ALAMOSA CITY COUNCIL
Special Meeting Agenda

Council Chambers
300 Hunt Avenue, Alamosa, CO
August 24, 2016

As a full service municipal government, our mission is to enhance the quality of life for our residents, visitors, and businesses. We strive to provide balanced business, employment, recreational, and residential opportunities.

Any person needing reasonable accommodation to attend or participate in a public meeting, please contact the Alamosa City Clerk's office by telephone (719) 589-2593, by email cityclerk@ci.alamosa.co.us, in person at 300 Hunt Avenue, or by mail at POB 419, Alamosa, CO 81101.

7:00 PM - Work Session: Utility Rate Assessment

8:00 PM - Special Meeting

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. AGENDA APPROVAL

IV. CITIZEN COMMENT

Alamosa City Council welcomes your comments. Citizens wishing to speak may obtain and complete a speaker card through the City Clerk at the start of the meeting.

A. Audience Comments

B. Follow-Up

1.

a. Public Hearing and Second Reading, Ordinance No. 15-2016; An Ordinance Approving an Intergovernmental Agreement with Alamosa County for Conduct of the November 8, 2016 Coordinated Election for Presentation of Ballot Issues Relating to Marijuana and Marijuana Taxation

b. Consideration of resolutions setting ballot language on marijuana questions.

c. Discussion Regarding Placing a Question on the November 8th Ballot Pertaining to Council Compensation

ADJOURNMENT

ALAMOSA CITY COUNCIL
COUNCIL COMMUNICATION

Subject/Title:
Public Hearing and Second Reading, Ordinance No. 15-2016; An Ordinance Approving an Intergovernmental Agreement with Alamosa County for Conduct of the November 8, 2016 Coordinated Election for Presentation of Ballot Issues Relating to Marijuana and Marijuana Taxation

Recommended Action:
Conduct the public hearing and based on Council's desire approve or deny Ordinance No. 15-2016 on second reading.

Background:
Since the inception of the Coordinated Elections in 1993, the City has coordinate its Regular Election with Alamosa County. Although this is not a Regular City Election, it is desired to still conduct the election as a coordinated election with Alamosa County. This IGA specifies the responsibilities for each party in conducting the election. The terms of the IGA are the same as in past elections.

A petition is currently being circulated to enact an ordinance allowing all forms of marijuana facilities within the City of Alamosa. Should that petition receive sufficient signatures, Council will consider adopting the proposed ordinance as presented, without change. If Council does not adopt the proposed ordinance, it is put to an election within 90 days. The petition did not garner sufficient signatures to be placed on the general election this November. Council is considering referring its own ballot measures to the voters at this election. If it chooses to do so, it will need to have this IGA signed by August 30th.

Issue Before the Council:
Does Council wish to enter into the IGA with Alamosa County to conduct the November 8, 2016 coordinated election?

Alternatives:
1. Approve the ordinance on second reading.
2. Deny the ordinance on second reading and provide further direction to staff.

Fiscal Impact:
The estimated costs for the coordinated election is $4,305 as its share of the coordinated election costs.

Legal Opinion:
Counselor Schwiesow has reviewed the IGA and will be available at the meeting if needed.

Conclusion:
Coordinated elections have proven to be convenient for the voter and have increased voter turnout. Approving the IGA will continue the history the City has had in conducting its election in this manner.

ATTACHMENTS:

Description	Type

Ordinance No. 15-2016	Ordinance
IGA Coordinated Election 2016	Backup Material

ORDINANCE NO. 15-2016

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH ALAMOSA COUNTY FOR CONDUCT OF THE NOVEMBER 8, 2016 COORDINATED ELECTION FOR PRESENTATION OF BALLOT ISSUES RELATING TO MARIJUANA AND MARIJUANA TAXATION

WHEREAS, the City Council intends to submit questions of the allowance of medical and retail marijuana and the imposition of sales and excise taxes thereon within the City of Alamosa to the electors of the City at the November 8, 2016 election; and

WHEREAS, the City Council has determined that it is in the best interest of the City to conduct a coordinated election pursuant to the Uniform Election Code of 1992 for the election scheduled for November 8, 2016 and intends to adopt a resolution formalizing that decision; and

WHERAS, an Intergovernmental Agreement is required pursuant to CRS § 1-7-116(2) to specify the duties and responsibilities in conducting a coordinated election;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Alamosa as follows:

Section 1. Approval of Intergovernmental Agreement. The Intergovernmental Agreement attached to this Ordinance is hereby adopted and approved, and the Mayor is directed to execute the Agreement on behalf of the City of Alamosa.

Section 2. General Repealer. All other acts, orders, ordinances, resolutions, or portions thereof in conflict with the sections adopted in this Ordinance, are hereby repealed to the extent of such conflict.

Section 3. Recording and Authentication. This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the City book of Ordinances kept for that purposes, and published according to law.

Section 4. Publication and Effective Date. This ordinance shall take effect ten (10) days after publication following final passage. Publication both before and after final passage shall be by the title of this ordinance, which Council determines constitutes a sufficient summary of the ordinance, together with the statement that the full text of the ordinance is available for public inspection and acquisition on the City's website and in the office of the City Clerk.

Section 5. Declaration of Public Interest. This ordinance is necessary to preserve the peace, health, safety, welfare, and to serve the best interest of the citizens of the City of Alamosa, Colorado.

INTRODUCED, READ AND APPROVED on first reading the 10th day of August 2016, and ordered published by title and reference as provided by law with notice of a public hearing to be held for consideration of the adoption of said ordinance on the 24th day of August 2016, at 7:00 p.m., or as soon thereafter as the matter may be heard, or on such subsequent date to which the Public hearing or Council consideration may be continued.

APPROVED, AND ADOPTED after public hearing the 24th day of August, 2016.

