

**CITY OF LEADVILLE, COLORADO  
RESOLUTION 15  
Series of 2017**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LEADVILLE, COLORADO SUBMITTING A BALLOT  
QUESTION ON WHETHER THE CITY SHOULD BE PERMITTED TO  
PUBLISH ORDINANCES BY TITLE ONLY AND A BALLOT QUESTION  
ON WHETHER THE CITY MAY RETAIN ALL REVENUES IN EXCESS  
OF CAP IMPOSED BY TABOR**

**WHEREAS**, the City of Leadville (“City”) is a municipal corporation duly organized and operating as a statutory city under the Colorado Constitution and law of the State of Colorado; and

**WHEREAS**, pursuant to Section 31-1-101(1)(a), C.R.S., November 7, 2017 is a regular City election date under state law; and

**WHEREAS**, in accordance with Section 31-11-111(2), C.R.S., the City Council has authority to submit any question to a vote of the registered electors of the City; and

**WHEREAS**, in order to reduce City expenditures, the City Council desires to submit to a vote of the registered electors of the City a ballot question to determine whether the City may publish ordinances by title only, with a full copy of the ordinances available for review by the public on file with the City Clerk, instead of publishing each ordinance in full; and

**WHEREAS**, the City previously received voter approval to retain revenues in excess of the revenue limits imposed by the Colorado Taxpayers’ Bill of Rights (“TABOR”), which is commonly known as “de-Brucing”; and

**WHEREAS**, the previously approved “de-Brucing” measure allows the City to retain some revenues (but not from all sources) in excess of the TABOR cap; and

**WHEREAS**, the City Council desires to submit to a vote of the registered electors of the City a ballot question to allow the City to retain all revenues in excess of the limits imposed by TABOR in order to continue to provide important municipal services and programs.

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

**Section 1.** A regular City election shall be held on Tuesday, November 7, 2017 at which there shall be submitted to the eligible electors of the City two ballot questions in accordance with Sections 31-10-109 and 31-11-111(2), C.R.S., as follows:

BALLOT QUESTION #1

SHALL THE CITY OF LEADVILLE, COLORADO, BE AUTHORIZED TO PUBLISH ORDINANCES BY TITLE ONLY IN ACCORDANCE WITH SECTION 31-16-105, COLORADO REVISED STATUTES, RATHER THAN BY PUBLISHING EACH ORDINANCE IN FULL, THEREBY SUBSTANTIALLY REDUCING THE COST INCURRED IN THE PUBLICATION OF ORDINANCES, WITH SUCH PUBLICATION TO INCLUDE A STATEMENT THAT “THE COMPLETE TEXT OF ALL ORDINANCES IS AVAILABLE THROUGH THE CITY OFFICES AND ON THE CITY’S OFFICIAL WEBSITE?”

\_\_\_\_\_ YES

\_\_\_\_\_ NO

**BALLOT QUESTION #2**

WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAXES, SHALL THE CITY OF LEADVILLE BE PERMITTED TO RETAIN AND SPEND CITY REVENUES DERIVED FROM ANY AND ALL SOURCES IN EXCESS OF THE SPENDING OR OTHER LIMITATIONS SET FORTH IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR IN SECTION 29-1-301 OF THE COLORADO REVISED STATUTES, BEGINNING WITH REVENUES RECEIVED IN 2017, SUCH EXCESS REVENUES TO BE USED FOR ANY AND ALL MUNICIPAL PURPOSES?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

**Section 2.** The Designated Election Official is authorized to correct typographical errors and omissions.

**Section 3.** This Resolution shall serve to set the content for the ballot questions set forth herein and the ballot title for such questions shall be the text of the question itself.

**Section 4.** The Designated Election Official and the City Attorney are hereby authorized and directed to take all necessary and appropriate action to effectuate the provisions of this Resolution, including all reasonable and necessary action to cause such approved ballot question to be printed and placed on the ballot for the election.

**Section 5.** 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 issues of this Resolution.

**Section 6.** This Resolution shall be effective upon its adoption.

1 ADOPTED the 15 day of August, 2017, by a vote of 6 in favor, 0 against, and  
1 absent.

CITY OF LEADVILLE, COLORADO

By: Greg Labbe  
Greg Labbe, Mayor

ATTEST:

B. M.  
City Clerk

