

RESOLUTION

WHEREAS, the Douglas County School District, Number Re1 (the “District”), in the Counties of Douglas and Elbert and the State of Colorado, is a public corporation duly organized and existing under the Constitution and the laws of the State of Colorado; and

WHEREAS, the members of the Board of Education of the District (the “Board”) have been duly elected, chosen and qualified; and

WHEREAS, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any new tax, the creation of any debt and for spending certain moneys above limits established by TABOR; and

WHEREAS, the Board has determined that the interest of the District and the public interest and necessity demand and require that the District seek voter approval for a tax increase of \$60,000,000 for District purposes as described in Section 3 below to provide additional funds for the District’s general operating expenses pursuant to Section 22-54-108, C.R.S.; and

WHEREAS, the Board has determined that the total additional local property tax revenues generated by the tax increase of \$60,000,000 plus any tax revenues generated pursuant to prior authorization does not exceed twenty percent (25%) of the District’s total program at the time of the election in compliance with Section 22-54-108, C.R.S.; and

WHEREAS, TABOR requires the District to submit ballot issues (as defined in TABOR) to the District’s electors on limited election days before action can be taken on such ballot issues; and

WHEREAS, November 8, 2022, is one of the election dates at which ballot issues may be submitted to the eligible electors of the District pursuant to TABOR; and

WHEREAS, the County Clerk and Recorder (the “County Clerk”) in each of Douglas County and Elbert County (the “Counties”) will conduct the election on November 8, 2022, as a coordinated election (the “election”); and

WHEREAS, it is necessary to submit to the eligible electors of the District, at the election, the proposition of increasing District taxes by \$60,000,000 in excess of the District’s total program funding as determined pursuant to the School Finance Act, Title 22, Article 54, Part 1, C.R.S.; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF DOUGLAS COUNTY SCHOOL DISTRICT, NUMBER RE1, IN THE COUNTIES OF DOUGLAS AND ELBERT AND THE STATE OF COLORADO:

Section 1. All action heretofore taken (not inconsistent with the provisions of this resolution) by the District and the officers thereof, directed towards the election and the objects and purposes herein stated are, ratified, approved and confirmed. Unless otherwise defined herein, all terms used herein shall have the meanings specified in Section 1-1-104, C.R.S.

Section 2. The election shall be conducted as a coordinated election in each of the Counties pursuant to TABOR, Article 54 of Title 22, C.R.S., and the Uniform Election Code of 1992, and all laws amendatory thereof and supplemental thereto. The election shall also be conducted pursuant to the provisions of intergovernmental agreements (the “intergovernmental agreements”) between the District and the County Clerk of each of the Counties. The District hereby determines that the election shall be held on November 8, 2022, and that there shall be submitted to the eligible electors of the District the question set forth herein. Because the election will be held as part of the coordinated election, the Board hereby determines that each County Clerk shall conduct the election on behalf of the District pursuant to the Uniform Election Code of 1992 and the applicable intergovernmental agreement. The officers of the District are hereby authorized to enter into one or more intergovernmental agreements with the each County Clerk pursuant to Section 1-7-116, C.R.S. Any such intergovernmental agreement heretofore entered into in connection with the election is hereby ratified, approved and confirmed.

Section 3. The Board hereby authorizes and directs the officers of the District to certify on or before September 9, 2022, the following question in substantially the form hereinafter set forth to each County Clerk. Such question shall be submitted to the eligible electors of the District at the election.

