



**LOCAL BALLOT ISSUES
2006**

Boulder County

Boulder Valley
School District

City of Boulder

City of Lafayette

City of Louisville

Town of Superior

VOTE NOVEMBER 7

League of Women Voters of Boulder Valley
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The League of Women Voters of Boulder Valley is not responsible for the accuracy or fairness of the arguments of either side. The pro and con statements are a compilation of the material submitted by proponents and opponents of each ballot issue.

Boulder County
Ballot Issue: 1A
Sales/Use Tax for Transit/Trails

SHALL BOULDER COUNTY TAXES BE INCREASED \$8.1 MILLION ANNUALLY (FIRST FULL FISCAL YEAR DOLLAR INCREASE STARTING IN 2007) BY THE IMPOSITION OF AN ADDITIONAL COUNTY-WIDE SALES AND USE TAX FOR 14 YEARS TO AND INCLUDING DECEMBER 31, 2020 AT THE RATE OF 0.20% FOR PURPOSES OF REGIONAL TRANSIT, TRANSIT AWARENESS AND INCENTIVES, AND TRANSIT PASS PROGRAMS AND TRAILS ACQUISITION, CONSTRUCTION, OPERATION, MANAGEMENT AND MAINTENANCE, AND THEREAFTER AT THE RATE OF 0.05% FOR PURPOSES OF TRAILS OPERATIONS, REPAIRS, MAINTENANCE, ACQUISITION, AND CONSTRUCTION, TRANSIT AWARENESS AND INCENTIVES, AND TRANSIT PASS PROGRAMS, AND SHALL THE EARNINGS ON THE INVESTMENT OF PROCEEDS OF SUCH TAX, REGARDLESS OF AMOUNT, CONSTITUTE A VOTER-APPROVED REVENUE CHANGE; ALL IN ACCORDANCE WITH BOARD OF COUNTY COMMISSIONERS' RESOLUTION NO. 2006-100?

MAJOR PROVISIONS:

Referred to the voters by the Boulder County Commissioners, Issue 1A would increase county sales and use tax by 0.20% (twenty cents per \$100.00) to help fund major plans for regional transit and trails in Boulder County from the year 2007 through 2020 (14 years). Annual revenue is estimated to be \$8.1 million. After 2020 the rate would be reduced to .05% (five cents per \$100.00) to help maintain and improve trails and to continue to fund transit awareness education and incentives. Funds would be exempt from limitations imposed by the TABOR amendment (Article X, Section 20) of the Colorado Constitution.

BACKGROUND:

The Boulder County Consortium of Cities developed a Transit Enhancement Plan which will complement the RTD FasTracks Plan scheduled for completion over the next several years. Capital costs include purchases of alternative fuel equipped transit vehicles, new transit facilities and facility improvements. Operating costs include funding for fixed routes between Boulder County cities, expanded call-n-Rides, pass subsidy programs and facility maintenance. Eighty percent of revenues from 1A would fund the Transit Enhancement Plan.

The remaining 20% of revenues would help build a network of commuter and recreational trails that remain unfunded as part of the Boulder County Regional Trails Plan. As currently funded, this plan will take 40 years to complete. Funds from 1A would enable completion in 10-15 years.

THOSE IN FAVOR SAY:

1 This proposal will help reduce traffic congestion by providing a good transit network and improved bicycle commuting in Boulder County.

2.The plan provides expanded specialized transit service, which will help seniors and people with disabilities to live full, independent lives with access to important destinations across the county.

THOSE OPPOSED SAY:

- 1.They do not want to pay taxes for transit and trails they will not use.
2. This sales tax is a regressive tax that falls most heavily on those least able to pay.

BVSD Ballot Issue 3A
Bond Issue—Educational Facilities

SHALL BOULDER VALLEY SCHOOL DISTRICT RE-2'S DEBT BE INCREASED \$296,800,000, WITH A REPAYMENT COST OF \$629,450,000, AND SHALL DISTRICT TAXES BE INCREASED \$31,650,000 ANNUALLY TO BE USED FOR PURPOSES DESCRIBED IN THE DISTRICT'S EDUCATIONAL FACILITIES MASTER PLAN, AS APPROVED BY THE BOARD OF EDUCATION AND MONITORED BY A CITIZEN'S BOND OVERSIGHT COMMITTEE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

ADDRESSING EDUCATIONAL DEFICIENCIES IN ALL DISTRICT SCHOOLS, SUCH AS MODERNIZING AND EXPANDING INSTRUCTIONAL SPACES, INCLUDING CLASSROOMS, SCIENCE LABS, ART AND MUSIC CLASSROOMS, LITERACY AND SPECIAL EDUCATION DEDICATED SPACES, GYMNASIUMS, LIBRARIES, SCHOOL OFFICES, AND TEACHER WORKROOMS;

