

1 1. The construction of a new recreation center at dry creek community park
2 and additional funds for the City’s existing recreation facility, by a not
3 more than a 2.78 mills increase in the City’s property tax for not more
4 than 20 years beginning with tax collection year 2024; and

5 2. The operation and maintenance of the new recreation center at dry creek
6 community park, by increasing the City’s sales and use tax rate from 3.53
7 percent to 3.64 percent beginning January 1, 2025.

8 B. There is a need for additional resources to provide funding for, in partnership
9 with the YMCA, the construction of a recreation facility (including a pool and ice rink) and
10 affordable housing, by a not more than 2 mills increase in the City’s property tax for not more
11 than 3 years beginning when the YMCA has received a low income housing tax credit award,
12 and in connection therewith, conveying a portion of Centennial park needed to construct these
13 facilities to the YMCA.

14 C. The City of Longmont City Council desires to refer the question of approval of
15 such taxes to the registered electors of the City of Longmont.

16 Section 2

17 In this ordinance, ellipses indicate material not reproduced as the Council intends
18 to leave that material in effect as it now reads.

19 Section 3

20 The Council amends section 4.04.130 of the Longmont Municipal Code, by adding any
21 italicized material and deleting any stricken material, to read as follows:

22 4.04.130. - Sales tax levied; allocation of increased tax for open space acquisition
23 and maintenance and street system maintenance and improvements from special

1 public improvement funds.

2 A. There is imposed upon all sales of commodities and services specified in
3 Section 4.04.080, tax at the rate of 3.64~~53~~ percent of the sales price to be
4 computed in accordance with schedules or systems approved by the finance
5 director, or designee. Said schedules or systems shall be designed so that no such
6 tax is charged on any sale of \$0.16 or less.

7 ...

8 *O. All revenues derived from the eleven one-hundredths of one cent increase*
9 *approved according to Ordinance No. [O-2023-__] shall be used exclusively to*
10 *provide resources to fund the operation and maintenance expenses of a new*
11 *recreation center at dry creek community park. The eleven one-hundredths of one*
12 *cent increase shall begin January 1, 2025.*

13 Section 4

14 The Council amends section 4.04.280 of the Longmont Municipal Code, by adding any
15 italicized material and deleting any stricken material, to read as follows:

16 4.04.280. - Storage, consumption and use tax levied; allocation of increased tax
17 for open space acquisition and maintenance and street system maintenance and
18 improvements from special public improvement funds.

19 A. Except as provided separately in subsections F through K of this section
20 for construction equipment, there shall be levied and there shall be collected from
21 every person a tax or excise for the privilege of storing, using, distributing or
22 otherwise consuming any article of tangible personal property purchased at retail
23 from sources outside the corporate limits of the city, subsequent to the effective

1 date of the ordinance codified in this chapter. Such tax shall be payable to and
2 shall be collected by the director of finance at the rate of 3.6453 percent of the
3 price to be computed in accordance with schedules or systems approved by the
4 finance director, or designee. Said schedules or systems shall be designed so that
5 no such tax is charged on any sale of \$0.16 or less.

6 ...

7 *P. All revenues derived from the eleven one-hundredths of one cent increase*
8 *approved according to Ordinance No. [O-2023-__] shall be used exclusively to*
9 *provide resources to fund the operation and maintenance expenses of a new*
10 *recreation center at dry creek community park. The eleven one-hundredths of one*
11 *cent increase shall begin January 1, 2025.*

12 Section 5

13 Mill Levy Increase for Recreation Facilities, including a Recreation Center at Dry Creek

14 Community Park:

15 To fund recreation facilities including the construction of a new recreation center at dry
16 creek community park the City Council may increase the City property tax by not more than 2.78
17 mills for not more than twenty years beginning with tax collection year 2024.

18 Section 6

19 Mill Levy Increase for, in Partnership with the YMCA, a Recreation Facility and

20 Affordable Housing:

21 To fund, in partnership with the YMCA, the construction of a recreation facility
22 (including a pool and ice rink) and affordable housing the City Council may increase the City
23 property tax by not more than 2 mills for not more than three years beginning when the YMCA

1 has received a low income housing tax credit award.

2 Section 7

3 Election and Effective Date:

4 Under the Longmont Municipal Charter, including section 9.15, and Article X, section 20 of
5 the Colorado Constitution, the Council refers this ordinance to the qualified electors of the City for
6 approval at the special City election now scheduled for November 7, 2023. If approved by a
7 majority of the electors voting thereon, it shall become effective when the City Clerk or other
8 designated election official duly files the required certificate of election, or on January 1, 2024,
9 whichever occurs last.