CITY OF ALAMOSA

By ______________________________
Josef P. Lucero, Mayor

ATTEST:

____
Holly C. Martinez, City Clerk

INTERGOVERNMENTAL AGREEMENT FOR GENERAL ELECTION

This Intergovernmental Agreement concerning responsibilities for the November 8, 2016, Election is entered into by the Alamosa County Clerk and Recorder, hereafter referred to as "County Clerk" and the City of Alamosa, a Municipal Corporation of the State of Colorado, hereafter referred to as "City"", collectively as the "Parties". The Parties agree to cooperate and contract for the purpose of conducting the 2016 General Election.

WITNESSETH

WHEREAS, pursuant to C.R.S. §1-7-116(2), as amended, the County Clerk and the City shall enter into an agreement for the administration of their respective duties concerning the conduct of the General election to be held on November 8, 2016 ("Election"); and

WHEREAS, the County Clerk and the City are authorized to conduct elections as provided by law;

WHEREAS, the County Clerk will conduct the Election as a "Mail ballot election" as such term is defined in the Uniform Election Code of 1992, C.R.S. Title 1, as amended ("Code") and the current Colorado Secretary of State Election Rules, as amended ("Rules");

WHEREAS, the City has certain ballot race(s), ballot issue(s) and/or ballot question(s) to present to its eligible electors and shall participate in this Election; and

NOW, THEREFORE, for and in consideration of the promises herein contained, the sufficiency of which is hereby acknowledged, the County Clerk and the City agree as follows:

ARTICLE I
PURPOSE AND GENERAL MATTERS

A. Goal.

The purpose of this Agreement is to set forth the respective tasks in order to conduct the Election and to allocate the cost thereof.

B. General Election Official.

The County Clerk shall act as the "General Election Official" ("GEO") in accordance with the Code and Rules and shall conduct the Election for the City.

The County Clerk, Melanie Woodward, whose telephone number is 719-589-6681, is the "Contact Officer", to act as the primary liaison between the County Clerk and the City. The Contact Officer shall have primary responsibility for the coordination of the Election with the City.

C. Designated Election Official.

The City designates ____ as its "Designated Election Official" ("DEO") to act as primary liaison between the City and the Contact Officer. The DEO shall have primary responsibility for Election procedures to be handled by the City. The DEO shall act as the "designated election official" in accordance with the Code and Rules. The DEO shall be readily available and accessible during regular business hours, and at other times when notified by the Contact Officer in advance, for the purposes of consultation and decision-making on behalf of the City. In addition, the DEO is responsible for receiving and timely responding to inquiries made by its voters or others interested in the City's election.

D. Jurisdictional Limitation.

The City encompasses territory within Alamosa County, Colorado. This Agreement shall be construed to apply only to that portion of the City situated within Alamosa County.

E. Term.

The term of this Agreement shall be from the date set forth above through December 31, 2016 and shall apply only to the Election.

ARTICLE II
DUTIES OF THE COUNTY CLERK

A. Voter Registration.

Supervise, administer and provide necessary facilities and forms for all regular voter registration sites.

B. Ballot Preparation.

1. Layout the text of the ballot in a format that complies with Code and Rules. To avoid ballot space issues, the County Clerk requests each ballot issue and ballot question are not more than 250 words.

2. The County Clerk will assign the letter and/or number of the City's ballot issue(s) or ballot question(s) which will appear on the ballot, and provide this assignment to the City.

3. Provide ballot printing layouts and text for the City's review and signature. If the City fails to provide approval by the required deadline, the content is to be considered approved.

4. Certify the ballot content to the printer(s).

5. Contract for ballots.

C. Voter Lists.

Upon request of the City, create and certify a list of registered voters containing the names and addresses of each elector registered to vote in the City.

D. Election Judges.

Appoint and compensate a sufficient number of election judges.

E. Mail Ballot and Walk-in sites.

1. Provide that mail ballot packets be mailed to every active elector and that the Election shall be conducted in accordance with C.R.S. Title 1, Article 7.5.

2. Conduct mail, accessible, and emergency voting. Coordinate the location of walk-in sites.

3. Obtain and provide all ballots and supplies necessary for mail, accessible and emergency voting together with replacement ballots and affidavits and ballots for property owners who live in another Colorado county.

4. Provide all necessary equipment, forms and supplies to conduct the Election, including electronic voting equipment.

F. Voting Jurisdiction.

Provide the City a street locator file, which lists the street addresses located in the City within the statewide voter registration system. In order for the County Clerk to provide correct ballots to the electors, it is critical that the information contained in the City's locator file be accurate.

G. Election Day Preparation.

1. Provide, no later than ten days before the Election, notice by publication of a mail ballot election in accordance with C.R.S. §1-7.5-107(2.5). Such notice shall satisfy the publication requirement for all entities participating in the election pursuant to C.R.S. §1-5-205(1.4).

2. Prepare and run pre-election logic and accuracy testing and required post-election tests and audits of the voting system in accordance with C.R.S. §1-7-509 and Rules.

3. Provide necessary electronic voting equipment together with personnel and related computer equipment for pre-election logic and accuracy testing and Election Day needs.

4. Conduct post-election audit of voting equipment and vote-counting equipment in accordance with C.R.S. §1-7-509 and Rules.

H. TABOR Notice.

1. If the County Clerk is responsible for preparing a TABOR notice, the County Clerk shall do so in compliance with Article X Section 20 of the Colorado Constitution and any pertinent Code and Rules.

2. Charge the City for all expenses for the preparation, printing, labeling and postage for the TABOR notice. Said expenses shall be pro-rated among all Entities participating in the TABOR notice. Such pro-ration to be based in part upon the number of addresses where one or more active registered electors of the district reside.

3. Coordinate and mail the TABOR notice not less than thirty days prior to the election in compliance with Article X Section 20 of the Colorado Constitution and any pertinent Code and Rules. The County Clerk shall determine the least cost method for mailing the TABOR notice and address the TABOR notice to "All Registered Voters" at each address in Alamosa County where one or more active electors of the district reside. Nothing herein shall preclude the County Clerk from sending the TABOR Notice of the City to persons other than electors of the District if such sending arises from the County Clerk's efforts to mail the TABOR Notice at least cost.