EXTENDING THE LIFE OF EXISTING DISTRICT BUILDINGS AND FACILITIES BY MODERNIZING, CONSTRUCTING, RENOVATING, REPAIRING AND/OR REPLACING INFRASTRUCTURE INCLUDING BUT NOT LIMITED TO HEATING, VENTILATING AND AIR CONDITIONING FOR IMPROVED AIR QUALITY AND COMFORT; ELECTRICAL DISTRIBUTION SYSTEMS TO MEET CURRENT AND PROJECTED NEEDS; PLUMBING SYSTEMS, INCLUDING RESTROOMS; AND STRUCTURAL COMPONENTS;

BRINGING DISTRICT FACILITIES INTO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, AS REQUIRED;

IMPLEMENTING COST-EFFECTIVE, ENVIRONMENTALLY-FRIENDLY AND ENERGY-EFFICIENT DESIGN AND CONSTRUCTION STRATEGIES;

IMPROVING PLAYGROUNDS AND ATHLETIC FIELDS BY MAKING SAFETY UPGRADES AND OTHER ENHANCEMENTS; AND

PROVIDING SAFE, RELIABLE AND RESPONSIVE INTERNET AND COMMUNICATIONS ACCESS TO ALL DISTRICT SCHOOLS AND FACILITIES TO SUPPORT LEARNING, TEACHING, AND STUDENT RESEARCH BY MODERNIZING AN AGING AND LIMITED NETWORK INFRASTRUCTURE;

AND, TO THE EXTENT FUNDS ARE AVAILABLE, FOR OTHER CAPITAL EXPENDITURES RELATED TO CONSTRUCTING, REPAIRING AND EQUIPPING SCHOOL BUILDINGS; AND SHALL THE MILL LEVY BE INCREASED IN ANY YEAR, WITHOUT LIMITATION OF RATE AND IN AN AMOUNT SUFFICIENT TO PAY THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON SUCH DEBT OR ANY REFUNDING DEBT (OR TO CREATE A RESERVE FOR SUCH PAYMENT), SUCH DEBT TO BE EVIDENCED BY THE ISSUANCE OF GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, BEARING INTEREST AT A MAXIMUM NET EFFECTIVE INTEREST RATE WHICH WHEN COMBINED FOR ALL SERIES OF BONDS AUTHORIZED HEREIN SHALL NOT EXCEED 6.25%; SUCH BONDS TO BE SOLD FOR A PRICE ABOVE OR BELOW THE PRINCIPAL AMOUNT OF SUCH SERIES, ON TERMS AND CONDITIONS, AND WITH SUCH MATURITIES AS PERMITTED BY LAW AND AS THE DISTRICT MAY DETERMINE, INCLUDING PROVISIONS FOR REDEMPTION OF THE BONDS PRIOR TO MATURITY WITH OR WITHOUT PAY-

MENT OF THE PREMIUM OF NOT TO EXCEED THREE PERCENT; AND SHALL THE DISTRICT BE AUTHORIZED TO ISSUE DEBT TO REFUND THE DEBT AUTHORIZED IN THIS QUESTION PROVIDED THAT SUCH REFUNDING DEBT, ALONG WITH ANY OTHER DEBT INCURRED BY THE DISTRICT PURSUANT TO THIS AUTHORIZATION, IS ISSUED ON TERMS WHICH DO NOT EXCEED THE PRINCIPAL, INTEREST AND REPAYMENT COSTS AUTHORIZED IN THIS QUESTION; AND SHALL THE PROCEEDS OF ANY SUCH DEBT AND TAXES AND THE EARNINGS FROM THE INVESTMENT THEREON BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

MAJOR PROVISIONS:

Referred to the voters by the BVSD Board, this proposal would fund the replacement of Casey Middle School (estimated cost of \$31,122,650), extensive repairs to the Education Center and to schools throughout the District. Details may be found on the BVSD website.

The estimated property tax increase will be approximately \$13 per \$100,000 of assessed property value in the first year of implementation; \$100 per \$100,000 assessed property value in the fifth year when all bonds have been sold.

THOSE IN FAVOR SAY:

1. Almost all of the school buildings are several decades old and badly in need of repair, renovation or replacement.
2. Studies indicate students in better buildings show test scores up to 17% higher than those in substandard buildings.

THOSE OPPOSED SAY:

1. There is no provision for accountability in this ballot issue.
2. Casey Middle School is a valuable historic building and should not be demolished without the review of the City's Landmarks Preservation Advisory Board.

