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RESOLUTION NO. 2014-69

A RESOLUTION DESCRIBING A PROPOSAL FOR AN EXTENSION OF THE 0.9 MILL BOULDER COUNTY AD VALOREM HUMAN SERVICES SAFETY NET MILL LEVY.

WHEREAS, on July 27, 2010, the Board of County Commissioners adopted Resolution No. 2010-92, proposing and placing on the 2010 general election ballot the approval of the existing Human Services Safety Net Mill Levy (hereinafter known as the HSSN) of 0.9 mill (nine-tenths of one mill); and

WHEREAS, the voters of the County of Boulder approved the HSSN proposal described in said Resolution No. 2010-92, and the revenues from said Mill Levy have been collected and expended in accordance with the terms of said Resolution; and

WHEREAS, under the terms of Resolution No. 2010-92, said HSSN will expire on December 31, 2015; and

WHEREAS, the 0.9 mill has provided the County with the funds necessary to continue the County's provision of valuable human services as more particularly outlined below. However, as State and Federal funding have been inadequate since the voters approved the HSSN in 2010, without an extension, many of the services that the HSSN has funded will be cut back or entirely terminated; and

WHEREAS, Human Services in the State of Colorado are provided through a State supervised, county administered delivery system, and Boulder County is statutorily responsible for raising a portion of the funding for human services through property taxes; and

WHEREAS, unprecedented caseload growth and service demands, coupled with reduced financial support from State and Federal governments, continue to place significant strains on the ability of Boulder County and community-based human services safety net providers to effectively meet Boulder County residents' needs within available resources; and

WHEREAS, in order to continue forward progress in supporting safety services throughout the community and to avoid severe cutbacks or termination in those County human services programs in times of continually rising caseloads, this Board finds that the most appropriate response is to seek a continuation in the County's aggregate ad valorem property tax mill levy in order to provide alternative funding for these programs; and

WHEREAS, to continue to meet the increased service demands of Boulder County's residents, the County is seeking a 15-year extension of the 0.9 mill property tax mill levy increase originally approved by voters in 2010; and

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WHEREAS, the intent of continuing this mill levy increase is to generate the revenues necessary to fill the funding gaps in Boulder County created by:

- Unprecedented need for services from Boulder County’s safety net providers, both in the non-profit and government sectors, as reflected in across-the-board demand for family and individual stabilization and prevention resources that reduce the need for much more expensive interventions;
- Significant increases in Food Assistance (Supplemental Nutrition Assistance Program, or “SNAP,” and formerly known as “Food Stamps”), Medicaid, health insurance, housing and other stabilizing support programs with inadequate State and Federal funding to provide these services and support expanded workload associated with caseload growth;
- Increased demand for Child Care Assistance Programs (CCAP) with inadequate funding to support families transitioning to work and needing quality early childhood services;
- Inadequate funding levels for child protection, adult protection, and child welfare prevention services necessary to ensure family, child, and individual safety and well-being;
- State and Federal cuts to the Temporary Assistance to Needy Families (TANF) block grant;
- State legislation that led to the depletion of Boulder County’s TANF reserves; and

WHEREAS, the Federal Food Assistance and Medicaid programs provide the most basic safety net for families and individuals living in poverty. These benefits not only provide food security and medical coverage, they also directly benefit the County’s economic development by providing a \$190 million annual payer source for medical care and \$24 million into the local economy through the purchase of food. A 2014 analysis of funding for eligibility services associated with Food Assistance and Medicaid determined that they were under-funded by more than \$32 million statewide. The study also found that counties specifically were being under-funded by about one-third of what was needed to support the eligibility activities; and

WHEREAS, the impacts of the economic recession, slow economic recovery, combined with the high cost of living in Boulder County continues to put a strain on many residents. For example, a family of three with one adult and two children must earn \$55,524 simply to cover all major costs, and the poverty rate for female heads-of-household with children under 18 is 26%. The pressures created by economic difficulty and high living expenses have led an unprecedented number of Boulder County’s residents to ask for help, and this increased demand is only expected to continue. Since 2008, Boulder County’s Medicaid enrollment has risen 162% from 16,000 people to

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42,000 people and enrollment in the Food Assistance program has risen 124% from 8,900 people to 20,000 people; and

WHEREAS, the CCAP is funded through a block grant from the State of Colorado, and is primarily used to provide child care subsidies to low-income working families and those who, for a short time, are in search of work. Parents are required to pay a portion of the cost of the child care, based on their families' incomes; and

