

Information on 2019 Ballot Measures in Boulder County, Colorado
Compiled by the League of Women Voters of Boulder County

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Boulder County Question 1A **(Coroner Term Limit Extension to Five Terms)**

Shall the term limits for the office of Coroner of Boulder County, as imposed by state law and in Article XVIII, Section 11, of the Colorado Constitution and later modified by the voters of the County to authorize three consecutive terms, be further modified to permit an elected officeholder in that office to seek and, if elected, serve a maximum of five consecutive terms?

Major Provisions

This ballot measure would extend the term limits for the county coroner from three to five consecutive four-year terms.

Background

In 1994 Colorado voters passed a constitutional amendment that limited local county government officeholders, including the coroner, to a maximum of two consecutive four-year terms. However, the amendment included a provision allowing voters to remove or extend the term limits of local county officeholders.

In 2001, Boulder County voters rejected a proposal that would have abolished term limits for all county government elective offices, including the coroner.

In November, 2005, Boulder County voters approved extending the term limits of the county coroner, assessor, clerk, sheriff, surveyor and treasurer to three consecutive four-year terms.

County Coroner Emma Hall was initially elected in 2010 and re-elected in 2014 and 2018 with her current term set to expire at the end of 2022.

Those IN FAVOR say

- Of the 60 county coroners in Colorado who are elected, voters in 50 of those counties have either eliminated or extended the term limits of their coroners.
- The coroner's office is a non-partisan and non-political position.
- Extending the term limits of the office would contribute to the professional efficiency and effectiveness of the office.

Those OPPOSED say

There is no known organized opposition.

City of Boulder Ballot Issue 2G
TAX ON TOBACCO VAPING PRODUCTS

SHALL CITY OF BOULDER TAXES BE INCREASED TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (FIRST FULL FISCAL YEAR INCREASE) ANNUALLY BY IMPOSING A SALES AND USE TAX OF UP TO 40 PERCENT OF THE RETAIL SALES PRICE OF ALL ELECTRONIC SMOKING DEVICES, INCLUDING ANY REFILL, CARTRIDGE OR COMPONENT OF SUCH A PRODUCT; THE TERM "ELECTRONIC SMOKING DEVICE" SHALL HAVE THE MEANING AS IN SECTION 6-4.5-1 OF THE BOULDER REVISED CODE; AND IN CONNECTION THEREWITH, SHALL ALL OF THE REVENUES COLLECTED BE USED TO FUND: THE ADMINISTRATIVE COST OF THE TAX, AND THEREAFTER FOR: IMPLEMENTATION AND ADMINISTRATION OF A LICENSING PROGRAM FOR ALL NICOTINE PRODUCT RETAILERS; HEALTH PROMOTION; EDUCATION PROGRAMS REGARDING NICOTINE PRODUCT USE INCLUDING ENFORCEMENT; WITH ANY REMAINING FUNDS BEING AVAILABLE FOR GENERAL GOVERNMENT SERVICES, INCLUDING LIBRARY, POLICE, FIRE, PARKS, TRANSPORTATION AND GENERAL GOVERNMENT ADMINISTRATION? ALL EFFECTIVE JANUARY 1, 2020, AND IN CONNECTION THEREWITH, SHALL THE FULL PROCEEDS OF SUCH TAXES AT SUCH RATES AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, 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

This proposal would allow the City to impose a sales and use tax of up to 40% of the retail sales price on all electronic smoking devices. The money collected would be used to fund the administrative costs of the tax, and of a licensing program for all nicotine product retailers, health promotion, and education programs regarding nicotine product use. Any remaining funds would go to the general fund.

Background

Alarming reports of health effects of the use of vaping devices led City Council to pass Ordinance 8340 which would raise the age for buying tobacco products to 21, limit the number of electronic cigarettes and related products that could be sold to one person in a 24 hour period and ban the sale of flavored tobacco products, except menthol-flavored products. Council also passed Ordinance 8342 to place an issue on the November 5 ballot authorizing Council to impose a sales tax on electronic smoking devices.

