

RESOLUTION # _____

A RESOLUTION APPROVING A PROPOSITION TO IMPOSE THE ONE PERCENT (1%) SPECIFIC PURPOSE SALES AND USE TAX IN LARAMIE COUNTY, STATE OF WYOMING, FOR THE EXCLUSIVE PURPOSE OF FUNDING SPECIFIC PURPOSES FOR SPECIFIC AMOUNTS; THE PROPOSITIONS TO BE VOTED ON AT THE ELECTION TO BE HELD ON TUESDAY, November 2, 2021.

WHEREAS, pursuant to Wyo. Stat. §§ 39-15-203(a)(iii), 39-15-204(a)(iii), 39-16-203(a)(ii), 39-16-204(a)(ii), and 39-16-202(e) counties may impose an excise tax not to exceed two percent (2%) upon retail sales of tangible personal property, admissions and services made, and upon storage, use and consumption of tangible personal property, within the county, for specific purposes and in specific amounts as authorized by the qualified electors of the county (hereinafter the "Tax"); and

WHEREAS, the Board of County Commissioners (the "Commissioners") of Laramie County, State of Wyoming, (the "County"), in response to the needs of the County and requests received from the City of Cheyenne, the Town of Pine Bluffs, the Town of Burns, and the Town of Albin (hereinafter, being sometimes individually referred to as "Sponsoring Entity" and collectively referred to as the "Sponsoring Entities"), has determined to make a source of funding available through imposition of an excise tax not to exceed one percent (1%) in the following specific amounts for the following specific purposes (the "Projects"):

WHEREAS, the Commissioners have determined that a one percent (1%) Specific Purpose Sales and Use Tax should be imposed within the County pursuant to Wyo. Stat. §§ 39-15-203(a)(iii), 39-15-204(a)(iii), 39-16-203(a)(ii), 39-16-204(a)(ii), and 39-16-202(e) in order to fund the planning, construction, furnishing, equipping, acquisition and

improvement of land and, to the extent necessary and allowed by law, the pledge to or payment of operation and maintenance, debt service and/or lease service payments thereon, and, if necessary and/or available, to be used to leverage or match federal/and or state grant funds, for the above-referenced Projects; and

WHEREAS, the Commissioners have determined it is necessary to submit the proposition for imposition of the Tax to the qualified registered electors of the County; and

WHEREAS, pursuant to the provisions of Wyo. Stat. §§ 39-15-203(a)(iii)(A) and 39-16-203(a)(ii)(A), before any proposition to impose the Tax shall be placed before the electors of the County, the Commissioners and the governing bodies of at least fifty percent (50%) of the incorporated municipalities within the County shall adopt a resolution approving the propositions, setting forth a procedure for qualification of a ballot question for placement on the ballot, and specifying how excess funds shall be expended; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LARAMIE COUNTY, STATE OF WYOMING THAT:

Section 1. At the election to be held in Laramie County, State of Wyoming, on November 2, 2021 between the hours of 7:00 a.m. and 7:00 p.m., there will be submitted to the qualified registered electors of the County the proposition of imposing a one percent (1%) Specific Purpose Sales and Use tax for the exclusive purpose of funding the planning, construction, furnishing, equipping, acquisition and improvement of land and, to the extent necessary and allowed by law, the pledge to or payment of operation and maintenance, debt service and/or lease payments thereon, for the above-referenced Projects, and, if necessary and/or available, to be used to leverage or match federal and/or state grant funds as more particularly set forth in the ballot question at the election and in the Laramie County Election Proclamation, to be published by the Laramie County Clerk in accordance with law.

Section 2. The election on the proposition shall be held at those Election Districts, Precincts and Polling

Places as more particularly set forth in the Election Proclamation, to be published by the Laramie County Clerk in accordance with law.

Section 3. The votes, including absentee votes, shall be registered on official ballots. The ballots shall set forth the following propositions:

Fourteen (14) propositions are proposed for funding with a one percent (1%) Specific Purpose Sales and Use Tax. Each proposition stands alone. You may vote for or against each proposition. Each proposition must receive a majority of the votes cast on it to be approved.