WHEREAS, in early 2010 the number of children receiving child care subsidies had grown to 1,056, a 45% increase since 2007. In 2010, the State's funding available for Boulder County's CCAP was reduced by \$2.2 million, and Boulder County was forced to place a freeze on CCAP beginning in January 2010 as a result. As of July 2010, there were 652 children on the CCAP waiting list and Boulder County could only afford to support 650 children within CCAP. HSSN funding reversed this situation and today, with the availability of HSSN funding, there is no CCAP waiting list, 1,100 children of low-income families are in quality childcare in Boulder County, and the County has been able to restore CCAP resources to all families up to 225% of the Federal Poverty Level; and

WHEREAS, for every dollar invested in child care assistance and early learning programs, the community gains \$12.90 in return on investment; and

WHEREAS, if Boulder County families are unable to access the child care subsidy program, parents are left with challenging options, which may include leaving their children in substandard or unsafe situations that fail to prepare the child for early education and may place the child at risk. For many families, the lack of affordable child care prevents them from accessing work force development services and/or employment; and

WHEREAS, through community partnerships, Boulder County has adopted a highly effective, nationally-recognized collaborative model that has greatly reduced the number of children needing to be removed from their parents' custody while ensuring child safety and well-being. However, the State has cut funding to Boulder County's program, despite a 6% increase in child abuse and neglect reports in Boulder County; and

WHEREAS, HSSN funding has demonstrated a tangible return on investment through its early intervention and prevention activities; and

WHEREAS, the HSSN has invested nearly \$4 million into the County's Housing Stabilization Program, which has served 1,734 households since 2008 by providing critical rental assistance and case management to help families and individuals remain in their homes, avoid homelessness, and stabilize themselves; and

WHEREAS, nearly \$4 million in HSSN funding has helped boost the ability of the County and its community partners to meet unprecedented increases in need for health coverage assistance and medical care; and

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WHEREAS, the HSSN has invested over \$6 million to help families and individuals meet basic needs like food and financial assistance. HSSN funds have also been leveraged to increase in-kind services, strengthen community collaboratives, and provide needed case management; and

WHEREAS, HSSN investments have been coupled with a focus on early intervention and prevention services, which help families and individuals avoid crisis and severe illness, which in turn greatly reduces the community's cost of providing services; and

WHEREAS, HSSN investments have financially supported an integrated approach to providing services that allows the County and its partners to operate more efficiently and to more quickly identify early intervention and prevention services that families and individuals may need to avoid crisis or illness. These early intervention and prevention services enable the safety net providers to reach more people in need with a lower expense per person served; and

WHEREAS, HSSN funding will be invested to deepen our community-wide integrated approach to providing services that allow the County and safety net providers to operate more efficiently and effectively by quickly identifying early intervention and prevention services that families and individuals may need to avoid crisis or illness; and

WHEREAS, the HSSN funding significantly bolsters our community's ability to respond to increasingly frequent natural disasters; and

WHEREAS, HSSN funding greatly strengthened the foundation from which the County and its community partners responded to the 2010 Four Mile Fire and the 2013 Floods, leading to a partnership which quickly and efficiently responded to thousands of households that needed assistance during those crises; and

WHEREAS, by State statute adopted in 2008, counties were required to spend down TANF reserves, which had been previously used as a "rainy-day fund" to cover periods when human services caseloads were increasing and State funding for services was decreasing. State-mandated limits placed on the TANF reserves safety net came at the worst possible time. As the economy fell into recession, from 2008 to 2009, the number of TANF households in Boulder County grew by 41%, and grew by an additional 20% in the first six months of 2010. By 2011, the County's rainy day TANF reserves balance was fully exhausted, placing numerous critical community supports at risk. As a result, the County had to terminate long-standing funding support for emergency service community providers, cut vital child protection and child welfare services, significantly reduce its investment in employment development programs, cut CCAP, close offices, eliminate vital positions, and greatly restrict the level of funding for mental health services. Through HSSN funding Boulder County has been able to counteract the deficit caused by the depleted TANF reserves and, in so doing, restore many of the programs that were reduced due to that deficit. An extension of the HSSN would enable the

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County to continue these valuable services to ensure that the basic needs of Boulder County residents are met to the greatest degree possible; and

WHEREAS, Boulder County's collaboration with community partners has been greatly strengthened by HSSN funding, boosting partnerships that are based on effective outcomes and increased return on investment; and