Those IN FAVOR say

- The potential social consequences of large-scale youth nicotine addiction will be significant.
- Vaping devices are intended to be disposable. Most devices and pods enter the waste stream, although they arguably should be treated as electronic devices and thus hazardous waste.

Those OPPOSED say

- Business owners selling vaping products are concerned that the measure will impact them financially.
- Is this really about the children and public health. Or is it simply about revenue?

City of Boulder Ballot Issue 2H

SALES AND USE TAX EXTENSION FOR OPEN SPACE AND LONG'S GARDENS

WITHOUT RAISING ADDITIONAL TAXES, SHALL THE EXISTING 0.15 CENT CITY SALES AND USE TAX FOR TRANSPORTATION PURPOSES, APPROVED BY THE VOTERS BY ORDINANCE NO. 7913, BE EXTENDED BEYOND THE CURRENT EXPIRATION DATE OF DECEMBER 31, 2019 UNTIL DECEMBER 31, 2039; AND BEGINNING JANUARY 1, 2020 UNTIL DECEMBER 31, 2039 DESIGNATING THE REVENUES COLLECTED TO FUND THE MAINTENANCE, RESTORATION, ACQUISITION AND PRESERVATION OF OPEN SPACE LAND INCLUDING THE USE OF FUNDS GENERATED IN THE FIRST YEAR TO PURCHASE A CONSERVATION EASEMENT AT LONG'S GARDENS LOCATED AT 3240 BROADWAY AS A VOTER APPROVED REVENUE CHANGE?

Major Provisions

The proposal would extend an expiring 0.15% sales tax to December 31, 2039, to provide funding for the City of Boulder Open Space program and for the purchase of a conservation easement of Long's Gardens, 3240 Broadway. Money collected during the first year would raise a City-projected \$5.3 million dollars to purchase the Long's Garden conservation easement and prevent it being sold for a non-agricultural use. The remaining 19 years of funding would be applied to open space preservation exclusively.

Background

Sales taxes expiring at the end of 2019 are estimated to leave City Open Space with a 30% reduction in funding for 2020 and onward. City Council has proposed extending one of the taxes which had been used for transportation construction, maintenance and operations and use the proceeds of such a tax for the acquisition, preservation, restoration and maintenance of City Open Space and for the purchase of a conservation easement at Long's Gardens. The 0.15 tax would be an extension, not a new tax. The estimated annual revenue would be approximately \$5.3 million per year. In 2011, a tentative conservation easement agreement of the Long property for \$4.8 million dollars fell through.

Those IN FAVOR say

- The measure is consistent with the values and desires of residents to preserve the environment and protect open space.
- The provision would ensure that the Long's Gardens property is not developed.

Those OPPOSED say

- A 0.15% sales tax is not sufficient to cover the true costs of repairing and maintaining the open space holdings.
- The City should place tighter controls on open space acquisitions and instead focus on desperately needed trail maintenance and restoration.
- There are comparable needs for transportation, libraries and affordable housing. Voters can anticipate tax boosts in subsequent election cycles to raise funding to finance City transportation upgrades and affordable housing initiatives. A more holistic discussion on funding should be held.