I. Counting Ballots.

1. Conduct and oversee the ballot counting process and report the results to the City.

2. Establish backup procedures and backup sites for ballot counting should counting equipment and/or building facilities fail. In such event, counting procedures will be moved to a predetermined site.

3. If it is determined that counting must be moved to an established backup site, all related costs shall be paid by the Entities.

J. Certifying Results.

1. Appoint, instruct and oversee the board of canvassers.

2. Certify the results of the City's Election within the time required by law and provide the City with a copy of all Election statements and certificates required under Code.

3. If a recount is called for, conduct a recount in accordance with Code.

K. Recordkeeping.

1. Pursuant to C.R.S. §1-7-802, store all Election records as required.

2. Keep an accurate account of all Election costs.

L. No Expansion of Duties.

Nothing contained in this Agreement is intended to expand the duties of the County Clerk beyond those set forth in Code or Rules.

ARTICLE III
DUTIES OF THE CITY

A. Authority.

Provide the County Clerk with a copy of the ordinance or resolution stating that the City will participate in the Election in accordance with the terms and conditions of this Agreement. The ordinance or resolution shall further authorize the presiding officer of the City or other designated person to execute this Agreement.

B. Call and Notice.

1. Publish all notices relative to the Election as required by Code, Rules, the City's Charter and any other statute, rule or regulation.

2. Mail notices pursuant to C.R.S. §1-7-906(2) for active electors of the city who do reside within Alamosa County or counties where the City is located.

C. Voting Jurisdiction.

1. Review the information contained in the street locator file and certify its accuracy, as well as any changes, additions or deletions to the file. It is the City's responsibility to ensure that the information contained in the locator file is an accurate representation of the City's street indexes contained within the City's legal boundaries. The certification of the street locator file shall be made no later than August 25th, 2016 at 5:00 p.m. to the County Clerk. If the certification is not provided by the date specified herein, the City may not participate in the Election.

2. Any proposed address not already identified by a tax authority code in the county Assessor's records, shall be provided to the County Clerk with a certified legal description, map and locator, identifying all "high/low" ranges for street addresses within the proposed City, no later than August 25th, 2016 at 5:00 p.m. Once the information has been entered in the statewide voter registration system, the DEO shall review the information contained in the street locator file and shall certify its accuracy, as well as any changes, additions or deletions to the file no later than August 30, 2016 at 5:00 p.m. to the County Clerk. If the certification is not provided by the required deadline specified herein, the City may not participate in the Election.

D. Petitions, Preparation and Verification.

Perform all responsibilities required to certify any candidate or initiative petition to the ballot.

E. Ballot Preparation.

1. Be solely responsible for determining whether a ballot race, ballot issue, or ballot question is properly placed before the voters.

2. Pursuant to C.R.S. §1-5-203(3) (a), provide a certified copy of the ballot content (races, issues and questions) by email to mwoodward@alamosacounty.org, at the earliest possible time and in any event no later than sixty days before the election, September 7, 2016 at 5:00 p.m., The ballot content must be certified exactly in the order in which it is to be printed on the ballot pages and sample ballots.

3. The certified list of ballot race(s), ballot issue(s) and/or ballot question(s) submitted by the City shall be final.

4. Proofread and approve the City's ballot content for printing within five business days of receipt from the County Clerk. The City shall provide a fax number and designate a person to be available for proofing and approving ballot content for printing. Due to time constraints, the City must provide contact information for someone who is available from 8:00 a.m. to 5:00 p.m. from September 8, 2016 until September 12, 2016, or until final approval of printing of ballots has been reached. The County Clerk agrees to keep all contact personnel informed of ballot printing status. The City has designated ____________________ ____________________, whose phone is ____________________, cell is ____________________ and fax is ____________________.

5. Once approval has been received, the County Clerk will not make any changes to the ballot content. If the City fails to provide approval by the required deadline, the content is to be considered approved.

6. Provide audio recording of the proper pronunciation of any candidate name certified to the County Clerk. Please see exhibit B.

7. The City shall defend and resolve at its sole expense all challenges relative to the ballot race(s), ballot issue(s) and/or ballot question(s) as certified to the County Clerk for inclusion in the Election.

F. Election Participation.

If requested by the County Clerk, provide person(s) to participate and assist in the Election process. The person(s) provided by the City must be registered to vote in Alamosa County.

G. Property Owners.

1. Notify and provide information and materials to property owners where an eligible elector may vote at any walk-in site or make application for a mail-in ballot specific to that City to be voted on and filed with the County Clerk. C.R.S. §32-1-806, C.R.S. §1-7-104, C.R.S, §1-8-104(3)

2. The City shall be responsible for obtaining its property owner list(s) from the County Assessor's office in accordance with C.R.S. §1-5-304. .

3. Electors who own property within the City in Alamosa County but who reside and are registered to vote in another Colorado county may vote in person or may request a mail ballot from the County Clerk.

H. TABOR Notice.

1. If the City is responsible for preparing a TABOR notice for any ballot issue(s), the City shall do so in compliance with Article X Section 20 of the Colorado Constitution and any pertinent Code and Rules.

2. The City shall be solely responsible for calculating and providing to the County Clerk any fiscal information necessary to comply with TABOR. The County Clerk shall in no way be responsible for the City's compliance with TABOR or the accuracy of the fiscal information.

3. The process of receiving written comments relating to ballot issue(s) and summarizing such comments, as required by TABOR, is the sole responsibility of the City.

4. The City shall be solely responsible for its preparation, accuracy and the language contained therein, and shall submit such notice, including pro and con summaries and fiscal information, to the County Clerk no later than September 27, 2016 at 5:00 p.m., pursuant to C.R.S. §1-7-904. Such notice shall be provided to the County Clerk as an email attachment to mwoodward@alamosacounty.org

5. The certified text, summary of comments and fiscal information submitted by the City shall be final.

6. Proofread and approve the City's TABOR content for printing. The City shall provide a fax number and designate a person to be available for proofing and approving TABOR content for printing. Due to time constraints, the City must provide contact information for someone who is available from 8:00 a.m. to 5:00 p.m. from September 27, 2016 until September 30, 2016, or until the TABOR notice is mailed. The County Clerk agrees to keep all contact personnel informed of TABOR printing status. The City has designated ____, whose phone is ________________________, cell is ________________________ and fax is ________________________.