WHEREAS, Boulder County implements many of its human services objectives through a network of strong public/private partnerships with non-profit providers through contracts for services with those agencies, and proceeds from an extension of the HSSN will go towards preserving current levels of basic human services for emergency food, shelter, and other safety net services and ensuring access to effective early intervention and prevention supports through contracts with such agencies; and

WHEREAS, for all of these reasons, the Board finds that it is appropriate to seek voter approval for a 15-year extension of the Human Services Safety Net Mill Levy of 0.9 mill to ensure that the State and Federal governments' underfunding of such services does not harm families and children in Boulder County; and

WHEREAS, Section 29-1-301, C.R.S., provides that County property tax revenues cannot increase more from year to year than 5.5% as computed in compliance with the provisions of that Section, unless, pursuant to Section 29-1-302(2)(b), C.R.S., the question of exempting the property tax revenues is included in the question submitted for an extension of the mill levy increase, and this Board desires to exempt the revenues in the determination of the limitation as provided in Section 29-1-301(2) and Section 29-1-302(2)(b), C.R.S.; and

WHEREAS, this Board finds that an extension of the Human Services Safety Net Mill Levy of 0.9 mill is necessary to meet the needs outlined above, and revenues from the balance of the authorized increase shall be deposited in the Human Services Safety Net Fund to be expended for these human services programs; and

WHEREAS, an extension of the Human Services Safety Net Mill Levy of 0.9 mill would result in the continued annual collection of approximately \$21 for a \$300,000 home; and

WHEREAS, the Board of County Commissioners of the County of Boulder intends that this proposal not change the amount, levying and scope of the existing 0.9 mill Human Services Safety Net Mill Levy as stated in Resolution No. 2010-92, except for purposes of the extension of the existing 0.9 mill Human Services Safety Net Mill Levy for an additional period of fifteen years from the current expiration date of December 31, 2015, to be effective up to and including December 31, 2030, with the revenues generated from said tax to be used for the purposes as stated in this Resolution, and to obtain a voter-approved revenue change for the additional tax revenues and the interest earned thereon for purposes of Section 20 of Article X of the Colorado

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Constitution, said proposal as described in Resolution No. 2010-92 is amended and to the extent of conflict superseded by this Resolution; and

WHEREAS, it is the intent of the Board of County Commissioners that, should the proposal to extend the existing County-wide Human Services Safety Net Mill Levy not be approved by the electorate in November, the existing tax and existing voter-approved revenue change shall not in any way be affected by such failed amendment and shall continue in full force and effect as if this Resolution had not been adopted; and

WHEREAS, the revenues and earnings produced by the extension of the 0.9 mill shall be exempted from the fiscal year spending limitations and be a voter-approved revenue change and property tax revenue change for purposes of the limitations of Section 20 of Article X of the Colorado Constitution.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Boulder County, in accordance with Section 20 of Article X of the Colorado Constitution and Section 29-1-302, C.R.S., does hereby refer to the November 4, 2014, general election ballot a proposal to extend the Boulder County ad valorem Human Services Safety Net Mill Levy of 0.9 mill for 15 years for the purpose of funding services for health and human services programs as outlined in the preamble of this resolution.

BE IT FURTHER RESOLVED that funds generated by the extension of the property tax mill levy will be appropriated annually as determined by the Boulder County Board of County Commissioners in its sole discretion, in accordance with the provisions of this resolution, and nothing contained herein shall be construed as creating a claim by any individual or group for receipt of such funds.

BE IT FURTHER RESOLVED that if any provision of this resolution or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or applications and to this end, the provisions of this resolution are declared to be severable.

BE IT FURTHER RESOLVED that the proposal set forth in this Resolution shall take effect immediately upon approval by a majority of voters voting thereon at the November 4, 2014 general election, for purposes of adopting the County's aggregate and component mill levy for 2016, the authorized extension of the mill levy increase being temporary and expiring after the 2030 fiscal year.

IT IS HEREBY DECLARED by the Board of County Commissioners of the County of Boulder, State of Colorado that this resolution is necessary for the immediate preservation of the public health, safety and welfare, and that it shall become effective immediately upon its adoption.

ADOPTED THIS 12<sup>th</sup> DAY OF AUGUST, 2014.

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(SEAL)

BOARD OF COUNTY  
COMMISSIONERS OF BOULDER  
COUNTY

ATTEST:

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Cindy Domenico, Chair

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Deputy Clerk to the Board

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Deb Gardner, Vice-Chair

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Elise Jones, Commissioner