City of Boulder Ballot Issue 2I

IMPOSITION OF A MIDDLE-INCOME HOUSING PROGRAM

SHALL CITY OF BOULDER DEBT BE INCREASED BY AN AMOUNT NOT TO EXCEED \$10,000,000, WITH A MAXIMUM REPAYMENT COST OF NOT TO EXCEED \$15,000,000, WITHOUT RAISING TAXES, TO PROVIDE FOR A HOUSING ASSISTANCE PROGRAM THAT WILL INCLUDE PERMANENTLY AFFORDABLE DEED RESTRICTIONS AND MAKE LOANS TO MIDDLE-INCOME HOUSEHOLDS TO PURCHASE HOMES SOLD IN BOULDER, SUCH DEBT TO BE SOLD AT SUCH TIME AND IN SUCH MANNER AND CONTAIN SUCH TERMS, NOT INCONSISTENT HEREWITH, AS THE CITY COUNCIL MAY DETERMINE AND TO PAY ALL NECESSARY OR INCIDENTAL COSTS RELATED THERETO BY THE ISSUANCE AND PAYMENT OF NOTES, BONDS, LINES OF CREDIT OR OTHER DEBT OBLIGATIONS AS PROVIDED BY THE CITY CHARTER, WHICH OBLIGATIONS SHALL BE PAYABLE FROM THE GENERAL FUND AND ANY OTHER LEGALLY AVAILABLE FUNDS OF THE CITY, ALL WITHOUT IN ANY OTHER WAY AFFECTING THE CITY'S OTHER TAXES, REVENUES OR EXPENDITURES UNDER THE CONSTITUTION AND LAWS OF THIS STATE?

Major Provisions

The proposal, referred to voters by a unanimous vote of the City Council, would allow the City to take out up to ten million dollars in debt to finance a down payment assistance program for middle income (i.e., those making up to 120% of the area median income) home buyers.

Background

Middle-income earners are frequently unable to obtain a private sector loan large enough to purchase a home in the Boulder housing market. The proposed measure would provide funding to allow the City to offer a second loan in order to fill the gap between the size of the loan a middle-income earner qualifies for and the purchase price of the home. The second (muni) loan, plus interest, would have to be repaid within ten years or when the home is sold, whichever is sooner. Homes purchased with the assistance of a City second loan would be permanently deed restricted to only another buyer at or below the 120% of area median income at a price not to exceed 2% annual appreciation.

Those IN FAVOR say

- This measure would provide an avenue to increase the City's permanently affordable housing stock.
- The ballot measure allows the City to borrow up to ten million dollars to be paid back over time by those qualifying for the second (muni) loan.
- Taxes would not be increased with the measure but because the program would require multi-year obligations, under the Taxpayer Bill of Rights (TABOR) the measure must be approved by voters.

Those OPPOSED say

- After ten years the home owner may not be able to find a household earning 120% area median income to purchase the home.

^a Experts have expressed skepticism that a 2% home value appreciation cap would make it attractive, especially considering market rate appreciation in Boulder has far exceeded that limit.

City of Lafayette Ballot Question 2A

Recall Elections

Shall Section 3.17 of the Lafayette Home Rule Charter regarding recall elections be amended to provide that State laws regarding the recall of elected municipal officers shall apply to city recall elections, while retaining existing Charter provisions regarding the minimum number of signatures required to be submitted with a recall petition?

Major Provisions

This proposal would change calendaring deadlines in the Charter to be consistent with State statute. It does not change the Charter provisions regarding the minimum number of signatures required to be submitted with a recall petition.

Background

Section 3.17 (Recall Procedures) of the Lafayette City Charter was established in 1958 and includes calendaring deadlines that are no longer consistent with State statutes dealing with coordinated elections and with mail ballot elections. This amendment makes it possible for the city clerk to process recall petitions in a manner that meets both Charter and State law.

Those IN FAVOR say

Amending the recall election provisions in the Charter to conform to applicable State laws would modernize those provisions of the City's Charter and would allow for the more efficient and effective administration of such elections.

Those OPPOSED say

No organized opposition has been identified

City of Lafayette Ballot Question 2B

Filling Vacancies in Elective Offices

Shall the existing timelines in Section 5.7 of the Lafayette Home Rule Charter be amended to provide that any vacancies in the city council occurring more than 180 days before the next regular city election shall be filled by city council within 45 days?

Major Provisions

This proposal would extend the timelines for filling vacancies on City Council by appointment or election.

Background

Section 5.7 (Filling Vacancies in Elective Offices) of the Lafayette City Charter requires that any vacancy occurring more than 90 days before the next regular election shall be filled within 30 days. The amendment would extend the timeline to 180 days before the next regular election and increase the time to fill the vacancy to 45 days.