7. Once approval has been received, the County Clerk will not make any changes to the TABOR content. If the City fails to provide approval by the required deadline, the content is to be considered approved.

8. Pursuant to C.R.S. §1-7-906(2), the City shall be responsible for mailing the TABOR notice to each address of one or more active registered electors who do not reside within Alamosa County.

I. Cancellation of Election by the City.

If the City resolves not to participate in the Election, notice shall be delivered in writing to the Contact Officer immediately; *provided, however that* the City shall not cancel after the 25th day prior to the Election, October 14, 2016, pursuant to C.R.S. §1-5-208(2). The City shall reimburse the County Clerk for the actual expenses incurred in preparing for the Election. If cancellation occurs after the certification deadline, full election costs may be incurred. The City shall provide notice by publication, as defined in Code, of cancellation of the Election and a copy of such notice shall be posted at each walk-in site, in the office of the City, in the office of the County Clerk, in the office of the DEO, and, if the City is a special City, in the office of the Division of Local Government.

ARTICLE IV
COSTS

A. Election Costs.

The minimum fee for election services is $150.00

1. The City's proportional share of costs shall be based on County expenditures relative to the Election and the number of electors of the District. Costs include, but are not limited to, supplies, printing, postage, legal notices, labor, rentals, and other expenses attributable to the County Clerk's administration of the Election for the City. The City shall be charged its pro-rated share of election costs for any software programs used to count voted ballots as well as pre-election and post-election maintenance and on-site technical support.

2. The City affirms that is has sufficient funds available in its approved budget to pay its prorated Election expenses.

3. If it is determined that counting must be moved to an established backup site, the City shall be charged its pro-rated share.

4. The cost of any recount(s) will be charged to the City, or if more than one Entity is involved in the recount, the cost will be prorated among the participating Entities.

5. Upon receipt of the invoice, pay to the County Clerk within thirty days a fee which shall be an amount determined in accordance with the formula set forth on Exhibit A. If Exhibit A cannot be completed at the time of the mailing of this Agreement, it will be provided as soon as possible.

6. The City shall pay any additional or unique election costs resulting from City delays and/or special preparations or cancellations relating to the City's participation in the Election.

B. TABOR Costs.

The minimum fee for TABOR services is $50.00.

The City shall pay a pro-rated amount for the costs to produce and mail the TABOR notice. Such pro-ration to be based in part, on addresses where one or more electors of the District reside.

C. Invoice.

The County Clerk shall submit to the City an itemized invoice for all expenses incurred under this Agreement and the City shall remit to the County Clerk the total due upon receipt. Any amount not paid within 30 days after receipt will be subject to an interest charge at the lesser of 1 ½% per month or the highest rate permitted under law.

ARTICLE V
MISCELLANEOUS

A. Entire Agreement.

This Agreement and its Exhibits constitute the entire agreement between the parties as to the subject matter hereof and supersede all prior or current agreements, proposals, negotiations, understandings, representations and all other communications, both oral and written.

B. Indemnification.

To the extent permitted by law, each party agrees to indemnify and hold harmless the other party, its officials, officers, employees and agents from and against any and all losses, costs (including attorneys' fees), demands or actions arising out of or related to any negligent actions, errors or omissions of the indemnifying party in connection with the transactions contemplated by this Agreement.

In the event a court of competent jurisdiction finds the Election for the City was void or otherwise fatally defective as a result of the sole breach or failure of the County Clerk to perform in accordance with this Agreement or laws applicable to the Election, the City shall be entitled to recover expenses or losses caused by such breach or failure up to the maximum amount paid by the City to the County Clerk. The County Clerk shall in no event be liable for any expenses, damages or losses in excess of the amounts paid under this Agreement. This remedy shall be the sole and exclusive remedy for the breach available to the City.

C. Conflict of Agreement with Law, Impairment.

Should any provision of this Agreement be determined by a court of competent jurisdiction to be unconstitutional or otherwise null and void, it is the intent of the parties hereto that the remaining provisions of this Agreement shall be of full force and effect.

D. Time of Essence.

Time is of the essence in the performance of this Agreement. The time requirements of Code and Rules shall apply to completion of required tasks.

E. No Third Party Beneficiaries.

Enforcement of the terms and conditions of this Agreement and all rights of action relating to such enforcement shall be strictly reserved to the parties, and nothing contained herein shall give or allow any such claim or right of action by any other person or City.

F. Governing Law; Jurisdiction & Venue.

This Agreement, the interpretation thereof, and the rights of the parties under it will be governed by, and construed in accordance with, the laws of the State of Colorado. The courts of the State of Colorado shall have sole and exclusive jurisdiction of any disputes or litigation arising under this Agreement. Venue for any and all legal actions arising shall lie in the District Court in and for the County of Alamosa, State of Colorado.

G. Headings.

The section headings in this Agreement are for reference only and shall not affect the interpretation or meaning of any provision of this Agreement.

H. Severability.

If any provision of this Agreement is declared by a court of competent jurisdiction to be invalid, void or unenforceable, such provision shall be deemed to be severable, and all other provisions of this Agreement shall remain fully enforceable, and this Agreement shall be interpreted in all respects as if such provision were omitted.

ALAMOSA COUNTY ESTIMATED
ELECTION COSTS
GENERAL ELECTION 2016
EXHIBIT A

Voting System Components Leased	$4400.00
Ballot Lay Out and Programming Fees	$4400.00
Ballot Insertion & Mailing Fees	$3400.00
Ballot Printing & Envelopes	$4500.00
Publications	$1000.00
Election Judges & Canvass Board	$2800.00
Totals	$20,500.00

Cost is figured by total number of active electors in each entity divided by the total cost of the election.

