



City of Woodland Park

City Council

March 10, 2025 at 10:30 AM

AGENDA

Executive Session: Subsection C.R.S. 24-6-402(4)(b): Conference with the City Attorney for the purposes of receiving legal advice on specific legal questions, and C.R.S. 24-6-402(4)9e)(I): Determining positions relative to matters that may be subject to negotiations. Additional detail: Discussion with attorney re parliamentary and other issues, and potential negotiating positions.

1. **CALL TO ORDER AND ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA**
4. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (1)**
5. **PUBLIC HEARINGS**
(Public comment may be heard)
 - A. Approval of Emergency Ordinance 1493, Series 2025, AN ORDINANCE OF THE CITY COUNCIL OF WOODLAND PARK, COLORADO, REPEALING THE PORTION OF THE CITY SALES TAX THAT SUPPORTS THE SCHOOL DISTRICT, THEREBY REDUCING THE CITY SALES TAX BY 1.09%.
(Presenter City attorney Geoff Wilson)
6. **REPORTS**
(Public comment not necessary)
 - A. Mayor's Report
 - B. Council Reports
 - C. City Attorney's Report
 - D. City Manager's Report
7. **ADJOURNMENT**

Key to agenda abbreviations:

(A) Administrative- matters involving day-to-day decisions such as approving contracts, hiring staff and the procurement of goods and services. Administrative actions generally do not require formal actions by the elected body.

(L)Legislative- typically in the policy arena; legislative matters affect large areas and large groups of people, such as enacting dog regulations or amending the City code. Legislative action generally involves motions, resolutions and ordinances.

(QJ)Quasi-Judicial- apply general rules to a specific interest, such as zoning change affecting a single piece of property, or a special use permit. Quasi-Judicial actions generally involve adjudication, sometimes in writing, but not a resolution or ordinance. Decision for Quasi-Judicial proceedings are made exclusively based upon the testimony presented on the record. Ex-parte communication (communication outside the official hearing) between elected officials and citizens is not permitted on Quasi-Judicial

CITY OF WOODLAND PARK, COLORADO
ORDINANCE NO. 1493
(Series of 2025)

**AN ORDINANCE OF THE CITY COUNCIL OF WOODLAND PARK, COLORADO,
REPEALING THE PORTION OF THE CITY SALES TAX THAT SUPPORTS THE
SCHOOL DISTRICT, THEREBY REDUCING THE CITY SALES TAX BY 1.09%.**

WHEREAS, Woodland Park voters first approved in 2016 increasing the City sales tax by 1.09% and pledging the proceeds of such tax to the Woodland Park School District for educational purposes set forth in the ballot measure, and

WHEREAS, the voters of the City recently reauthorized this tax, at a City election held on November 5, 2024, and

WHEREAS, the City Council recognizes, appreciates and is encouraged by City voters recent expression of continued support, as taxpayers, for the District; indeed the Council expects that this voter support in the City may well be reflected District-wide, should the District ever choose to conduct a district wide election, asking all District voters directly for the approval of the District's own taxes; this is the conventional way that voters in school districts across Colorado register their opinions on local district policies and practices, and

WHEREAS, because of the virtually universal recognition across Colorado that municipalities are not created, intended or suited to administer school finance and educational funding, and because such local taxes are inconsistent with the statewide system of school finance envisioned by the General Assembly in the School Finance Act, only four of the State's 273 municipalities have adopted such taxes, and

WHEREAS, the awkward system in Woodland Park requires the District to explain, and be accountable to the City Council how the District spends this portion taxpayer funds, rather than making this explanation directly to the District's own parents and taxpayers, as virtually every other school district in Colorado does routinely, and

WHEREAS, the major means of accountability by which District voters express their views directly to the District about District policy is through voting for or against the level of taxes that the District requests for its operations; this direct accountability to District voters is attenuated by the District having as a backstop revenue source a tax that is neither overseen nor controlled by Woodland Park School District voters and parents, and

WHEREAS, the Woodland Park tax was created without provision for separate administration; thus, the City Council is left with the responsibility of attempting to oversee whether the District is spending the portion of its revenues derived from the City sales tax for "educational purposes"; the City Council is not elected by District voters, as is the School Board, and Colorado municipal governments not created nor expected to administer local school district finance and expenditures, which is why so few municipalities in Colorado have made this choice; in virtually every other school district in

Colorado, revenue raising and budgeting of funds is performed the School Board, which is directly answerable to District taxpayers, and

WHEREAS, the addition of 1.09% to the City's sales tax , while saving the District from going directly to its own voters and collecting its own taxes, results in the City merchants having to collect one of the highest aggregate sales taxes in Colorado, which places Woodland Park retailers at a competitive disadvantage with their out of City competitors; this situation would be avoided if the District would follow the example of virtually every other Colorado school district and choose to approach its own voters to seek approval of its own taxes,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODLAND PARK, COLORADO, AS FOLLOWS:

Section 1. The foregoing recitals are hereby incorporated as conclusions, determinations, facts and findings of the City Council.

Section 2. Section 3.08.030 A of the Woodland Park Code is amended by the addition of the following new language: "The 1.09% tax first levied for the benefit of the Woodland Park School District in 2016 and reauthorized by City voters at the November 5, 2024 City election is repealed, effective March 10, 2025, thereby reducing the tax rate under this subparagraph to 3.00%."

Section 3. Emergency Ordinance. It has come to the Council's attention that imminent action by the Woodland Park School Board is directly aimed at impairing the prerogative of this Council to act in the best interests City voters with respect to the tax referenced in the foregoing section, all for the benefit a single charter school in the District. Consequently, an emergency exists; this ordinance is necessary for the immediate preservation of public property, safety and public health. In particular, this ordinance must take effect immediately upon passage in order to prevent subversion of the interests of every single city voter and taxpayer in the City of Woodland Park to a interests of a single charter school and to prevent City taxpayers from being willfully leveraged by the School Board in the artless manner proposed.

THE FOREGOING ORDINANCE IS HEREBY ADOPTED BY THE CITY COUNCIL OF WOODLAND PARK, COLORADO ON THIS 10th DAY OF MARCH, 2025.

City of Woodland Park

Kellie Case, Mayor

ATTEST:

City Clerk, Suzanne Leclercq