Those IN FAVOR say

Amending the provisions in the Charter for filling Council vacancies allows members more time for the appointment process and eliminates the need for a special election close to a regular election.

Those OPPOSED say

No organized opposition has been identified.

City of Lafayette Ballot Question 2C
Initiative and Referendum

Shall the initiative and referendum procedures in Chapter VII of the Lafayette Home Rule Charter be amended to provide that State laws regarding municipal initiative and referendum procedures shall apply to city initiatives and referenda, while retaining existing Charter provisions regarding the minimum number of signatures required to be submitted with an initiative or referendum petition?

Major Provisions

This proposal would change calendaring deadlines in the Charter to be consistent with State statute. It does not change the Charter provisions regarding the minimum number of signatures required to be submitted with an initiative or referendum petition.

Background

Sections 7.9–7.13 (Initiative and Referendum Procedures) of the Lafayette City Charter were established in 1958 and include calendaring deadlines that are no longer consistent with State statutes dealing with coordinated elections and with mail ballot elections. This amendment would make it possible for the City Clerk to process such ballot measures in a manner that meets both Charter and State law.

Those IN FAVOR say

Amending the initiative and referendum election provisions in the Charter to conform to applicable State laws would modernize those provisions of the City’s Charter and would allow for the more efficient and effective administration of such elections.

Those OPPOSED say

No organized opposition has been identified.

City of Longmont Ballot Issue 3B

AUTHORIZING \$45,500,000 OF REVENUE BONDS AND A SALES AND USE TAX RATE INCREASE OF .18% TO FUND A COMPETITIVE POOL AND ICE RINK

SHALL THE CITY OF LONGMONT DEBT BE INCREASED IN AN AMOUNT NOT TO EXCEED \$45,500,000, WITH A TOTAL REPAYMENT COST OF NOT TO EXCEED \$72,260,000 AND SHALL CITY TAXES BE INCREASED \$4,650,000 IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY INCREASING THE CITY SALES AND USE TAX RATE FROM 3.53 PERCENT TO 3.71 PERCENT, WHICH IS AN INCREASE OF ONE AND EIGHT ONE HUNDREDTH CENTS ON EACH TEN DOLLAR PURCHASE, BEGINNING JANUARY 1, 2020, SUBJECT TO THE FOLLOWING: THE PROCEEDS OF THE DEBT WILL BE USED FOR THE CONSTRUCTION OF A COMPETITIVE POOL AND ICE RINK; THE TAX REVENUES WILL BE USED FOR THE PAYMENT OF SUCH DEBT AND FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE COMPETITIVE POOL AND ICE RINK; PROVIDED THAT ON THE EARLIER OF JANUARY 1, 2040 OR THE DATE THE DEBT IS PAID, THE TAX RATE INCREASE AUTHORIZED BY THIS QUESTION WILL DECREASE FROM .18 PERCENT TO .03 PERCENT AND THE TAX REVENUES WILL BE USED SOLELY FOR OPERATION AND MAINTENANCE OF THE COMPETITIVE POOL AND ICE RINK; THE DEBT MAY BE PAID FROM SUCH LEGALLY AVAILABLE REVENUES, BEAR INTEREST, AND BE SOLD IN ONE SERIES OR MORE AT A PRICE ABOVE, BELOW OR EQUAL TO THE PRINCIPAL AMOUNT OF SUCH BONDS AND WITH SUCH TERMS AND CONDITIONS, INCLUDING PROVISIONS FOR REDEMPTION PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF PREMIUM, ALL AS THE CITY COUNCIL MAY DETERMINE; AND SHALL THE PROCEEDS FROM SUCH TAX AND DEBT PROCEEDS AND ANY INVESTMENT INCOME EARNED FROM SUCH PROCEEDS BE COLLECTED AND SPENT AS A VOTER-APPROVED REVENUE CHANGE UNDER SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION?

