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El Paso County, CO



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RESOLUTION NO. 18-439

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

RESOLUTION ESTABLISHING AND APPROVING CERTIFICATION OF EL PASO COUNTY'S MILL LEVY FOR THE 2018 PROPERTY TAXES PAYABLE IN 2019 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 2018 (for taxes to be collected in the year 2019) in the total amount of \$6,713,638,415; 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 0.103 mills in the amount of \$701,712; and

WHEREAS, the Board of County Commissioners has the discretion to allocate the levy of 7.965 mills plus 0.103 mills from abatements for a total of 8.068 mills among the various funds of the County, which funds for the year 2019 are the General Fund, the Road and Bridge Fund, and the Road and Bridge Escrow Fund; and

WHEREAS, in addition to revenues collected from the levy upon all such taxable property in the amount of \$54,165,635 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 2019 are anticipated in the amount of \$7,459,220; 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

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, Community Investment Fund and Self-Insurance Fund per the revenue budget; 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 2019:

Section 1: There is hereby certified to the El Paso County Assessor a levy for the year 2018 payable in 2019 of 8.068 mills upon the total valuation of all taxable property located in El Paso County; and

Section 2: The abatement mill of 0.103 in the amount of \$701,712 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	7.738
<u>Road & Bridge and Escrow Fund</u>	<u>0.330</u>
 Total	 8.068 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:

General Fund	\$3,412,030
Road & Bridge Fund	\$4,047,190

Any collection of the Specific Ownership Tax above \$7,459,220 shall be placed in the General Fund.

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.

