRANSPORTATION DISTRICT ECOPASS TO ALL DISTRICT RESIDENTS; SHALL THE REVENUES AND THE EARNINGS ON THE INVESTMENT OF THE PROCEEDS OF SUCH TAX CONSTITUTE A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITATIONS SET FORTH IN SECTION 29-1-301 OF THE COLORADO REVISED STATUTES; AND SHALL THE DISTRICT BE AUTHORIZED TO ADMINISTER AN

ECOPASS PROGRAM FOR NON-RESIDENT EMPLOYEES OF EMPLOYERS OPERATING WITHIN THE DISTRICT WITHOUT COLLECTING ADDITIONAL REVENUES FROM DISTRICT RESIDENTS; ALL IN ACCORDANCE WITH THE BOARD OF THE BOULDER COUNTY NEDERLAND ECO PASS PUBLIC IMPROVEMENT DISTRICT’S RESOLUTION N23-001?

2. The Board shall take further action to finally certify the ballot measure and ballot title, together with any others that may be approved, to the November 7, 2023 general election ballot on or before September 8, 2023.

A motion to approve this Resolution N23-002 was made by Board Member Ashley Stolzmann, seconded by Board Member Marta Loachamin, and passed by a 3-0 vote.

ADOPTED this 17th day of August, 2023.

BOARD OF DIRECTORS OF NEDERLAND ECO PASS
PUBLIC IMPROVEMENT DISTRICT:

Claire Levy

Claire Levy, Chair

Ashley Stolzmann

Ashley Stolzmann, Vice Chair

Marta Loachamin

Marta Loachamin, Commissioner

ATTEST:

Cecilia Lacey

Clerk to the Board: _____