OVERRIDE QUESTION:

SHALL DOUGLAS COUNTY SCHOOL DISTRICT TAXES BE INCREASED \$60 MILLION ANNUALLY COMMENCING IN COLLECTION YEAR 2023 AND IN EACH YEAR THEREAFTER FOR GENERAL FUND PURPOSES INCLUDING:

- RETAINING AND ATTRACTING QUALITY TEACHERS AND STAFF BY INCREASING FOR THE 2022/2023 SCHOOL YEAR AND THEREAFTER MAINTAINING DISTRICT SALARIES AND BENEFITS TO BE MORE COMPETITIVE WITH NEIGHBORING SCHOOL DISTRICTS;

AND SHALL SUCH TAX INCREASE BE AN ADDITIONAL PROPERTY TAX MILL LEVY IN EXCESS OF THE LEVY AUTHORIZED FOR THE DISTRICT’S GENERAL FUND, PURSUANT TO AND IN ACCORDANCE WITH SECTION 22-54-108, C.R.S.; AND SHALL THE DISTRICT COLLECT PROPERTY TAX REVENUE PREVIOUSLY APPROVED BY THE VOTERS NOTWITHSTANDING ANY MILL LEVY LIMITATION; AND SHALL THE DISTRICT WILL BE SUBJECT TO AN ANNUAL INDEPENDENT AUDIT PUBLISHED ON THE DISTRICT’S WEBSITE AND EXPENDITURES WILL BE SUBJECT TO REVIEW BY A BOARD APPOINTED CITIZENS OVERSIGHT COMMITTEE?

Section 4. Ronnae Brockman is hereby appointed as the designated election official of the District for purposes of performing acts required or permitted by law in connection with the election.

Section 5. If a majority of the votes cast on the question to levy of ad valorem property taxes submitted at the election shall be in favor of levying ad valorem property taxes as provided in such question, the District acting through the Board shall be authorized to proceed with the necessary action to levy ad valorem property taxes in accordance with such question.

Any authority to levy ad valorem property taxes, if conferred by the results of the election, shall be deemed and considered a continuing authority to levy the ad valorem taxes so authorized at any one time, or from time to time, and neither the partial exercise of the authority so conferred, nor any lapse of time, shall be considered as exhausting or limiting the full authority so conferred.

Section 6. Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

Section 7. The officers of the District are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 8. All orders, bylaws and resolutions, or parts thereof, in conflict with this resolution, are hereby repealed.

Section 9. 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 provisions of this resolution.

ADOPTED AND APPROVED this August 23, 2022.

President
Douglas County School District,
Number Re1

(SEAL)

ATTEST:

Secretary
Douglas County School District,
Number Re1

STATE OF COLORADO)
)
 COUNTIES OF DOUGLAS) SS.
 AND ELBERT)
)
 DOUGLAS COUNTY SCHOOL)
 DISTRICT, NUMBER RE1)

I, Becky Myers, am the duly qualified and acting Secretary of the Board of Education of Douglas County School District, Number Re1 (the “District”), in the Counties of Douglas and Elbert and State of Colorado, and I do hereby certify:

1. The foregoing pages are a true and correct copy of a resolution (the “Resolution”) passed and adopted by the Board of Education of the District (the “Board”) at a meeting of the Board held on August 23, 2022.

2. The Resolution was duly moved and seconded and the Resolution was adopted at the meeting of August 23, 2022, by an affirmative vote of a majority of the members of the Board as follows:

Name	“Yes”	“No”	Absent	Abstain
Mike Peterson, President				
Christy Williams, Vice President				
Becky Myers, Secretary				
Kaylee Winegar, Treasurer				
Elizabeth Hanson, Director				
Susan Meek, Director				
David Ray, Director				

3. The members of the Board were present at such meeting and voted on the passage of such Resolution as set forth above.

4. The Resolution was approved and authenticated by the signature of the President of the Board, sealed with the District seal, attested by the Secretary and recorded in the minutes of the Board.

5. Attached hereto as Exhibit A is a copy of the notice of the meeting on August 23, 2022, which notice was posted in one place within the District at least 24 hours before such meeting and which notice included agenda information, if available.

6. There are no bylaws, rules or regulations of the Board which prevent the immediate adoption of the Resolution set forth in the foregoing proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said District, this August 23, 2022.

Becky Myers, Secretary

(SEAL)

EXHIBIT A

(Form of Notice of Meeting)