



Agenda Item Summary

MEETING DATE: September 30, 2024

SUBJECT: **Resolution No. 74-R-2024** – A Resolution of the Board of Trustees of the Town of Mead, Colorado, Supporting Passage of Ballot Issue 2Q (the Public Safety / Mead Police Department Funding Ballot Issue) at the November 5, 2024 Regular Election

PRESENTED BY: Marcus McAskin, Town Attorney

Mary Strutt, Administrative Services Director / Town Clerk

SUMMARY

The Board of Trustees has requested a resolution be presented supporting passage of Ballot Issue 2Q, regarding increasing the local sales and use tax from 3% to 4%. If Ballot Issue 2Q (the “Public Safety Ballot Issue”) is passed by voters, the new revenue generated by the additional sales and use tax would be dedicated exclusively to public safety purposes including:

- ADDITIONAL POLICE OFFICERS AND EQUIPMENT
- ADDITIONAL SCHOOL RESOURCE OFFICERS
- POLICE/PUBLIC SAFETY FACILITIES
- INCREASED COMMUNITY POLICING

If approved by voters, the funds generated by the increased sales and use tax will be retained in a separate segregated account. Any revenue generated from the additional one percent (1%) sales and use tax will not go into the general fund.

The Resolution expresses the Board’s support for the passage of Ballot Issue 2Q and urges all registered electors of the Town to vote “YES” on Ballot Issue 2Q at the November 5, 2024 election.

The full text of the Public Safety Ballot Issue (Ballot Issue 2Q) is set forth in Attachment 1 to this *Agenda Item Summary*.

FINANCIAL CONSIDERATIONS

Conditioned on approval by Town voters, the additional revenues generated by the additional one percent (1%) sales and use tax will be utilized by the Town solely for the public safety-related expenditures referenced in the Public Safety Ballot Issue. These revenues will defray some, but not all, of the annual costs associated with providing public safety services in the Town of Mead including but not limited to: hiring additional police officers and school resource officers, providing appropriate facilities and equipment for the officers, and increasing community policing efforts.

An increase in the sales and use tax from 3% to 4% would provide a projected \$2.0M in revenue in the first full fiscal year (2025) and a continued designated revenue stream in future years to offset the public safety-related costs for the Mead Police Department.

This tax will be collected in the same manner as the Town's current sales and use tax collections - mainly by the State of Colorado Department of Revenue through the States Sales & Use Tax System (SUTS).

The amount that Mead budgets for police expenditures has increased each year since the establishment of the Mead Police Department in 2017. From its inception, the Department committed to providing a 24/7 Police Department with a community policing philosophy. Today the Department includes 16 sworn members: 10 officers who work three rotating shifts, two full-time School Resource officers, two sergeants and two administrators. The 2024 budget includes over \$2.5M in police expenditures for salaries, equipment, and other basic needs. The Department continues to face increasing operational and training mandates from the state; increased costs of insurance and other basic overhead; the need for designated space for training, evidence storage, interview rooms and holding cells; and additional resources to expand community policing initiatives.

LEGAL ISSUES

As the Board is aware, under the Fair Campaign Practices Act ("FCPA"), the Town is prohibited from expending public money to urge voters to vote in favor or against any ballot issue. C.R.S. § 1-45-117(1). This restriction applies to all of the ballot issues and questions through the date of the election. There are a few exceptions to this restriction, including an allowance for the Board to adopt a resolution or take a position of advocacy on any ballot question or issue. The Board is also allowed under the FCPA to report the "passage of or distribute a resolution of advocacy through established, customary means, other than paid advertising, by which information about other proceedings of the Board is regularly provided to the public." C.R.S. § 1-45-117(1)(b)(III). Accordingly, the Board's adoption of the attached Resolution expressing the Board's support for Ballot Issue 2Q is expressly permitted under the FCPA and may be published on the Town's website, as are other resolutions and ordinances adopted by the Board.

STAFF RECOMMENDATION/ACTION REQUIRED

Suggested Motion:

"I move to adopt Resolution No. 74-R-2024 - A Resolution of the Board of Trustees of the Town of Mead, Colorado, Supporting Passage of Ballot Issue 2Q (the Public Safety / Mead Police Department Funding Ballot Issue) at the November 5, 2024 Regular Election."

ATTACHMENTS

Resolution No. 74-R-2024
Attachment 1 to AIS (full text of Public Safety Ballot Issue)

Attachment 1

Text of Public Safety Ballot Issue

Town of Mead Ballot Issue 2Q

SHALL THE TOWN OF MEAD TAXES BE INCREASED NOT MORE THAN \$2,000,000 (TWO MILLION DOLLARS) ANNUALLY IN THE FIRST FISCAL YEAR OF COLLECTIONS (2025) AND BY WHATEVER AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY AN ADDITIONAL SALES AND USE TAX OF ONE PERCENT (1%) (OR AN INCREASE OF APPROXIMATELY TEN CENTS PER TEN DOLLARS SPENT), COMMENCING JANUARY 1, 2025 TO FUND PUBLIC SAFETY, INCLUDING

- ADDITIONAL POLICE OFFICERS AND EQUIPMENT
- ADDITIONAL SCHOOL RESOURCE OFFICERS
- POLICE/PUBLIC SAFETY FACILITIES
- INCREASED COMMUNITY POLICING

AND SHALL THE TAX REVENUES COLLECTED:

- BE RETAINED IN A SEGREGATED ACCOUNT SEPARATE FROM ALL OTHER TOWN FINANCIAL ACCOUNTS, AND
- BE USED ONLY TO PAY FOR PUBLIC SAFETY IN THE TOWN OF MEAD AND NEVER BE TRANSFERRED INTO THE TOWN GENERAL FUND OR USED FOR ANY PURPOSE OTHER THAN PUBLIC SAFETY,

WITH ALL TAX REVENUES AND INVESTMENT EARNINGS THEREON TO BE COLLECTED, RETAINED, AND SPENT AS A VOTER-APPROVED REVENUE CHANGE PURSUANT TO ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

Yes/For _____
No/Against _____