

RESOLUTION NO. 11-424

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF EL PASO, STATE OF COLORADO

A RESOLUTION ESTABLISHING AND APPROVING CERTIFICATION OF EL PASO COUNTY'S MILL LEVY FOR THE 2011 PROPERTY TAXES PAYABLE IN 2012 AND ALLOCATING REVENUES FROM SUCH PROPERTY TAXES, THE SPECIFIC OWNERSHIP TAX, AND THE SALES AND USE TAX AMONG THE COUNTY'S VARIOUS FUNDS

WHEREAS, the El Paso County Assessor has certified the value of all taxable property in the County of El Paso for the year 2011 (for taxes to be collected in the year 2012) in the total amount of \$5,703,305,340; and

WHEREAS, the Board of County Commissioners, pursuant to a local tax policy adopted by Resolution 00-133, foregoes, as authorized under Article X, Section 20 of the Colorado Constitution, also known as the Taxpayer's Bill of Rights (TABOR), the collection of property tax revenues generated from business personal property by giving a credit to the business personal property accounts for the portion of the business personal property tax to which El Paso County would otherwise be entitled; and

WHEREAS, the Board of County Commissioners, pursuant to said Section 39-1-111, desires to establish the amount of property tax revenues to be collected from levies against the valuation of all taxable property located in El Paso County; and

WHEREAS, the Board of County Commissioners, in compliance with TABOR, establishes the amount of property tax revenues to be collected that will not exceed the maximum amount of property tax revenues the County is allowed to receive under Section 7 (c) of the TABOR amendment; and

WHEREAS, § 39-10-114, C.R.S. authorizes the County to recover revenues lost through abatements, said amounts to El Paso County being 0.060 mills in the amount of \$379,512; and

WHEREAS, the Board of County Commissioners has the discretion to allocate the levy of 7.537 mills plus 0.060 mills from abatements for a total of 7.597 mills among the various funds of the County, which funds for the year 2012 are the General Fund, the Road and Bridge Fund, the Road and Bridge Escrow Fund, the Community Investment Fund, and the Retirement Fund; and

WHEREAS, in addition to revenues collected from the levy upon all such taxable property, the Board of County Commissioners desires to allocate to the various County funds those revenues anticipated to be collected by El Paso County from the Specific Ownership Tax, which revenues for the year 2012 are anticipated in the amount of \$4,669,800; and

WHEREAS, the Board of County Commissioners desires to allocate all Sales and Use Tax collected by the Clerk & Recorder and the Use Tax collected by the Regional Building Department for El Paso County to the General Fund; and

WAYNE W. WILLIAMS El Paso County, CO

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WHEREAS, the Board of County Commissioners desires to allocate all sales tax collected by the State of Colorado, Department of Revenue to the General Fund, Human Services Fund, and Self-Insurance Fund, per Attachment A; and

WHEREAS, pursuant to said Section 39-1-111, a copy of this certification shall be provided to the Colorado Division of Local Government.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of El Paso County, Colorado, hereby adopts the following for Fiscal Year 2012:

Section 1: There is hereby certified to the El Paso County Assessor a levy for the year 2011 payable in 2012 of 7.597 mills upon the total valuation of all taxable property located in El Paso County; and

Section 2: The abatement mill of 0.060 in the amount of \$379,512 shall be posted against collections for the General Fund; and

Section 3: The levy shall be certified to the El Paso County Assessor for the various funds of the County as follows:

General Fund	3.169
Road & Bridge and Escrow Fund	0.330
Community Investment Fund	3.080
<u>Retirement Fund</u>	<u>1.018</u>
Total	7.597 mills

Section 4: In the event that the tax levy produces more revenue than would be allowed under section 7 (c) of the TABOR amendment, any excess funds shall be segregated in a special account and shall not be appropriated or expended without voter approval.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of County Commissioners of El Paso County, Colorado, hereby allocates to the various County funds those revenues anticipated to be collected by El Paso County from the Specific Ownership Tax:

Road & Bridge Fund	100%	\$4,669,800
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Any collection of the Specific Ownership Tax above \$4,669,800 shall be placed in the Road & Bridge Fund.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of County Commissioners of El Paso County, Colorado, hereby allocates to the various County funds those revenues anticipated to be collected by El Paso County for Sales and Use Tax per Attachment A.

NOW, THEREFORE, BE IT FURTHER RESOLVED that pursuant to Section 30-1-102, C.R.S., 2001, the County Treasurer is authorized to charge a fee of 1.5% against all property tax revenues collected for the County with the exception of the Road and Bridge Escrow Fund which is charged 1%.

NOW, THEREFORE, BE IT FURTHER RESOLVED pursuant to said Section 39-1-111, a copy of this certification shall be provided to the Colorado Division of Local Government.

DONE THIS 13th day of December, 2011, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO



ATTEST:

By: [Signature]
Deputy County Clerk and Recorder

By: [Signature]
Chair



***El Paso County, Colorado
Budget Administration
2012 Sales Tax Distribution***

2012 Reallocation of Sales Tax Collections by the State of Colorado, Department of Revenue to the Department of Human Services Fund and the Self Insurance Fund

	Department of Human Services Fund	Self-Insurance Fund	Road and Bridge Fund
January	3,749,276		
February			
March			
April	3,749,275		
May	3,749,275		
June	3,749,275		550,000
July		250,000	
August		250,000	
September		250,000	
October		250,000	
November		250,000	
December		1,851,314	
	\$14,997,101	\$3,101,314	\$550,000

** Sales and use tax collected by the Clerk and Recorder, use tax collected by the Regional Building Department, and the remaining sales tax collected by the State of Colorado, Department of Revenue will go into the General Fund.*