Alamosa School Dist	6677	37%	$7585.00
City of Alamosa	3748	21%	$4305.00
Sargent School Dist RE-33J	85	1%	$ 205.00
Alamosa County	7378	41%	$8405.00

EXHIBIT B
AUDIO FOR ACCUVOTE TSX UNIT

In accordance with Secretary of State Rule 10.5, all candidates shall provide an audio recording to the County Clerk no later than the last day upon which the City certifies the ballot content, pursuant to C.R.S. §1-5-203(3)(a). The audio recording of the candidate's name shall be recorded exactly as it is certified to the County Clerk.

The Alamosa County Clerk and Recorder's office will contact the City if pronunciation guidelines on any ballot race(s), ballot issue(s) and/or ballot question(s) are needed.

Please contact our office at 719-589-6681 if you have any questions or need additional information.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective upon the date first above written.

ALAMOSA COUNTY, COLORADO
CLERK AND RECORDER

Date: July 18, 2016

Melanie Woodward

ALAMOSA COUNTY SEAL COLORADO

Date: ______________________

CITY OF ALAMOSA

____
MAYOR

ATTEST:

____
City Clerk

ALAMOSA CITY COUNCIL
COUNCIL COMMUNICATION

Subject/Title:
Consideration of resolutions setting ballot language on marijuana questions.

Recommended Action:
Staff recommends that Council discuss if it wishes to place items on the November 8th ballot related to marijuana and if so, which items it desires to place before voters. Note that September 9 is the last day to certify the Secretary of State and to the Alamosa County Clerk and Recorder.

Background:
City Council held a work session on August 10, 2016 regarding the potential of placing legalization of marijuana activities currently prohibited within the city. This work session was prompted in part because of a petition being circulated to place a question on the November 8th ballot. Given the language of that circulated petition and the potential need to add an item for taxation, staff felt that a work session was needed to continue the discussion of the marijuana items. On Monday, August 8th, it became apparent that the circulators of the petition did not collect enough signatures to place the question on the November 8th ballot.

Based on the discussion at the August 10th work session, the City Attorney drafted a resolution referring ballot measures to the voters concerning marijuana. There are 6 types of facilities as the marijuana statutes break them down that Council should discuss:

1) Medical marijuana centers
2) Retail Marijuana stores
3) Medical marijuana optional premises cultivation operation
4) Retail marijuana cultivation facility
5) Medical marijuana-infused products manufacturers
6) Retail marijuana products manufacturers

Attached is a document that contains the constitutional and statutory definitions of each of these kinds of marijuana facilities. One resolution is drafted with a tax associated with every kind of facility, i.e. with every step in the sale of marijuana and marijuana products. A vote to allow that type of marijuana facility would also be a vote to allow the tax related to that facility. The City Attorney also drafted a resolution that would pull the tax question out as a separate question. Finally, also attached is a table from CML of all of the ballot questions presented on marijuana taxation.

Issue Before the Council:
Does Council wish to place questions on the November 8th ballot related to the legalization of marijuana activities currently prohibited within city limits?

Alternatives:
Council can decide to place all six facilities before the voters, pick and choose among the six options, or not place any question on the November 8th ballot. Additionally, Council can decide if placing a question on the ballot, does it wish to have the tax language included with each question.

Fiscal Impact:
Staff is unable to quantify the fiscal impact at this point without further details such as number of potential licenses and potential tax amounts.

Legal Opinion:
The City Attorney will be present for questions.

Conclusion:
Council should finish its consideration of the six marijuana facilities and determine if it wishes to place any of the six facilities before voters on the November 8th ballot.

ATTACHMENTS:

	Description	Type
🗋	Resolution Setting Ballot Title for Marijuana Questions Separate Tax and Allowance Form Excise and Sales Tax Language	Backup Material
🗋	Resolution Setting Ballot Title for Marijuana Questions Combining Tax and Allowance of Facilities	Backup Material
🗋	Definitions	Backup Material
🗋	CML Information	Backup Material
🗋	Amdendment 64 2012 Election Results by Precinct	Backup Material
🗋	Referendum 1A 2014 Election Results by Precinct	Backup Material
🗋	Precinct Map	Backup Material

CITY OF ALAMOSA, COLORADO

RESOLUTION NO. ___-2016

A RESOLUTION AUTHORIZING THE SUBMISSION OF BALLOT QUESTIONS TO THE VOTERS OF THE CITY OF ALAMOSA CONCERNING ALLOWING CERTAIN MARIJUANA FACILITIES WITHIN THE CITY OF ALAMOSA AND THE IMPOSITION OF A TAX ON SALES OF MARIJUANA AND MARIJUANA PRODUCTS IN THE CITY OF ALAMOSA

WHEREAS, Colorado voters have approved amendments to the Colorado Constitution, found at Article XVIII, Sections 14 and 16, which allow for the sale, manufacturing, cultivation, and, in the case of Section 16, testing of both medical and retail marijuana products in the State of Colorado; and

WHEREAS, through enactment of Ordinance No. 21, 2010, codified at Chapter 10, Article X of the *Code of Ordinances of the City of Alamosa,* the City of Alamosa has prohibited medical marijuana facilities, otherwise authorized by the Colorado Constitution under Article XVIII, Section 14; and

WHEREAS, through enactment of Ordinance No. 10, 2013, codified at Chapter 10, Article XI of the *Code of Ordinances of the City of Alamosa,* the City of Alamosa has prohibited retail marijuana facilities, including retail marijuana testing facilities, otherwise authorized by the Colorado Constitution under Article XVIII, Section 16; and

WHEREAS, through enactment of Ordinance No. 1, 2016, codified at Chapter 10, Article XII of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has allowed marijuana testing facilities in areas of the City zoned industrial; and

WHEREAS, the City Council has authority pursuant to C.R.S. § 31-11-111(2) to refer ballot questions to the voters of the City of Alamosa; and

WHEREAS the City Council finds it to be in the best interests of the City of Alamosa to refer the question of allowing additional marijuana facilities within the City of Alamosa to the registered electors of the City; and

WHEREAS, Article X, Section 20 of the Colorado Constitution ("TABOR") requires voter approval for any new tax, tax rate increases, mill levy above that for the prior year, and the creation of debt and for spending above the limits established by TABOR; and