Shall Laramie County be authorized to impose an additional one percent (1%) Specific Purpose Sales and Use Tax, within Laramie County, to be used for funding the planning, engineering, construction, remodeling, furnishing, equipping, supplying (including maintenance equipment), acquisition and improvement of land (if necessary) and, to the extent necessary and allowed by law, a pledge or payment of operation and maintenance, debt service, lease payments thereon and, if necessary and/or available, to be used to leverage or match federal and/or state grant funds, in the specified amounts and for the specified purposes provided below:

PUBLIC SAFETY

Proposition # 1:

A. \$15,762,000.00 and interest earned thereon to the City of Cheyenne, for Three Fire Stations; to relocate and replace Fire Station No. 3, 5 and Construct a New station

FOR THE TAX

AGAINST THE TAX

Proposition #2:

A. \$12,639,617.97 and interest earned thereon to Laramie County and Town of Pine Bluffs as follows:

- 1) \$1,082,000.00 to Town of Pine Bluffs for Water System Expansion Project-water distribution/transmission expansion to north development property
- 2) \$50,755.66 to Laramie County for the GIS Cooperative for an unmanned drone
- 3) \$2,533,113.41 to Laramie County for Laramie County IT (Information Technology)
- 4) \$279,156.12 Laramie County for Laramie County IT (Information Technology) Fiber Optic Loop
- 5) \$3,542,893.43 to Laramie County for Laramie County Sheriff's Department Various equipment and functions
- 6) \$380,667.44 to Laramie County for Laramie Coroner's facility HVAC systems
- 7) \$4,060,452.69 to Laramie County for Emergency Management and Cheyenne/Laramie County Health Department-Joint Powers Board (EMA/CLCHD) Storage Building [Communication and response vehicles-storage of equipment, supplies]
- 8) \$710,579.22 to Laramie County for Emergency Management Warning Sirens and Emergency Alert systems

FOR THE TAX

AGAINST THE TAX

Proposition # 3:

A. \$13,445,863.86 and interest earned thereon to Laramie County, the City of Cheyenne, Town of Pine Bluffs, Burns and Albin as follows:

- 1) \$4,262,000.00 to City of Cheyenne for Fire Truck Fleet Replacement Project to replace outdated and unreliable fire trucks
- 2) \$906,968.00 to City of Cheyenne for Police Portable Radios Replacement Project to replace outdated and unsupported portable radios
- 3) \$53,529.00 to City of Cheyenne for Police Electronic Evidence Storage Upgrade Project to update the electronic evidence storage capabilities of the Cheyenne Police Department
- 4) \$50,000.00 to Town of Burns for Maintenance and repair of town owned ambulance, vehicles, and machinery
- 5) \$119,000.00 Town of Pine Bluffs for Police Department Public Safety Measures Case Management System and equipment
- 6) \$1,329,556.66 Laramie County Combined Communications (Dispatch and 911) Software Upgrade
- 7) \$1,500,000.00 to Town of Pine Bluffs for Railroad Crossing Relocation Railroad crossing tie-in north of the newly constructed crossing & closure of unsafe crossing
- 8) \$2,740,805.56 to Laramie County Fire District #

- 2 (LCFD #2) for Happy Jack Road Fire Station
- 9) \$1,522,669.76 to Laramie County Fire District #3 (LCFD #3) for Albin Fire Station
- 10) \$200,000.00 to Town of Albin for Purchase of Fire Hall and Update
- 11) \$761,334.88 to Laramie County Fire District #8 (LCFD #8) Apparatus Upgrade

FOR THE TAX

AGAINST THE TAX

ROADS

Proposition # 4:

A. \$11,422,795.71 and interest earned thereon to Laramie County, as follows:

- 1) \$1,860,494.09 to Laramie County for East Jefferson Road reconstruction
- 2) \$3,045,339.52 to Laramie County for Division Avenue and Wallick Road, Street and Infrastructure Upgrade
- 3) \$610,961.09 to Laramie County for Road 164 Reconstruction and Return to Gravel
- 4) \$3,470,661.02 to Laramie County for Laramie County Road 142, milling intersection and overlay. Railroad at 143
- 5) \$2,435,339.99 to Laramie County for East Allison Reconstruction

FOR THE TAX

AGAINST THE TAX

Proposition #5:

A. \$14,000,000.00 and interest earned thereon to City of Cheyenne for City Road Maintenance Projects.

FOR THE TAX

AGAINST THE TAX

INFRASTRUCTURE

Proposition #6:

A. \$13,584,264.61 and interest earned thereon to Laramie County, the City of Cheyenne, Towns of Burns, Pine Bluffs and Albin as follows:

- 1) \$507,556.59 to the Eastern Laramie County Solid Waste Disposal District for Landfill Equipment
- 2) \$3,090,372.00 to the City of Cheyenne for the Cemetery Irrigation Project to replace the 50-year old irrigation system
- 3) 400,000.00 to Town of Burns for Remodeling, repair, operation, and maintenance of town owned buildings
- 4) \$600,000.00 to Town of Burns for Upgrade, repair, construction, and maintenance of Town owned streets and alleys
- 5) \$170,000.00 to Town of Burns for purchase, operation, and maintenance of new dump truck
- 6) \$175,000.00 to Town of Burns for the purchase, operation, and maintenance of new backhoe
- 7) \$500,000.00 to Town of Burns for Town owned paved street repair and maintenance

- 8) \$800,000.00 to Town of Burns for maintenance, construction, and operation of Town owned water and sewer systems
- 9) \$1,185,000.00 to Town of Pine Bluffs for road resurfacing & rehabilitation and Street resurfacing and rehabilitation
- 10) \$1,260,000.00 to Town of Pine Bluffs for wastewater lift station project construction and tie-in sewer lift station at the north development property
- 11) \$ 823,361.40 to Laramie County and the City of Cheyenne for Cheyenne Regional Airport Parking Lot
- 12) \$2,500,000.00 to City Of Cheyenne for Municipal Building Plan Project to prepare a plan to determine space needs, engineering, and design of a Cheyenne Municipal Building, including a fund for other needs at the current Municipal Building
- 13) \$1,072,974.62 to Laramie County for the Laramie County Recreation Board for Clear Creek Park Infrastructure
- 14) \$440,000.00 to Town of Albin for Update of Equipment
- 15) \$60,000.00 to Town of Albin for Community Center Infrastructure, including heaters and glass replacement Update of Equipment

FOR THE TAX

AGAINST THE TAX

Proposition #7:

A. \$13,260,856.53 and interest earned thereon to Laramie County, the City of Cheyenne, Towns of Burns, Pine Bluffs and Albin as follows:

- 1) \$203,022.63 to Laramie County for Laramie County Library boiler replacement

- 2) \$6,997,833.90 to Laramie County for Sewer Connection for Archer facility

- 3) \$600,000.00 to Town of Burns for maintenance, construction, and operation of town owned water and sewer systems

- 4) \$35,000.00 to Town of Burns for purchase, operation, and maintenance of UTV

- 5) \$50,000.00 to Town of Burns for purchase, operation, and maintenance of pickup truck for town maintenance department

- 6) \$245,000.00 to Town of Burns for maintenance, upgrade, and construction of town owned parks

- 7) \$310,000.00 to Town of Pine Bluffs for Water/Wastewater Telemetry Update and Repair Project for water and wastewater telemetry system updates and repairs to ensure quality municipal water

- 8) \$620,000.00 to Town of Pine Bluffs for Electrical Distribution Project and Electric infrastructure upgrades & expansion

- 9) \$2,500,000.00 to City Of Cheyenne for Cheyenne Greenway System Maintenance Project to maintain the Cheyenne Greenway System

- 10) \$1,700,000.00 to Town of Albin to complete mobile home/RV park

FOR THE TAX

AGAINST THE TAX

COMMUNITY ENHANCEMENTS

Proposition # 8:

A. \$9,066,350.70 and interest earned thereon to Laramie County and the City of Cheyenne, as follows:

- 1) \$203,022.63 to Laramie County for the Laramie County Recreation Board-Clear Creek Park Playground Equipment
- 2) \$1,559,213.83 to Laramie County for Laramie County Events Department-Archer Events Center Improvements
- 3) \$3,045,339.52 to Laramie County Community College for Manufacturing Program Build Out
- 4) \$3,500,000.00 to City of Cheyenne for Cheyenne Greenway System Expansion Project to expand the Cheyenne Greenway System
- 5) \$250,000.00 to the City of Cheyenne for Johnson Pool Project to prepare a plan to determine location, engineering, and design for the renovation or replacement of Johnson pool
- 6) \$508,774.72 to the Laramie County Library for a New Book Mobile

FOR THE TAX

AGAINST THE TAX

Proposition # 9:

A. \$10,151,131.22 to Laramie County and the interest earned thereon for construction of a new Laramie County Senior Activity Center

FOR THE TAX

AGAINST THE TAX

Proposition #10:

A. \$6,017,966.00 to City of Cheyenne and the interest earned thereon for Downtown Improvements and Maintenance Project to improve and maintain infrastructure such as roads, parking, curbs, gutters, sidewalks, and alleys, in the DDA District; to operate and maintain the Depot Plaza; and to complete and maintain the 17th Street lighting project