Major Provisions

The City is asking for voter approval to build a competition/leisure aquatic center and single-sheet ice rink built to NHL measurements. To do so, it proposes to offer a \$45.5 million 20-year bond, with a repayment cost of not-to-exceed \$78.26 million. Repayment of the bond will be substantially affected by a Longmont City sales and use tax increase from 3.53% to 3.71%. The proposed sales tax increase equals an additional 18 cents on each \$100 purchase.

Background

A new competition-sized swimming pool and ice rink have been a topic of discussion in Longmont for over five-years. Longmont’s population has more than doubled since the development of the last competitive pool facility 40 years ago.

Those IN FAVOR say

- The new facilities would provide adequate space for the City’s growing population.
- The proposed facilities would stimulate the economy by allowing Longmont to host state-wide swimming, diving, figure skating and curling tournaments.
- The current facilities are inadequate to meet the public’s recreation needs or those of the school and club swim teams.

Those OPPOSED say

- The City has more pressing needs such as infrastructure upgrades, social services and affordable housing.
- (cont’d . . .)*

- Not all citizens can afford additional City taxes. The City should find a different way to fund such a project.
 - Existing Longmont recreation centers are inadequate. The money would be better spent on recreation centers in one or several parts of the City, affording greater availability for Longmont and service area patrons.
-

City of Longmont Ballot Issue 3C

EXTENSION OF 0.75% SALES AND USE TAX FOR STREETS AND TRANSPORTATION PROJECTS

WITHOUT INCREASING TAX RATES OR IMPOSING ANY NEW TAX, SHALL THE CITY OF LONGMONT'S EXISTING 0.75% SALES AND USE TAX FOR STREETS AND TRANSPORTATION PROJECTS, CURRENTLY SET TO SUNSET IN 2026, BE EXTENDED INDEFINITELY FOR THE PURPOSES OF FUNDING STREET REPAIR AND MAINTENANCE, MULTI-MODAL IMPROVEMENTS, CAPITAL CONSTRUCTION PROJECTS, SAFETY IMPROVEMENTS AND OTHER INFRASTRUCTURE?

Major Provisions

This authorization would extend indefinitely a 0.75% sales and use tax that was established in 1986 (also referred to as the “street fund tax”) for the purpose of funding street repair and maintenance, various improvements and capital construction projects, in city transportation arteries.

Background

The 0.75% tax is included in the City’s current 3.53% sales and use tax. This “street fund tax” was established in 1986 and has been renewed intermittently every 5-to-10 years. The last renewal was authorized by ballot in 2014 and is due to expire on 31 December 2026

Those IN FAVOR say

- A permanent, routine mechanism for authorizing street and road system repairs enhances long term planning.
- A Street Fund sales tax authorization will better position Longmont’s acquisition financial grants by providing a routine source of required local funding.
- A permanent Street Fund sales tax authorization continues cost sharing among all who make purchases in Longmont and benefit from the transportation and street system – not just City residents and property owners.

Those OPPOSED say

- Making the Street Fund sales tax authorization permanent would take away the City’s incentive for accountability and transparency to residents.
 - The City should reprioritize services to allocate the necessary funding dollars to pay for ongoing maintenance and operational needs.
 - The Street Fund sales tax should not be made permanent, as it is possible that more money will be collected than is needed if transportation becomes a lower priority in Longmont.
-

City of Longmont Ballot Question 3D
[City Property Lease Term Increase]

Shall the City of Longmont Home Rule Charter be amended by revising Section 12.4 of the Charter to allow for leases of city property for up to 30 years?

Major Provisions

The proposal would amend the City's Home Rule Charter to allow the leases of City property to be increased from 20 to 30 years.

Background

The City Charter must be amended in order to increase the number of years that City property can be leased. Currently, the maximum lease term is 20 years. City Council voted in support of this proposed Charter amendment.