**City of Boulder
Ballot Issue 201
Fire Training Center Temporary
Sales and Use Tax Increase**

SHALL CITY OF BOULDER TAXES BE INCREASED \$3.6 MILLION ANNUALLY (IN THE FIRST YEAR), FOR ONE YEAR ONLY, BY AUTHORIZING THE CITY COUNCIL TO LEVY AND COLLECT AN ADDITIONAL SALES AND USE TAX OF 0.15 CENTS PER DOLLAR, WHICH INCREASE SHALL TAKE EFFECT ON JANUARY 1, 2007 AND EXPIRE ON DECEMBER 31, 2007, TO PROVIDE ADDITIONAL REVENUES FOR THE PURPOSE OF FUNDING CONSTRUCTION OF PHASE I OF A FIRE TRAINING CENTER AND, IF ANY FUNDS REMAIN AFTER CONSTRUCTION OF PHASE I, USING THE FUNDS FOR CONSTRUCTION OF PHASE II OR THE PURCHASE OF FIRE APPARATUS, OR BOTH AND IN CONNECTION WITH THE ONE-YEAR FIRE TRAINING CENTER TAX INCREASE, SHALL THE FULL PROCEEDS OF SUCH TAXES AT SUCH RATES AND ANY EARNINGS THEREFROM BE COLLECTED AND SPENT WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE CITY OF BOULDER, UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

MAJOR PROVISIONS:

Ballot Issue 201 was referred to the voters by the city council. The proposed sales and use tax increase is for replacement of the 30 year old Boulder Regional Fire Training Center (FTC) located near Lee Hill Drive and Broadway. The

revenue is marked for construction of Phase I of the FTC which will include an education / administration building (8,400 sq. ft.), extrication pads, propane props, pump test pit, burn building, and training tower. Total cost is expected to be \$6.1 million.

BACKGROUND:

In November 2001 voters passed a temporary county-wide 0.05% three-year sales and use tax for a total of three FTCs in Boulder County—one each in Boulder, Longmont, and the mountains. The city of Boulder's portion is now \$3.7 million. Originally Boulder's FTC was to be located on the Valmont Butte property but is now proposed for the Wells site near Boulder Reservoir and 63rd Street.

THOSE IN FAVOR SAY:

1. The current Lee Hill Training Site is inadequate because it is located on only about three acres, has inadequate classroom and administration space, does not accommodate the driving course, and is now within 200 ft. of a residential area which limits training.
2. Fire and rescue teams need to practice together with their engines and equipment at a facility close by so normal response times are not compromised.

THOSE OPPOSED SAY:

1. Burning at the site would produce smoke that could affect the commercial and residential areas nearby.
2. Water quality could be compromised by training activities.

**City of Boulder
Ballot Issue 202
Climate Action Plan Tax**

SHALL CITY OF BOULDER TAXES BE INCREASED \$860,265 ANNUALLY (IN THE FIRST YEAR), AND UP TO \$1,342,000 EACH YEAR THEREAFTER FOR THE PERIOD OF APRIL 1, 2007 TO MARCH 31, 2013, BY AUTHORIZING THE CITY COUNCIL TO LEVY AND COLLECT A CLIMATE ACTION PLAN TAX AS AN EXCISE TAX UPON PERSONS CONSUMING ELECTRICITY AS RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL CUSTOMERS, AND PROVIDING AN EXEMPTION FOR VOLUNTARY PURCHASES OF UTILITY PROVIDED WIND POWER. THE TAX SHALL BE ESTABLISHED WITH A FIRST YEAR RATE OF \$0.0022 PER KILOWATT HOUR (kWh) FOR RESIDENTIAL CUSTOMERS, \$0.0004 PER kWh FOR COMMERCIAL CUSTOMERS, AND \$0.0002 PER kWh FOR INDUSTRIAL CUSTOMERS. THE TAX SHALL TAKE EFFECT ON APRIL 1, 2007 AND EXPIRE ON MARCH 31, 2013, AND SHALL BE FOR THE PURPOSE OF FUNDING A CLIMATE ACTION PLAN TO REDUCE GREENHOUSE GAS EMISSIONS. THE MEASURE WOULD ESTABLISH CITY COUNCIL AUTHORITY TO INCREASE THE TAX AFTER THE FIRST YEAR UP TO A MAXIMUM PERMITTED TAX RATE OF \$0.0049 PER KWH FOR RESIDENTIAL CUSTOMERS; \$0.0009 PER KWH FOR COMMERCIAL CUSTOMERS; AND \$0.0003 PER KWH FOR INDUSTRIAL CUSTOMERS.

TAX REVENUES GENERATED WOULD BE USED TO IMPLEMENT PROGRAMS TO INCREASE ENERGY EFFICIENCY, INCREASE RENEWABLE ENERGY USE, REDUCE EMISSIONS FROM MOTOR

VEHICLES, AND TAKE OTHER STEPS
TOWARD THE GOAL OF MEETING THE
KYOTO PROTOCOL

AND IN CONNECTION WITH THE CLI-
MATE ACTION PLAN TAX,

SHALL THE FULL PROCEEDS OF SUCH
TAXES AT SUCH RATES AND ANY
EARNINGS THEREFROM BE COLLECTED
AND SPENT WITHOUT LIMITATION OR
CONDITION, AND WITHOUT LIMITING
THE COLLECTION OR SPENDING OF ANY
OTHER REVENUES OR FUNDS BY THE
CITY OF BOULDER, UNDER ARTICLE X,
SECTION 20 OF THE COLORADO CONSTI-
TUTION OR ANY OTHER LAW?