WHEREAS, the City Council finds it to be in the best interests of the City of Alamosa to request the voters to approve an increase in taxes through the imposition of a sales or excise tax on marijuana and marijuana products in the event that the voters determine that marijuana facilities of any type should be allowed within the City; and

WHEREAS, Ordinance No. 2, 1993, of the City of Alamosa, Colorado, codified at *Code of Ordinances of the City of Alamosa* Section 5-9, authorizes the City to utilize the requirements and procedures of the *Uniform Election Code of 1992,* Article 1 to 13 of Title 1, C.R.S, in lieu of the *Municipal Election Code of 1965,* and as an alternative thereto; and

WHEREAS, said Ordinance enables the City to determine on an election-by-election basis whether to utilize the *Uniform Election Code of 1992,* and to make such determination by resolution; and

WHEREAS, the City Council has determined that is in the best interest of the City to conduct a coordinated election pursuant to the *Uniform Election Code of 1992,* for the election scheduled for November 8, 2016; and

WHEREAS, the City Council has entered or will enter into an intergovernmental agreement with the Alamosa County Clerk and Recorder to conduct the November 8, 2016 election as a coordinated election with the City of Alamosa;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Alamosa, Colorado:

1. An election shall be held as a coordinated election with the regular election on Tuesday, November 8, 2016, at which election there shall be submitted to the eligible electors of the City ____(#) ballot issues and/or questions concerning marijuana. The ballot issues and questions shall be in substantially the following form:

Ballot Title and Text of Ballot Issue 1 (sales and excise taxes on marijuana)

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY $ 750,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX IN THE AMOUNT OF 10% OF THE AMOUNT PAID BY THE PURCHASER ON ANY FIRST TRANSFER OF MEDICAL OR RETAIL MARIJUANA FROM A CULTIVATION FACILITY, MEDICAL MARIJUANA CENTER, OR MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION, AN EXCISE TAX OF 10% OF THE AMOUNT PAID BY THE PURCHASER ON ANY FIRST TRANSFER OF MEDICAL OR RETAIL MARIJUANA PRODUCT FROM A MEDICAL MARIJUANA-INFUSED PRODUCT MANUFACTURER OR A MARIJUANA PRODUCTS MANUFACTURER, AND AN ADDITONAL SALES TAX OF 10 % ON THE SALE OF MARIJUANA AND MARIJUANA PRODUCTS (BOTH MEDICAL AND RETAIL), ONLY IN THE EVENT THAT MARIJUNA FACILITIES ARE PERMITTED IN THE CITY OF ALAMOSA BASED UPON AN AFFIRMATIVE VOTE OF THE QUALIFIED ELECTORS OF THECITY OF ALAMOSA, WITH THE RESULTING SALES TAX RATES BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, NOTWITHSTANDING ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION ANY OTHER LIMITATIONS PROVIDED BY LAW?

Ballot Title and Text of Ballot Question 2 (allowance of medical marijuana centers)**:**

Shall the city of Alamosa allow the establishment and operation of medical marijuana centers as that term is defined in the medical marijuana code, C.R.S. § 12-43.3-101 et seq., subject to appropriate local licensing and regulation?

Ballot Title and Text of Ballot Question 3 (allowance of retail marijuana stores)**:**

Shall the city of Alamosa allow the establishment and operation of retail marijuana stores as that term is defined in the retail marijuana code, C.R.S. § 12-43.4-101 et seq., subject to appropriate local licensing and regulation?

Ballot Title and Text of Ballot Question 4 (allowance of medical marijuana optional premises cultivation operations):

Shall the city of Alamosa allow the establishment and operation of optional premises cultivation operations as that term is defined in the medical marijuana code, C.R.S. § 12-43.3-101 et seq., subject to appropriate local licensing and regulation?

Ballot Title and Text of Ballot Question 5 (allowance of retail marijuana cultivation)

Shall the city of Alamosa allow the establishment and operation of retail marijuana cultivation facilities as that term is defined in the retail marijuana code, C.R.S. § 12-43.4-101 et seq., subject to appropriate local licensing and regulation?

Ballot Title and Text of Ballot Question 6 (allowance of medical marijuana-infused products manufacturers):

Shall the city of Alamosa allow the establishment and operation of medical marijuana-infused products manufacturers as that term is defined in the medical marijuana code, C.R.S. § 12-43.3-101 et seq., subject to appropriate local licensing and regulation?

Ballot Title and Text of Ballot Question 7 (allowance of retail marijuana products manufacturers)**:**

Shall the city of Alamosa allow the establishment and operation of retail marijuana products manufacturers that term is defined in the retail marijuana code, C.R.S. § 12-43.4-101 et seq., subject to appropriate local licensing and regulation?

2. The City Clerk is hereby directed to act as the City's Election Official and participate in the preparation for the election with the Alamosa County Clerk and Recorder; and to take all necessary actions to conduct the special municipal election with the Alamosa County Clerk and Recorder; and to take all necessary actions to conduct the special Municipal Election in accordance with the *Uniform Election Code of 1992,* and all applicable laws.

3. The election shall be conducted as a coordinated mail ballot election in Alamosa County pursuant to the provisions of articles 1 to 13 of title 1, Colorado Revised Statutes (the "Uniform Election Code"). The election shall also be conducted pursuant to the provisions of the Intergovernmental Agreement (the "Intergovernmental Agreement") between the City and the Alamosa County Clerk and Recorder, concerning the conduct of the election as a coordinated mail ballot election under the Uniform Election Code.

4. All acts required or permitted by the Uniform Election Code relevant to voting which are to be performed by the designated election official, shall be performed in the City by the Alamosa County Clerk and Recorder.

5. For purposes of § 1-11-203.5, Colorado Revised Statutes, the ballot titles for the ballot issues contained in this Resolution are hereby determined to be the text of the ballot issues themselves.

6. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution in accordance with Colorado law.