Those IN FAVOR say

- Extending the length of leases to 30 years allows for additional public/private partnerships, as private partners are more likely to secure a 30-year loan, similar to standard mortgage terms.
- The trend to expand leases is increasing throughout the country and is finding favor with potential lessees, who prefer this stability to grow their business.
- Nationally, the typical lease dealing with the use of land for various purposes (i.e., agriculture) runs 30-50 years.

Those OPPOSED say

- A 20-year lease yields greater profit for the City due to more frequent turn-over.
 - We do not need additional development in Longmont.
 - Residents should not change the Charter, which is the master document for City governance.
-

City of Louisville Ballot Issue 2D

RETAIL MARIJUANA CULTIVATION FACILITY EXCISE TAX

SHALL CITY OF LOUISVILLE TAXES BE INCREASED BY \$200,000 IN 2020 (THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 2020, A NEW TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AT THE RATE OF FIVE PERCENT (5%) OF THE AVERAGE MARKET RATE, WITH THE TAX REVENUES BEING USED TO PAY OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE CITY FOR TRAINING, ENFORCEMENT, AND ADMINISTRATION OF ALL APPLICABLE MARIJUANA LAWS AND REGULATIONS, TO SUPPORT LOCAL DRUG AND ALCOHOL PROGRAMS AND FACILITIES, AND FOR OTHER GENERAL PURPOSES OF THE CITY; WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED TEN PERCENT (10%), IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF RETAIL MARIJUANA CULTIVATION FACILITIES ARE PERMITTED WITHIN THE CITY; AND SHALL THE CITY BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION, AND SHALL ORDINANCE NO. 1776, SERIES 2019, WHICH IMPOSES THE TAX, BE APPROVED?

Major Provisions

The proposal, referred to voters by City Council, creates a new excise tax, beginning in 2020, on the sale or transfer of unprocessed retail marijuana at 5% of the average market rate – provided that the Retail Marijuana Cultivation proposal, Ballot Question 2F also passes, allowing marijuana cultivation in industrial zones of the City of Louisville. City Council would be permitted to increase the tax rate up to 10% by ordinance without further voter approval. Revenues would be used to implement marijuana laws and regulations, to support drug and alcohol programs, and for other general purposes.

Background

Amendment 64, passed by Colorado voters in 2012, allows local governments to regulate or prohibit licensing of marijuana cultivation facilities, product manufacturing facilities, testing facilities and retail stores. In February 2019, City Council revised existing City marijuana regulations and determined to refer to voters two proposals regarding marijuana cultivation—ballot issue 2D and ballot question 2F. If both proposals pass, the City estimates receiving revenues in the amount of \$200,000 for the first fiscal year of the tax (2020).

Those IN FAVOR say

- City staff estimate annual tax revenues of \$20,000 at each cultivation facility or a total of \$100,000 to \$200,000 assuming five facilities opening in the first fiscal year based on averages received in Lafayette, Boulder and Aurora.
- Anticipated tax revenues generated by the measures could be used to pay for direct costs incurred and expended as well as to support local drug and alcohol programs and facilities and for other general purposes.

Those OPPOSED say

- The 5% excise tax rate, and any subsequent increase in such rate, could deter retail marijuana cultivation businesses from locating in Louisville.
 - Marijuana cultivation should not be taxed at a disproportionately higher tax rate than other products subject to City sales tax.
-

City of Louisville Ballot Issue 2E

RETENTION OF RECREATION TAX REVENUES

WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAX RATE, MAY THE CITY OF LOUISVILLE KEEP REVENUES THAT OTHERWISE WOULD BE REFUNDED FOR EXCEEDING ESTIMATES INCLUDED IN THE ELECTION NOTICE MAILED TO VOTERS FOR THE 2016 VOTER-APPROVED 0.15 PERCENT INCREASE IN SALES AND USE TAX, WHETHER OR NOT SUCH REVENUES HAVE ALREADY BEEN SPENT, AND CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND SPEND ALL REVENUES COLLECTED FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK?