MAJOR PROVISIONS:

Referred to the voters by the city council, the proposal would authorize an excise tax on utility bills for electricity for six years, from April 2007 through March 2013. Revenues would go to the city to fund a Climate Action Plan to reduce greenhouse gas emissions toward the goal of meeting the Kyoto Protocol. Programs would be implemented to increase energy efficiency and renewable energy use, reduce motor vehicle emissions, and the like. Tax rates would be based on electricity usage as specified in the ballot language. First-year revenues are estimated at \$860,265. City council could increase the tax after the first year for revenues up to \$1,342,000 per year for the next five years. Funds would be exempt from limitations imposed by the TABOR amendment (Article X, Section 20) of the Colorado Constitution.

BACKGROUND:

Discouraged by our federal government’s failure to sign on to the Kyoto Protocol, many local governments and institutions have taken it upon themselves to act.

THOSE IN FAVOR SAY:

- 1.The Climate Action Plan will reduce Boulder's greenhouse gas emissions. It will save residents and businesses \$24 million by 2012.
2. The Climate Action Plan will make Boulder a model for communities around the country.
3. The proposed excise tax will fund a small number of city staff to connect residents and businesses with the information and incentives they need to make smart energy choices.

THOSE OPPOSED SAY:

1. The proposed tax is extremely regressive, falling hardest on those less able to pay, and on a necessary commodity rather than a luxury.
2. The uses for the money are not sufficiently spelled out.
3. Global warming is not proven. Fluctuations in climate are normal.

**City of Boulder
Ballot Question 2A
Annexation by Vote**

SHALL AN ORDINANCE BE ADOPTED TO REQUIRE THAT ANNEXATION OF CERTAIN LANDS TO THE CITY OF BOULDER OBTAIN VOTER APPROVAL AT A GENERAL STATE OR MUNICIPAL ELECTION; AND PROVIDING EXCEPTIONS FROM SAID REQUIREMENT FOR CITY-OWNED LANDS IN PUBLIC USE, CERTAIN ENCLAVES, DEVELOPED PROPERTIES WITH CITY WATER OR WASTE WATER SERVICE AND PRE-2006 AGREEMENTS TO ANNEX, ANY LAND WITHIN AREA II OF THE

BOULDER VALLEY COMPREHENSIVE PLAN AS OF JANUARY 1, 2006 THAT IS ALLOWED NO SIGNIFICANT INCREASE IN DEVELOPMENT, PUBLIC RIGHTS OF WAY, PARCELS FOR WHICH VALID ANNEXATION PETITIONS WERE SUBMITTED BETWEEN JANUARY 1, 2000 AND JANUARY 1, 2006, OR ANY PARCEL OF LAND FIVE (5) ACRES OR LESS IN SIZE PROVIDED THAT SIMULTANEOUS OR SERIAL ANNEXATIONS OF TWO OR MORE PARCELS WITHIN THREE (3) YEARS THAT COMPRISE MORE THAN FIVE (5) ACRES SHALL NOT BE EXEMPT?

MAJOR PROVISIONS:

The proposed ordinance, placed on the ballot by citizen initiative through the petition process, requires that annexation agreements for large parcels of land that have been approved by city council must also be approved by Boulder voters at a general state or municipal election. Excluded from the vote requirement are parcels of five acres or less, properties with little or no development potential, city-owned lands in public use (such as parks), public rights of way, certain enclaves (properties surrounded by city land), parcels for which valid annexation petitions were submitted in 2000 through 2005, and developed properties with city water or waste water service and pre-2006 agreements to annex.

BACKGROUND:

Currently the city council holds the final vote on whether or not a specific parcel of land will be annexed. The annexation petition is first reviewed by city staff for compliance with state annexation statutes, policies of the Boulder Valley Comprehensive Plan, and city ordinances. According to the Boulder Revised Code, “No annexation ... shall create an unreasonable

burden on the physical, social, economic, or environmental resources of the city.” The planning board reviews the proposed annexation, holds a public hearing, and makes recommendations to city council, which holds a second public hearing before making its determination.

THOSE IN FAVOR SAY:

1. The proposal continues Boulder’s 50-year history of citizens making visionary land use decisions -- the Blue Line, the Open Space program, and the 55-foot height limit that preserves our views.
2. Annexations are some of the most important decisions a city makes in shaping its future, irreversibly converting rural land to urban development and committing the city to providing infrastructure and services. Citizens should make the final decision.
3. The city could annex as much as 700-800 acres in the next five to ten years (and possibly thousands of acres in the longer term) which would severely stress our water supply, dramatically increase traffic congestion, and further degrade already compromised levels of city service.
4. Boulder citizens must be allowed to weigh in on major growth issues, in view of recent council decisions—to put affordable housing at Boulder's fringes where there are no services, for instance, and to attempt to shortcut the Boulder Valley Comprehensive Plan procedures to make even more land easily annexable.

