

AGENDA ITEM SUMMARY

REGULAR MEETING DATE: September 8, 2010

AGENDA ITEM TITLE: Resolution Opposing Proposition 101, Amendment 60 & Amendment 61

STAFF RESPONSIBLE: John Redmond

ISSUE STATEMENT: The November 2, 2010 statewide election has three ballot measures. Proposition 101 and Amendments 60 & 61 threaten the fiscal health of local government. The Board has requested a resolution opposing these ballot measures.

BACKGROUND: Staff has completed a more detailed analysis that was presented to the Board on July 27th that showed a negative impact on the County's finances and therefore a significant reduction of services to our citizens. That document has been updated and is attached.

In Summary, the ballot measures would have the following effects on the County:

Proposition 101 – Reduces state income tax, and County revenue from motor vehicle ownership taxes, registration fees, sales taxes on vehicles, rental and lease taxes, and telecommunication taxes. Projected estimates of revenue reduction to the County General Fund exceed \$1.6 million annually.

Amendment 60 – Cancels TABOR over-rides, limits future TABOR over-rides to four years, levies property taxes on Enterprise funds and Districts, cuts school levies in half, and places a ten year limit on any tax. The amendment also allows property owners to vote in local elections regardless of residency and therefore diminishes local control of election matters. Projected estimates of revenue reduction to various County funds such as the Healthy Community Fund, Open Space & Trails, and the Library, exceeds \$12.4 million annually.

Amendment 61 – Requires voter approval for all new debt, bans state debt, limits debt to ten years, and lowers the capacity of bonding to 10% of real property assessed value thus impacting such programs as Open Space & Trails for up to \$937,000 annually.

LINK TO STRATEGIC PLAN: Fiscal Responsibility, Organizational Excellence

KEY DISCUSSION ITEMS: A number of prominent individuals, newspapers, and organizations, are voicing opposition to these measures as not being in the best interests of Colorado and of local communities.

BUDGETARY IMPACT: Current projections show a loss of revenue annually of greater than \$2.2 million to the General Fund, and of greater than \$13 million to other County related funds.

RECOMMENDED BOCC ACTION: Approve resolution opposing the three ballot measures.

ATTACHMENTS:

Resolution opposing Proposition 101, Amendment 60 & 61

Chart - Effects of Proposition 101, Amendment 60 & 61

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY
COLORADO EXPRESSING OPPOSITION TO STATEWIDE BALLOT QUESTION
REGARDING PROPOSITION 101, AMENDMENT 60, AND AMENDMENT 61.

Resolution No. _____, 2010

WHEREAS, state voters will have the opportunity at the November 2 statewide general election to protect the fiscal health of local government by defeating Proposition 101, Amendment 60, and Amendment 61; and

WHEREAS, these ballot measures would reduce the state budget by over one billion dollars, forcing dramatic and unsustainable cuts to public education, as well as health care, dozens of other critical public services, and eliminate over 70,000 jobs state-wide; and

WHEREAS, the services and programs in Pitkin County such as Human Services, Senior Services, Law Enforcement, Road Maintenance & Plowing, and Clerk's and Recorders, will be reduced due to losses in revenue from these proposed measures; and

WHEREAS, previously voter approved over-rides of TABOR revenue limitations would be cancelled by Proposition 60, therefore voiding the previous decisions of local voters; and

WHEREAS, Local control would be lost by Amendment 60 allowing anyone owning local property to vote in local elections regardless of residency; and

WHEREAS, severe restrictions in Amendment 61 dramatically restrict the ability to finance long-term capital improvements such as affordable housing, Airport improvements, and other public facilities

WHEREAS, E 911 fees would be frozen by Proposition 101 at 2009 levels, eliminating any future increases to meet on-going demands for public safety, improved technology, and emergency service response calls; and

WHEREAS, provisions of state law do allow Pitkin County to put forth this resolution as a statement of opposition to the measures known as Proposition 101, Amendment 60, and Amendment 61;

NOW, THEREFORE, BE IT RESOLVED by the Board of County commissioners of Pitkin County Colorado:

That the Board of County Commissioners opposes Proposition 101, Amendment 60, and Amendment 61; and urges our citizens to vote against all three ballot measures.