10 Section 8

11 Ballot Title and Question:

12 The ballot title and question submitted to the electors shall be as follows:

13 SHALL CITY OF LONGMONT TAXES BE INCREASED \$20,700,000
14 ANNUALLY IN THE FIRST FULL YEAR AND BY WHATEVER
15 ADDITIONAL AMOUNTS ARE GENERATED ANNUALLY IN EACH
16 SUBSEQUENT YEAR FROM

17

18 A MILL LEVY OF NOT TO EXCEED 2.78 MILLS (PROVIDED THAT
19 SUCH MILL LEVY MAY BE ADJUSTED TO ACCOUNT FOR
20 CHANGES IN THE METHOD BY WHICH ASSESSED VALUE IS
21 DETERMINED) FOR NOT MORE THAN TWENTY YEARS
22 BEGINNING WITH TAX COLLECTION YEAR 2024 TO FUND
23 RECREATION FACILITIES INCLUDING THE CONSTRUCTION OF

1 A RECREATION CENTER AT DRY CREEK COMMUNITY PARK,

2
3 A MILL LEVY OF NOT TO EXCEED 2 MILLS (PROVIDED THAT
4 SUCH MILL LEVY MAY BE ADJUSTED TO ACCOUNT FOR
5 CHANGES IN THE METHOD BY WHICH ASSESSED VALUE IS
6 DETERMINED) FOR NOT MORE THAN THREE YEARS TO FUND
7 IN PARTNERSHIP WITH THE YMCA THE CONSTRUCTION OF A
8 RECREATION FACILITY (INCLUDING A POOL AND ICE RINK)
9 AND AFFORDABLE HOUSING PROVIDED THAT THE TAX WILL
10 NOT BE LEVIED UNTIL THE YMCA HAS RECEIVED A LOW
11 INCOME HOUSING TAX CREDIT AWARD, AND

12
13 AN ADDITIONAL CITY SALES AND USE TAX RATE OF .11%
14 BEGINNING JANUARY 1, 2025, TO FUND THE OPERATION AND
15 MAINTENANCE OF THE RECREATION CENTER AT DRY CREEK
16 COMMUNITY PARK,

17
18 SHALL THE CITY BE AUTHORIZED TO CONVEY THE PORTION OF
19 CENTENNIAL PARK NEEDED TO CONSTRUCT THESE FACILITIES TO
20 THE YMCA, SHALL ORDINANCE O-2023-__ AUTHORIZING SUCH TAX
21 INCREASES BE APPROVED, AND SHALL THE PROCEEDS OF SUCH
22 TAXES AND INVESTMENT INCOME THEREON BE COLLECTED AND
23 SPENT WITHOUT REGARD TO ANY LIMITATION CONTAINED WITHIN

1 ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY
2 OTHER LAW?

3 YES _____

4 NO _____

5 Section 9

6 If the electors approve this ordinance, then on the effective date specified above, all
7 ordinances or parts of ordinances in conflict herewith are hereby repealed, but only to the extent of
8 such inconsistency.

9 Section 10

10 Pursuant to Article XX of the State Constitution and the Charter, all State statutes that
11 might otherwise apply in connection with the provisions of this ordinance (including, without
12 limitation, § 31-11-111, C.R.S.) are hereby superseded to the extent of any inconsistencies or
13 conflicts between the provisions of this ordinance and such statutes. Any such inconsistency or
14 conflict is intended by the City Council and shall be deemed made pursuant to the authority of
15 Article XX of the State Constitution and the Charter.

16 Section 11

17 The provisions of this ordinance are severable, and invalidity of any part shall not affect
18 the validity or effectiveness of the rest of this ordinance.

19 Introduced this _____ day of _____, 2023

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21 Passed and adopted this _____ day of _____, 2023.

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MAYOR

1 ATTEST:

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CITY CLERK

NOTICE: THE COUNCIL WILL HOLD A PUBLIC HEARING ON THIS ORDINANCE AT
7:00 P.M. ON THE _____ DAY OF _____, 2023, AT THE
LONGMONT CITY COUNCIL MEETING.

APPROVED AS TO FORM:

CITY ATTORNEY

DATE

PROOFREAD

DATE

APPROVED AS TO FORM AND SUBSTANCE:

ORIGINATING DEPARTMENT

DATE

CA File: 23-002438