THOSE OPPOSED SAY:

1. Boulder has a very comprehensive, balanced and transparent public process already in place for all land use decisions including annexations. This proposal will create an unnecessary obstacle at the end of an already extensive process.
2. The Boulder Valley Comprehensive Plan requires any proposed annexation to provide "special opportunities and benefits to the city"—

benefits that often include affordable housing and retail services our community needs and desires. Requiring popular vote threatens Boulder's ability to capitalize on opportunities to obtain those community benefits.

3. The proposal is a "solution" in search of a problem. We have a representative government for a reason, and the process that is in place for annexations ensures that Boulder remains a vibrant community in which to live and work.

4. Managing growth and development in Boulder requires a balanced approach that ensures a healthy economy while protecting our environment. The proposal is not a common-sense tool to maintain that balanced approach.

City of Boulder
Ballot Question 2B
Drinking Water Standards

SHALL AN ORDINANCE BE ADOPTED THAT REQUIRES ANY SUBSTANCE USED TO TREAT OR MEDICATE HUMANS THAT IS ADDED TO THE CITY OF BOULDER'S WATER SUPPLIES (A) TO HAVE OBTAINED U.S. FOOD AND DRUG ADMINISTRATION APPROVAL AND (B) TO CONTAIN NO CONTAMINANTS AT CONCENTRATIONS THAT WILL CAUSE DRINKING WATER TO EXCEED THE PUBLIC SAFETY GOALS FOR WATER ESTABLISHED AS THE U.S. EPA'S MAXIMUM CONTAMINANT LEVEL GOALS? THE ORDINANCE REPEALS CONFLICTING ORDINANCES, INCLUDING A 1969 ORDINANCE AUTHORIZING AND REGULATING FLUORIDATION, BUT DOES NOT FORBID FLUORIDATION DONE IN COMPLIANCE WITH THE ABOVE.

MAJOR PROVISIONS:

The proposed ordinance, placed on the ballot by citizen initiative through the petition process, requires that any substance added to the city's water to treat or medicate humans (a) has U.S. Food and Drug Administration approval and (b) contains no contaminants at concentrations that exceed the U.S. Environmental Protection Agency's maximum contaminant level goals (MCLGs) for drinking water. The proposed ordinance repeals conflicting city ordinances, including the 1969 ordinance authorizing and regulating fluoridation, but it does not forbid fluoridation done with FDA-approved substances and in compliance with the EPA's MCLGs.

BACKGROUND:

In 1969, Boulder voters approved adding fluoride to municipal drinking water to help prevent tooth decay. The city fluoridates its drinking water to 0.0009 ppb (parts per billion) as recommended by the Colorado Department of Public Health and Environment, implementing standards set by the EPA and the Safe Drinking Water Act. Boulder adds hydrofluorosilicic acid (HFS), which also contains arsenic, lead and other metals. Boulder's water sources (before HFS is added) contain natural fluoride, arsenic (probably), and lead. Lead in tap water comes mainly from natural deposits and the corrosion of household plumbing systems. The EPA's *goals* (MCLGs) for both arsenic and lead in drinking water are zero ppb and are, by definition, impossible to meet. However, EPA's allowable maximum contaminant *levels* (MCLs) are up to 10 ppb of arsenic and 15 ppb of lead. MCLs are set by EPA as close to MCLGs as feasible, using the best available treatment technology and taking cost into consideration. MCLs are enforceable standards; MCLGs are

not. Both arsenic and lead in Boulder's fluoridated water are well below the EPA's MCLs of 10 and 15 ppb respectively.

THOSE IN FAVOR SAY:

1. Boulder's water is generally superb at its source, and we should assure that it stays that way. Only safe and effective substances, as determined by the government agencies with expertise on the subject, should be added to Boulder's tap water, not cheap additives.
2. When Boulder residents voted 52-48 percent for fluoridation, they were assured that the product to be added would be safe and effective. However, the additive that was actually used was an untested, unapproved, and contaminated fertilizer byproduct, HFS. This byproduct contains arsenic and lead (known carcinogens) at greater than EPA goals for healthy drinking water.
3. The group responsible for monitoring additives reported to Congress that the arsenic in HFS can reach up to 1.66 ppb. This level of arsenic causes an additional 1 in 1000 lung and bladder cancers over a lifetime of consumption, enough to produce an additional 100 such cancers in a city the size of Boulder.
4. The lead added to our drinking water with the HFS is toxic in even tiny amounts, and its health impacts can be irreversible. For neural development in infants and unborn fetuses, there probably is no lower limit that is safe.
5. Fluoride helps prevent tooth decay best when applied directly to the teeth. Fluoride toothpaste is toxic and should not be swallowed. Neither should fluoridated water.
6. Because it is not feasible to use FDA-approved fluoride, the proposed ordinance would have the considerable health benefit of prohibiting fluoridation.