FOR THE TAX

AGAINST THE TAX

Proposition # 11:

A. \$2,000,000.00 to City of Cheyenne and the interest earned thereon for Gymnasium and Gymnastics Facility Project to construct multi-use courts and gymnastics facilities for youth and adult programs on appropriate sites including next to the Cheyenne Ice and Events Center

FOR THE TAX

AGAINST THE TAX

Proposition #12:

A. \$3,500,000.00 to City of Cheyenne and the interest earned thereon for Large Project Completion to provide

funding to work with outside partners (e.g., LEADS, Chamber of Commerce, etc.) to complete community large projects such as the downtown hole (formerly Mary's Bake Shoppe), Reed Avenue Corridor, Belvoir Ranch, and Hitching Post

FOR THE TAX

AGAINST THE TAX

Proposition #13:

A. \$3,000,000.00 to City of Cheyenne and the interest earned thereon to Match Grant Opportunities Project to provide funding to match grant opportunities benefitting the City of Cheyenne

FOR THE TAX

AGAINST THE TAX

Proposition #14:

A. \$2,250,000.00 to City of Cheyenne and the interest earned thereon for Cheyenne Regional Airport for a Minimum Revenue Guarantee

FOR THE TAX

AGAINST THE TAX

Section 4. The County Clerk shall cause the Laramie County Election Proclamation to be published in accordance with law.

Section 5. The election on the propositions shall be held, conducted and the results canvassed as provided by the Wyoming Election Code of 1973, more particularly the

Political Subdivision Bond Election Law (Wyo. Stat. §§22-21-101 to 22-21-112, as amended inclusive).

Section 6. In the event that any or all of the fourteen(14)propositions shall be approved by the qualified electors of Laramie County, the Tax shall commence on the first day of the calendar quarter after sixty (60) days' notice has been given to the vendors in accordance with Wyo. Stat. §§ 39-15-203(a)(iii)(E) and 39-16-203(a)(iii)(E) or after one hundred and twenty (120) days' notice has been given to the vendors selling from a printed catalog in accordance with Wyo. Stat. §§ 39-15-203(a)(iii)(E) and 39-16-203(a)(iii)(E). Upon receipt of proceeds of the Tax from the Wyoming Department of Revenue, the Laramie County Treasurer shall distribute said proceeds, monthly, to each entity in the same proportion as its cost is to the total cost of all purposes approved in accordance with Wyo. Stat §§ 39-15-203(a)(iii) and 39-16-203(a)(ii) on the November 2, 2021 election ballot.

Upon distribution of total approved amount in Tax funds to the Entities (or such lesser amount if the Entities have agreed to terminate the Tax pursuant to Wyo. Stat §§ 39-15-203(a)(iii)(G) and 39-16-203(a)(ii)(G)), excess Tax funds shall be retained by the Laramie County Treasurer for one (1) year for refund of overpayments. After one (1) year, the excess Tax funds (less any refunds), plus any interest earned thereon, shall be transferred to the sponsoring entities in the same proportion as its cost is to the total cost of all purposes approved in accordance with Wyo. Stat §§ 39-15-203(a)(iii) and 39-16-203(a)(ii) on the November 2,2021 election ballot. The excess Tax funds, and interest earned thereon, shall be used for operation and maintenance of the Projects or for any other legal purpose with respect thereto.

Section 7. Before the proposition may be placed before the qualified electors of Laramie County, the Commissioners and the governing bodies of at least fifty percent (50%) of the incorporated municipalities within the County must adopt resolutions as required by Wyo. Stat §§ 39-15-203(a)(iii)(A) and 39-16-203(a)(ii)(A).

Section 8. The passage of this resolution shall

constitute approval as required by Wyo. Stat §§ 39-15-203(a)(iii)(A) and 39-16-203(a)(ii)(A).

Section 9. Should any part or provision of this resolution ever be judicially determined to be invalid or unenforceable, such determination shall not affect the remaining parts and provisions hereof, the intention being that each part or provision of this resolution is severable.

ADOPTED AND APPROVED as of the ____ day of _____, 2021.

LARAMIE COUNTY, STATE OF WYOMING


(SEAL)

Gunnar Malm, Chairman
Board of Laramie County Commissioners

ATTEST:

Debra Lee
Laramie County Clerk

Reviewed and approved as to form:



Mark T. Voss
Laramie County Attorney