Major Provisions

Approval of the ballot issue would allow the City to keep revenues collected in 2018 (the first year of collection) exceeding estimates included in the election notice mailed to voters in 2016. Approval of the ballot issue would also allow the City to continue to collect sales and use tax at the 2016 voter-approved 0.15 percent increased rate for operating and maintaining the recently expanded and remodeled Louisville Recreation/Senior Center and the pool facilities at Memory Square Park. This ballot issue does not increase the City’s sales and use tax rate above what the voters previously approved at the 2016 election.

Background

The Taxpayer’s Bill of Rights (TABOR), adopted by Colorado voters in 1992, restricts revenues for all levels of government (state, local, and schools.) Under TABOR, Louisville cannot raise tax rates and cannot spend revenues collected without voter approval. If voters do not approve this ballot issue, the City would be required under TABOR to refund \$845,795 in revenues collected from the tax rate increase in 2018, and to eliminate the City’s sales and use tax rate increase approved by the voters at the 2016 election.

Those IN FAVOR say

- This ballot issue does not increase the City’s sale and use tax rate above what the voters previously approved at the 2016 election.
- A reduction in the sales and use tax rate to the rate existing prior to the 2016 election would likely result in an increase in membership and user fees or a reduction of service levels or programming, or both, at the Louisville Recreation/Senior Center and the pool facilities at

Memory Square Park to offset the decrease in tax revenues dedicated to operating and maintaining the expanded and remodeled facilities.

- Approval of the ballot issue would support healthy living for all City residents, and the maintenance of upgraded facilities and equipment and expanded programming for adults, seniors and youth.

Those OPPOSED say

- Consumers would continue to be subjected to a higher-sales and use tax rate than that which existed prior to the 2016 election.
 - The City should not be permitted to retain tax revenues exceeding estimates in the election notice mailed to voters in 2016.
 - There would not be a tax refund in the amount of \$845,795 if the ballot issue were to pass.
-

City of Louisville Ballot Question 2F

Allowing Retail Marijuana Cultivation Facilities

If Ballot Issue 2D is passed by the voters, approving an excise tax on the first sale or transfer of unprocessed marijuana by a retail marijuana cultivation facility, shall the City of Louisville Municipal Code be amended to permit retail marijuana cultivation facilities within industrial zone districts of the City, subject to City licensing and regulation, and shall Ordinance No. 1777, Series 2019, which imposes certain requirements and regulations for such facilities, be approved?

Major Provisions

If voters approve this ballot question, it would allow retail marijuana cultivation facilities to be located within Industrial Zone Districts of the City. Cultivation facilities would only be allowed if voters were to also approve the excise tax on cultivation facilities (Ballot Issue 2D).

Background

Amendment 64, passed by Colorado voters in 2012, allows local governments to regulate or prohibit licensing of marijuana cultivation facilities, product manufacturing facilities, testing facilities and retail stores. In February 2019, City Council revised existing City marijuana regulations and determined to refer to voters two proposals regarding marijuana cultivation—ballot issue 2D and ballot question 2F. If both proposals pass, the City estimates receiving revenues in the amount of \$200,000 for the first fiscal year of the tax (2020).

Those IN FAVOR say

- Allowing retail marijuana cultivation facilities would diversify the City’s local economy, would result in additional tax revenue and the City would be competitive with neighboring jurisdictions that already allow retail marijuana cultivation facilities.
- An odor-emission ordinance enacted in February would apply to cultivation facilities.

Those OPPOSED say

- Allowing retail marijuana cultivation within the City could result in an increase in related costs (e.g., administrative, regulation, medical care, addiction treatment) that could exceed the additional tax revenue.
 - Retail marijuana cultivation could negatively affect the quality of life for neighboring properties (i.e., odor, venting, and disposal of waste).
 - Allowing retail marijuana cultivation could result in increased criminal activity within the City.
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