INTRODUCED, READ AND ADOPTED ON SEPTEMBER 8, 2010.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
PITKIN COUNTY COLORADO

Jeanette Jones, Deputy County Clerk

George Newman, Chair

Date: _____

Hilary Fletcher, County Manager

Pitkin County
Effects of Proposition 101, Amendment 60, 61
September 8th, 2010

	Scenario 1		Scenario 2		Scenario 3		Scenario 4		Scenario 5		Scenario 6		Scenario 7		Scenario 8	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Proposition 101 - Fees																
General Fund																
Motor Vehicle Specific Ownership Tax	218,200		218,200		218,200		218,200		218,200		218,200		218,200		218,200	
Highway Users Tax Fund	888,000		888,000		888,000		888,000		888,000		888,000		888,000		888,000	
First 10k of cars value	108,360		108,360		108,360		108,360		108,360		108,360		108,360		108,360	
Auto Lease/Rental Taxes	259,485		259,485		259,485		259,485		259,485		259,485		259,485		259,485	
Telecommunication Taxes	86,328		86,328		86,328		86,328		86,328		86,328		86,328		86,328	
Franchise Fees	94,264		94,264		94,264		94,264		94,264		94,264		94,264		94,264	
State Personal Income Tax																
Total General Fund Revenue Reduction	1,654,637		1,654,637		1,654,637		1,654,637		1,654,637		1,654,637		1,654,637		1,654,637	
E-911 Fees	156,646		156,646		156,646		156,646		156,646		156,646		156,646		156,646	
Total Impact - Proposition 101	1,811,283		1,811,283		1,811,283		1,811,283		1,811,283		1,811,283		1,811,283		1,811,283	
Amendment 60 - Property tax roll back																
TABOR over-rides																
General Fund - Treasurer's Fees	613,293		0		0		613,293		613,293		613,293		613,293		613,293	
Healthy Community Fund	194,990		0		0		194,990		194,990		194,990		194,990		194,990	
Open Space	11,100,000		0		0		11,100,000		11,100,000		11,100,000		11,100,000		11,100,000	
Library	259,885		0		0		259,885		259,885		259,885		259,885		259,885	
Translator	41,163		0		0		41,163		41,163		41,163		41,163		41,163	
Total TABOR Over-Ride Reduction	11,596,038		0		0		11,596,038		11,596,038		11,596,038		11,596,038		11,596,038	
Property Tax																
Airport	238,923		0		0		238,923		238,923		238,923		238,923		238,923	
Landfill	19,258		0		0		19,258		19,258		19,258		19,258		19,258	
Total Enterprise Fund Property Tax	258,181		0		0		258,181		258,181		258,181		258,181		258,181	
Total Impact - Amendment 60	12,467,512		0		0		12,467,512		12,467,512		12,467,512		12,467,512		12,467,512	
Amendment 61 - Debt limits & property tax roll back																
Property tax is reduced when debt is retired																
Airport - No impact																
Open Space 2012	147,350		147,350		0		0		0		147,350		147,350		0	
Open Space 2021	225,250		225,250		0		0		0		225,250		225,250		0	
Open Space 2024	266,602		266,602		0		0		0		266,602		266,602		0	
Open Space 2036	297,825		297,825		0		0		0		297,825		297,825		0	
Total Impact - Amendment 61	937,027		937,027		0		0		0		937,027		937,027		0	
Total Potential Impact For Each Scenario	15,215,822		2,748,310		1,811,283		14,278,795		13,404,539		937,027		12,467,512		0	
General Fund Impact																
Prop 101	1,654,637		1,654,637		1,654,637		1,654,637		1,654,637		1,654,637		1,654,637		1,654,637	
Amendment 60	613,293		0		0		613,293		613,293		613,293		613,293		613,293	
Amendment 61	7,368		7,368		0		0		7,368		7,368		7,368		0	
Worst case scenario - General Fund - 2012	2,275,298		1,662,005		1,654,637		2,267,930		620,661		7,368		613,293		0	