



No new taxes = No vote for you

The Commissioners today decided that the BoCo FIRM ballot proposal on how to fix our roads without new taxes (see [BoCo FIRM proposal to fix our roads without new taxes](#)) would not appear on the November ballot. They based their decision in large part on a staff determination that the BoCo FIRM proposal would require the Commissioners to break the law.

If that is true, the Commissioners should turn themselves into Sheriff Pelle this afternoon.

County claims BoCo FIRM ballot proposal would require "the Commissioners to break the law".

The BoCo FIRM's ballot proposal, if enacted, simply directs the Commissioners to transfer \$5.5 million dollars each year from their cash on hand, cash in the bank and investment accounts to fund an account to fix the roads.

Staff claimed that this requirement breaks the law. But as shown in the image below from the County's own annual Financial Report, the Commissioners approved a \$988,492 General Fund Appropriation from TABOR reserves to the County Road and Bridge Fund (REF: Boulder County 2014 Comprehensive Annual Financial Report, page 131). **This transfer is identical to what our proposal would require the Commissioners to do.**

We are left to wonder why this transfer is legal and our proposed transfers are not.

Local Highway Finance Report

The public report burden for this information collection is estimated to average 300 hours annually.

Financial Planning 02/01
Form # 350-050-36

LOCAL HIGHWAY FINANCE REPORT		City or County:	BOULDER COUNTY	
This Information From The Records Of (example - City of _ or County of _):		Prepared By:	Camille Accountius	
COUNTY OF BOULDER		Phone:	303-441-1689	
I. DISPOSITION OF HIGHWAY-USER REVENUES AVAILABLE FOR LOCAL GOVERNMENT EXPENDITURE				
ITEM	A. Local Motor-Fuel Taxes	B. Local Motor-Vehicle Taxes	C. Receipts from State Highway-User Taxes	D. Receipts from Federal Highway Administration
1. Total receipts available				
2. Minus amount used for collection expenses				
3. Minus amount used for nonhighway purposes				
4. Minus amount used for mass transit				
5. Remainder used for highway purposes				
II. RECEIPTS FOR ROAD AND STREET PURPOSES		III. DISBURSEMENTS FOR ROAD AND STREET PURPOSES		
ITEM	AMOUNT	ITEM	AMOUNT	
A. Receipts from local sources:		A. Local highway disbursements:		
1. Local highway-user taxes		1. Capital outlay (from page 2)	24,841,927	
a. Motor Fuel (from Item I.A.5.)		2. Maintenance:	13,551,454	
b. Motor Vehicle (from Item I.B.5.)		3. Road and street services:		
c. Total (a.+b.)		a. Traffic control operations	66,001	
2. General fund appropriations	29,867,935	b. Snow and ice removal	280,635	
3. Other local imports (from page 2)	12,927,375	c. Other	52,448	
4. Miscellaneous local receipts (from page 2)	652,256	d. Total (a. through c.)	399,084	
5. Transfers from toll facilities		4. General administration & miscellaneous	5,560,604	
6. Proceeds of sale of bonds and notes:		5. Highway law enforcement and safety		
a. Bonds - Original Issues		6. Total (1 through 5)	47,353,160	
b. Bonds - Refunding Issues		B. Debt service on local obligations:		
c. Notes		1. Bonds:		
d. Total (a. + b. + c.)	-	a. Interest	69,710	
7. Total (1 through 6)	43,447,545	b. Redemption	589,050.00	
B. Private Contributions		c. Total (a. + b.)	658,760	
C. Receipts from State government (from page 2)	6,453,965	2. Notes:		
D. Receipts from Federal Government (from page 2)	1,080,428	a. Interest		
E. Total receipts (A.7 + B + C + D)	50,981,939	b. Redemption		
		c. Total (a. + b.)	-	
		3. Total (1.c + 2.c)	658,760	
		C. Payments to State for highways		
		D. Payments to toll facilities		
		E. Total disbursements (A.6 + B.3 + C + D)	48,011,919	
IV. LOCAL HIGHWAY DEBT STATUS (Show all entries at par)				
	Opening Debt	Amount Issued	Redemptions	Closing Debt
A. Bonds (Total)	1,842,300	-	589,050	1,253,250
1. Bonds (Refunding Portion)		-	-	
B. Notes (Total)	-	-	-	-
V. LOCAL ROAD AND STREET FUND BALANCE				
	A. Beginning Balance	B. Total Receipts	C. Total Disbursements	D. Ending Balance
	8,360,061	50,981,939	48,011,919	11,330,080
				E. Reconciliation
				-
Notes and Comments:				
A.2 General Fund Appropriation \$968,492 from Tabor reserves for Subdivision Road Paving.				
A.2 General Fund Appropriation \$28,679,443 to Road 2013 Flood Recovery projects.				

FORM FHWA-536 (Rev. 1-05)

PREVIOUS EDITIONS OBSOLETE

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A.2 General Fund Appropriation \$968,492 from Tabor reserves for Subdivision Road Paving.

County also claimed that the BoCo FIRM solution would illegally impose restrictions on future Commissioners

This claim is almost laughable. The Commissioners routinely execute contracts, issue bonds, hire employees, put issues on the ballot, etc... that obligate and control the discretion and decisions of future Commissioners. Staff also claimed that a vote of the citizens that would control the action of future Commissioners is illegal. We can only guess that staff has never heard of Colorado's Amendment 23 that requires the State legislature to do exactly what staff said was illegal.

Another example of special treatment for some citizens

The truly sad part of today's proceedings is that not once, despite numerous requests from BoCo FIRM, did County staff engage with us to discuss their concerns. This is in stark contrast to how they bent over backwards to work with the group of six citizens to place their "Road Ransom" tax measure on the ballot.

We can only guess that the price of admission to meet with staff is to propose a ballot measure that includes a new revenue source for the county. No other option seems to get past the front door.

The next steps

Although we didn't agree with county staff's interpretations of state statute, BoCo FIRM was prepared to submit a new ballot measure this afternoon that would address the concerns of County staff. That effort was preempted today when the Commissioners said that despite a legal deadline of September 9th for finalizing the November ballot, they would not accept any more proposed ballot measures from citizens.

As a result BoCo FIRM's Advocacy Committee will meet to finalize our plans moving forward regarding the November election. We will also continue the legal fight that now resides with the Colorado Supreme Court.

Boulder County Fairness in Road Maintenance
PO Box 11275
Boulder, CO 80301

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