THOSE OPPOSED SAY:

1. The American Cancer Society, American Medical Association, American Dental Society, and the World Health Organization all agree that the method of fluoridation used by Boulder is safe and effective for reducing tooth decay.
2. Of the more than 10,000 U.S. communities that fluoridate their water, none uses FDA-approved fluoride. Because the FDA does not regulate community drinking water or additives to drinking water, it is not possible to obtain FDA approval of any additive. Passage of this ordinance will thus, in effect, forbid fluoridation.
3. Scientific analysis of additives and EPA methodology indicate that in a city of Boulder's size a realistic measure is fewer than one likely cancer occurrence. This miniscule increase in cancer is far outweighed by studies showing average cavity reduction in all age groups of 25 percent.
4. Contaminant levels in HFS-treated water have little or no correlation to natural contaminant levels in municipal water supplies. In the town of Erie unfluoridated tap water contains 8.5 ppb of lead, while fluoridated tap water from the Left Hand Water District contains only 3.7 ppb of lead.
5. Boulder's drinking water monitoring system shows lead levels at only 2.8 ppb (in 2005), which are well below the EPA's maximum contaminant limit (MCL) of 15 ppb.
6. Changing the fluoride product could greatly increase fluoridation costs. It would probably be at least a year before fluoridation could resume.

City of Lafayette Ballot Issues 2006

GENERAL BACKGROUND:

The Lafayette City Council placed six Charter amendments on the 2005 ballot to clarify outdated and inapplicable provisions of the Charter. City Council directed the city clerk, the city attorney, and the community development director to recommend another batch of Charter amendments for the 2006 ballot and requested that a Charter Amendment Review Committee be formed to provide citizen involvement. There were six participants on that committee, who were either nominated by Council or submitted applications themselves.

All four questions on the ballot are resolutions of the City Council of Lafayette submitted to the voters as amendments to the home rule charter. These proposed changes may be made only by amending the Charter, not by ordinance.

Question No. 2A – Elections

SHALL CHAPTER III, SECTIONS 3.2 AND 3.4 OF THE CHARTER BE AMENDED TO AUTHORIZE THE TERMS OF OFFICE OF NEWLY ELECTED COUNCILORS TO BEGIN THE NEXT COUNCIL MEETING FOLLOWING CERTIFICATION OF THEIR ELECTION AND REPEALING OUTDATED DESIGNATIONS OF TERMS OF COUNCILORS' OFFICES FOR YEARS LONG PAST; AND SHALL SECTION 3.8 BE AMENDED TO REQUIRE 25 REGISTERED ELECTORS TO SIGN PETITIONS FOR CANDIDATES TO RUN FOR CITY COUNCIL; AND SHALL SECTIONS 3.11 AND 3.13 BE REPEALED WHICH PRESCRIBE ELECTION PROCEDURES AND PROVIDE FOR PRECINCT ELECTION BOARDS, WHICH REQUIRE-

MENTS NO LONGER APPLY TO MUNICIPAL ELECTIONS?

MAJOR PROVISIONS:

This proposal changes “8:00 p.m. on the Monday following the election” to the “next council meeting following the election.” It also eliminates references to dates that are obsolete and raises the number of required signatures on a petition from 15 to 25, which makes the Charter consistent with the Uniform Election Code. The proposal also repeals two sections that no longer apply.

No organized opposition has been identified for Question 2A.

Question No. 2B – Boards and Commissions

SHALL CHAPTER V, SECTION 5.1 OF THE CHARTER BE AMENDED TO ALLOW CITY COUNCIL, BY ENACTMENT OF ORDINANCE, TO MAKE EXCEPTIONS TO QUALIFICATION REQUIREMENTS FOR MEMBERS OF BOARDS AND COMMISSIONS IT DETERMINES ARE NECESSARY TO ACCOMMODATE THE PURPOSES AND FUNCTIONS OF SUCH BOARDS AND COMMISSIONS?

MAJOR PROVISIONS:

This proposal allows City Council to make exceptions to qualification requirements for members of boards and commissions.

THOSE IN FAVOR SAY:

1. One benefit of this amendment is to allow the Youth Advisory Committee to become a fully

functioning advisory board similar to other boards in the city.

2. The goal of this amendment is to enable City Council to fill its boards and commissions with the most qualified and appropriate volunteers who will provide the best advisory support to Council.

3. A yes vote on this amendment will allow City Council, on a case-by-case basis when it is deemed to be in the best interests of the city, to approve board members who may not meet the full requirements as set forth in the Charter.

4. The expectation that members of boards and commissions are volunteering for the betterment of the city of Lafayette remains clear.

THOSE OPPOSED SAY:

1. Question 2B would allow people who do not live in Lafayette to control Lafayette's future by sitting on Lafayette's boards and commissions.

2. This amendment eliminates the condition that board and commission members be in financial good standing with the city and would allow people in default to the city or other governmental body to serve on boards and commissions.

3. Question 2B is completely open-ended; if passed, anyone anywhere could potentially become a member of a board or commission in Lafayette.