7. All actions not inconsistent with the provisions of this Resolution, heretofore taken by the members of the City Council and the officers and employees of the City, directed toward holding the election for the purposes stated herein are hereby ratified, approved and confirmed.

8. All prior resolutions or orders, or parts thereof, by the City Council in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed to revive any resolution or order, or part thereof, heretofore repealed.

9. Pursuant to C.R.S. § 1-11-203.5, any election contest arising out of a Ballot Issue or Ballot Question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

10. If any section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution, it being the intention that the various parts hereof are severable.

READ, PASSED AND ADOPTED this 17th day of August, 2016.

____

Josef P. Lucero, Mayor

Attest:

Holly C. Martinez, City Clerk

CITY OF ALAMOSA, COLORADO

RESOLUTION NO. ___-2016

A RESOLUTION AUTHORIZING THE SUBMISSION OF BALLOT QUESTIONS TO THE VOTERS OF THE CITY OF ALAMOSA CONCERNING ALLOWING CERTAIN MARIJUANA FACILITIES WITHIN THE CITY OF ALAMOSA AND THE IMPOSITION OF A TAX ON SALES OF MARIJUANA AND MARIJUANA PRODUCTS IN THE CITY OF ALAMOSA

WHEREAS, Colorado voters have approved amendments to the Colorado Constitution, found at Article XVIII, Sections 14 and 16, which allow for the sale, manufacturing, cultivation, and, in the case of Section 16, testing of both medical and retail marijuana products in the State of Colorado; and

WHEREAS, through enactment of Ordinance No. 21, 2010, codified at Chapter 10, Article X of the *Code of Ordinances of the City of Alamosa,* the City of Alamosa has prohibited medical marijuana facilities, otherwise authorized by the Colorado Constitution under Article XVIII, Section 14; and

WHEREAS, through enactment of Ordinance No. 10, 2013, codified at Chapter 10, Article XI of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has prohibited retail marijuana facilities, including retail marijuana testing facilities, otherwise authorized by the Colorado Constitution under Article XVIII, Section 16; and

WHEREAS, through enactment of Ordinance No. 1, 2016, codified at Chapter 10, Article XII of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has allowed marijuana testing facilities in areas of the City zoned industrial; and

WHEREAS, the City Council has authority pursuant to C.R.S. § 31-11-111(2) to refer ballot questions to the voters of the City of Alamosa; and

WHEREAS the City Council finds it to be in the best interests of the City of Alamosa to refer the question of allowing additional marijuana facilities within the City of Alamosa to the registered electors of the City; and

WHEREAS, Article X, Section 20 of the Colorado Constitution ("TABOR") requires voter approval for any new tax, tax rate increases, mill levy above that for the prior year, and the creation of debt and for spending above the limits established by TABOR; and

WHEREAS, the City Council finds it to be in the best interests of the City of Alamosa to request the voters to approve an increase in taxes through the imposition of a sales or excise tax on marijuana and marijuana products in the event that the voters determine that marijuana facilities of any type should be allowed within the City; and

WHEREAS, Ordinance No. 2, 1993, of the City of Alamosa, Colorado, codified at *Code of Ordinances of the City of Alamosa* Section 5-9, authorizes the City to utilize the requirements and procedures of the *Uniform Election Code of 1992*, Article 1 to 13 of Title 1, C.R.S, in lieu of the *Municipal Election Code of 1965,* and as an alternative thereto; and

WHEREAS, said Ordinance enables the City to determine on an election-by-election basis whether to utilize the *Uniform Election Code of 1992*, and to make such determination by resolution; and

WHEREAS, the City Council has determined that is in the best interest of the City to conduct a coordinated election pursuant to the *Uniform Election Code of 1992*, for the election scheduled for November 8, 2016; and

WHEREAS, the City Council has entered or will enter into an intergovernmental agreement with the Alamosa County Clerk and Recorder to conduct the November 8, 2016 election as a coordinated election with the City of Alamosa;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Alamosa, Colorado:

1. An election shall be held as a coordinated election with the regular election on Tuesday, November 8, 2016, at which election there shall be submitted to the eligible electors of the City **____**(#) ballot issues and/or questions concerning marijuana. The ballot issues and questions shall be in substantially the following form:

Ballot Title and Text of Ballot Issue 1 (medical marijuana centers)**:**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY $ 350,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITONAL SALES TAX OF UP TO 10 % ON THE SALE OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS, AS THOSE TERMS ARE DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., WITH THE SALES TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA CENTERS AS THAT TERM IS DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

Ballot Title and Text of Ballot Issue 2 (retail marijuana stores)**:**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY $ 450,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITONAL SALES TAX OF UP TO 10 % ON THE SALE OF RETAIL MARIJUANA OR MARIJUANA PRODUCTS, WITH THE SALES TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF RETAIL MARIJUANA STORES AS THAT TERM IS DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

Ballot Title and Text of Ballot Issue 3 (medical marijuana optional premises cultivation operations):

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY $ 350,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 10 % OF THE PRICE PAID BY THE PURCHASER OF MEDICAL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM AN OPTIONAL PREMISES CULTIVATION OPERATION TO A MEDICAL MARIJUANA FACILITY OR A MARIJUANA-INFUSED PRODUCT MANUFACTURING FACILITY AS THOSE TERMS ARE DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ.,WITH THE EXCISE TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF OPTIONAL PREMISES CULTIVATON OPERATIONS AS THAT TERM IS DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

Ballot Title and Text of Ballot Issue 4 (retail marijuana cultivation)

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY $ 450,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 10 % OF

THE PRICE PAID BY PURCHASER OF UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA STORE OR A RETAIL MARIJUANA PRODUCTS MANUFACTURER AS THOSE TERMS ARE DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ.,WITH THE EXCISE TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF RETAIL MARIJUANA CULTIVATON FACILITIES AS THAT TERM IS DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

Ballot Title and Text of Ballot Issue 5 (medical marijuana-infused products manufacturers):