4. Charter provision 5.1 as it is currently worded ensures that only Lafayette residents who are registered to vote are able to serve on Lafayette boards and commissions.

Question No. 2C – Residential Growth Management

SHALL CHAPTER VI, SECTION 6.10 OF THE CHARTER BE AMENDED FOR THE PURPOSE OF MIXED USE REDEVELOPMENT (COMBINATION OF COMMERCIAL AND RESIDENTIAL BUILDINGS) BY ALLOWING AN EXEMPTION FROM

RESIDENTIAL RESTRICTIONS IN THE COUNTRYSIDE VILLAGE SHOPPING CENTER (THE OLD ALBERTSONS AREA), INCLUDING FOUR ACRES OF BOULDER COUNTY VACANT LAND, WHICH AREA IS ALL WITHIN A PORTION OF THE LAFAYETTE URBAN RENEWAL AREA IN THE VICINITY OF SOUTH BOULDER ROAD, SUBJECT TO CONDITIONS TO BE ENACTED BY COUNCIL ORDINANCE REGARDING DURATION OF THE EXEMPTION AND LIMITS OF THE NUMBER OF DWELLING UNITS?

MAJOR PROVISIONS:

The proposal allows for an exemption from the Charter Growth Cap for the old Albertsons/Wal-Mart area (Countryside Village Shopping Center and the four acres of county land directly to the north). It calls on the Lafayette City Council to restrict by ordinance the number of units and to set a sunset date.

BACKGROUND:

The City of Lafayette's Urban Renewal Authority is actively pursuing a redevelopment of the areas now occupied by the Old Albertsons store and the soon-to-be-vacated Wal-Mart store. These two structures (together approximately 150,000 square feet of retail use) are part of the larger 17.6 acre Countryside Village Shopping Center. In addition, Boulder County has purchased four acres of vacant land adjacent to the shopping center on which they intend to develop an east Boulder County service facility. The Authority supports a mixed-use project on this site.

THOSE IN FAVOR SAY:

1. Question 2C is limited specifically to the old Albertsons/Wal-Mart site and to this specific redevelopment project.

2. The Lafayette City Council will be forced to enact restrictions on the number of units and to set a sunset date.
3. This innovative redevelopment project can mean risk and a level of uncertainty for a developer. 2C enables City Council to work with a developer and to help remove barriers to success for Lafayette.
4. Question 2C will give Lafayette the opportunity to create a mixed-use development with small shops, businesses, lofts, and plazas, a place that looks and feels like a revitalized downtown.
5. This amendment can help foster a sense of community by creating an area to live, work, shop, and play all in our downtown.
6. By attracting new business and life to the Albertsons/Wal-Mart area, the city can support revitalization along Public Road, helping to fill in gaps and to enhance the streetscape.

THOSE OPPOSED SAY:

1. Question 2C runs contrary to the spirit and intent of Lafayette's citizen initiated residential growth management charter amendment that has been approved by voters twice and has been serving Lafayette well for over ten years.
2. This amendment promotes unrestricted residential growth – with no limit on the maximum number of housing units allowed and no deadline as to how long the exemption is in effect.
3. Question 2C does not restrict what type of residential units can be built; for example, it could allow for three or more story buildings.
4. Question 2C could allow for removing existing businesses in the designated area, decreasing potential city sales tax revenues
5. This charter amendment will increase Lafayette's population without any analysis or revision to the city's Comprehensive Plan. We need to say no to a "blank check" on residential growth for Lafayette.
6. This charter amendment would create a major exemption without knowing the consequences.

Question No. 2D – Gender Neutral

SHALL THE CHARTER BE AMENDED BY EDITING TO PROVIDE GENDER NEUTRAL LANGUAGE, SUCH AS REFERRING TO MEMBERS OF CITY COUNCIL AS COUNCILORS RATHER THAN COUNCILMEN?

MAJOR PROVISIONS:

Question No. 2D edits the charter to provide gender neutral language.

City of Louisville
Ballot Issue 2A
Use Tax

SHALL CITY OF LOUISVILLE TAXES BE INCREASED \$800,000 ANNUALLY COMMENCING IN 2007 (FIRST FULL FISCAL YEAR) AND THEN ANNUALLY BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED THEREAFTER BY THE IMPOSITION OF A USE TAX UPON THE PRIVILEGE OF USING, STORING, DISTRIBUTING, OR CONSUMING WITHIN THE CITY ANY SERVICES OR ANY ARTICLE OF TANGIBLE PERSONAL PROPERTY, INCLUDING BUT NOT LIMITED TO CONSTRUCTION AND BUILDING MATERIALS USED IN CONNECTION WITH NEW RESIDENTIAL CONSTRUCTION OR NEW RESIDENTIAL BUILDING PROJECTS, THAT ARE PURCHASED, LEASED OR RENTED FROM SOURCES INSIDE OR OUTSIDE THE CITY, SUCH TAX BEING AT THE RATE OF 3.375% FOR THE PERIOD OF JANUARY 1, 2007 THROUGH DECEMBER 31, 2013, AND THEREAFTER AT THE RATE OF 3.0%, SUCH USE TAX TO COMMENCE JANUARY 1, 2007 AND TO BE UPON SUCH BASE AND SUBJECT TO SUCH EXEMPTIONS, WAIVERS AND CREDITS, AND COLLECTION AND ENFORCEMENT PROCEDURES, AS CITY COUNCIL MAY PRESCRIBE BY ORDINANCE, WITH THE NET PROCEEDS OF SUCH USE TAX TO BE COLLECTED, RETAINED AND SPENT FOR PURPOSES DETERMINED BY THE CITY COUNCIL; AND SHALL THE CITY BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH USE TAX AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION

TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

MAJOR PROVISIONS:

Under this proposal, any item or service purchased outside the city for use or delivery into Louisville, for which no sales tax was collected, would be subject to the use tax. The use tax money would primarily be generated from businesses equipping their facilities with items purchased outside of Louisville, which are not for resale. A 3.375% use tax would be collected by the vendor and paid to the vendor's city. The vendor's city would then send the money to Louisville.

BACKGROUND:

This measure is being referred to the voters in November's election by the City Council for the second time. It was defeated in 2005 by a margin of 58% to 42%. If passed, the use tax revenue would replace an estimated \$500,000 to \$800,000 of sales tax lost to competing businesses in areas surrounding Louisville.

A use tax is established in most of the municipalities in the Front Range, except Louisville and Broomfield. Louisville's use tax is presently limited to the purchase of vehicles and commercial building materials.

Voting yes on this measure will expand the use tax to any item not subject to sales tax, including homeowner purchases, although the city does not plan to audit non-businesses for compliance.

THOSE IN FAVOR SAY:

1. Louisville's sales tax base is diminishing. The use tax will generate a new revenue stream from mostly industrial businesses, estimated at

\$800,000 per year.

2. It eliminates an uneven playing field for Louisville retail businesses competing with out-of-city businesses.
3. It gives the city leeway to offer tax-break incentives to new businesses with high start-up costs.

THOSE OPPOSED SAY:

1. The use tax is a result of overspending by the city, and will encourage, not eliminate, the need for increasingly more revenue.
2. The measure is vaguely worded, and homeowners have no assurance it will not be applied to their personal purchases.
3. Costs include approximately \$40,000 yearly in administrative costs, plus any potential costs passed to the consumer from the seller.

**Town of Superior
Ballot Issue 2A
Library Mill Levy**

SHALL TOWN OF SUPERIOR TAXES BE INCREASED \$500,000 ANNUALLY, COMMENCING IN 2007, OR BY SUCH GREATER OR LESSER ANNUAL AMOUNT AS MAY BE DERIVED FROM AN AD VALOREM MILL LEVY NOT IN EXCESS OF 3.4 MILLS ANNUALLY, THE REVENUES THEREFROM TO BE USED FOR THE PURPOSE OF PROVIDING LIBRARY SERVICES AND FACILITIES; AND SHALL THE PROCEEDS OF SUCH TAXES AND INVESTMENT INCOME THEREON BE HELD, COLLECTED, AND SPENT BY THE TOWN AS A VOTER-APPROVED REVENUE CHANGE IN 2007 AND IN EACH YEAR THEREAFTER, NOTWITHSTANDING ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR SECTION 29-1-301, COLORADO REVISED STATUTES?

MAJOR PROVISIONS:

The proposal, referred to the voters by the town board, would increase property taxes (mill levy) by not more than 3.4 mills annually, beginning in 2007, to provide library services and facilities. First-year revenues are estimated at \$500,000. Funds would be exempt from limitations imposed by the TABOR amendment (Article X, Section 20) of the Colorado Constitution.

BACKGROUND:

In a survey of perceived needs last summer, town residents ranked library service the highest. Louisville Public Library, which Superior

residents use, is not close by, and the school district's summer library program for children at Superior Elementary is not open to the community at large. The Louisville library has asked Superior to provide \$250,000 in support. The town board says this amount is not currently available in the town budget. The proposed property tax increase could be used to support the Louisville library, or partner with another library in the region, or build and operate a library in Superior. Superior's current mill levy is 8.8 mills.

The pro and con statements are a compilation of the material submitted by proponents and opponents of each ballot issue. The League of Women Voters of Boulder Valley is not responsible for the accuracy or fairness of the arguments of either side.

The League of Women Voters promotes political responsibility through informed and active participation of citizens in government. Membership is open to men and women 18 years of age and older.

On October 21, 2006, 9:30 – 11:30 a.m. our League is sponsoring a forum on local ballot issues at the Boulder City Council Chambers in Boulder, Colorado. The forum will be televised on Channel 8. Please call (303) 499-4544 or visit our Web site at <http://bcn.boulder.co.us/lwv> for details.

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