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY $ 350,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 10 % OF THE PRICE PAID BY THE PURCHASER OF MEDICAL MARIJUANA-INFUSED PRODUCTS ON THE DATE THAT THEY ARE FIRST SOLD OR TRANSFERRED FROM A MEDICAL MARIJUANA-INFUSED PRODUCTS MANURACTURER TO A MEDICAL MARIJUANA FACILITY AS THOSE TERMS ARE DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ.,WITH THE EXCISE TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS AS THAT TERM IS DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

Ballot Title and Text of Ballot Issue 6 (retail marijuana products manufacturers)**:**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY $ 450,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 10 % OF THE PRICE PAID BY THE PURCHASER OF RETAIL MARIJUANA PRODUCTS ON THE DATE THAT THEY ARE FIRST SOLD OR TRANSFERRED FROM RETAIL MARIJUANA PRODUCTS MANUFACTURER TO A RETAIL MARIJUANA STORE AS THOSE TERMS ARE DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ.,WITH

THE EXCISE TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF RETAIL MARIJUANA PRODUCTS MANUFACTURERS THAT TERM IS DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

2. The City Clerk is hereby directed to act as the City's Election Official and participate in the preparation for the election with the Alamosa County Clerk and Recorder; and to take all necessary actions to conduct the special municipal election with the Alamosa County Clerk and Recorder; and to take all necessary actions to conduct the special Municipal Election in accordance with the *Uniform Election Code of 1992,* and all applicable laws.

3. The election shall be conducted as a coordinated mail ballot election in Alamosa County pursuant to the provisions of articles 1 to 13 of title 1, Colorado Revised Statutes (the "Uniform Election Code"). The election shall also be conducted pursuant to the provisions of the Intergovernmental Agreement (the "Intergovernmental Agreement") between the City and the Alamosa County Clerk and Recorder, concerning the conduct of the election as a coordinated mail ballot election under the Uniform Election Code.

4. All acts required or permitted by the Uniform Election Code relevant to voting which are to be performed by the designated election official, shall be performed in the City by the Alamosa County Clerk and Recorder.

5. For purposes of § 1-11-203.5, Colorado Revised Statutes, the ballot titles for the ballot issues contained in this Resolution are hereby determined to be the text of the ballot issues themselves.

6. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution in accordance with Colorado law.

7. All actions not inconsistent with the provisions of this Resolution, heretofore taken by the members of the City Council and the officers and employees of the City, directed toward holding the election for the purposes stated herein are hereby ratified, approved and confirmed.

8. All prior resolutions or orders, or parts thereof, by the City Council in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed to revive any resolution or order, or part thereof, heretofore repealed.

9. Pursuant to C.R.S. § 1-11-203.5, any election contest arising out of a Ballot Issue or Ballot Question election concerning the order of the ballot or the form or content of the ballot

title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

10. If any section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution, it being the intention that the various parts hereof are severable.

READ, PASSED AND ADOPTED this 17th day of August, 2016.

____
Josef P. Lucero, Mayor

Attest:

____
Holly C. Martinez, City Clerk

EXCERPTED STATUTORY AND CONSTITUTIONAL DEFINITIONS RELATING TO MARRIJUANA AND MARIJUANA REGULATIONS

1. MEDICAL MARIJUANA

CONSTITUTION OF THE STATE OF COLORADO
Article XVIII. Miscellaneous
§ 14. Medical use of marijuana for persons suffering from debilitating medical conditions

(1) As used in this section, these terms are defined as follows:

(a) "Debilitating medical condition" means:

(I) Cancer, glaucoma, positive status for human immunodeficiency virus, or acquired immune deficiency syndrome, or treatment for such conditions;

(II) A chronic or debilitating disease or medical condition, or treatment for such conditions, which produces, for a specific patient, one or more of the following, and for which, in the professional opinion of the patient's physician, such condition or conditions reasonably may be alleviated by the medical use of marijuana: cachexia; severe pain; severe nausea; seizures, including those that are characteristic of epilepsy; or persistent muscle spasms, including those that are characteristic of multiple sclerosis; or

(III) Any other medical condition, or treatment for such condition, approved by the state health agency, pursuant to its rule making authority or its approval of any petition submitted by a patient or physician as provided in this section.

(b) "Medical use" means the acquisition, possession, production, use, or transportation of marijuana or paraphernalia related to the administration of such marijuana to address the symptoms or effects of a patient's debilitating medical condition, which may be authorized only after a diagnosis of the patient's debilitating medical condition by a physician or physicians, as provided by this section.

C.R.S. § 12-43.3-104 – Medical Marijuana Definitions

(7) "Medical marijuana" means marijuana that is grown and sold pursuant to the provisions of this article and for a purpose authorized by section 14 of article XVIII of the state constitution but shall not be considered a nonprescription drug for purposes of section 12-42.5-102(21) or 39-26-717, C.R.S., or an over-the-counter medication for purposes of section 25.5-5-322, C.R.S.

(8) "Medical marijuana center" means a person licensed pursuant to this article to operate a business as described in section 12-43.3-402 that sells medical marijuana to registered patients or primary caregivers as defined in section 14 of article XVIII of the state constitution, but is not a primary caregiver.

(9) "Medical marijuana-infused product" means a product infused with medical marijuana that is intended for use or consumption other than by smoking, including but not limited to edible products, ointments, and tinctures. These products, when manufactured or sold by a licensed medical marijuana center or a medical marijuana-infused product manufacturer, shall not be considered a food or drug for the purposes of the "Colorado Food and Drug Act", part 4 of article 5 of title 25, C.R.S.

(10) "Medical marijuana-infused products manufacturer" means a person licensed pursuant to this article to operate a business as described in section 12-43.3-404.

(11) “Optional premises" means the premises specified in an application for a medical marijuana center license with related growing facilities in Colorado for which the licensee is authorized to grow and cultivate marijuana for a purpose authorized by section 14 of article XVIII of the state constitution.

(12) "Optional premises cultivation operation" means a person licensed pursuant to this article to operate a business as described in section 12-43.3-403.

2. RETAIL MARIJUANA

CONSTITUTION OF THE STATE OF COLORADO
Article XVIII. Miscellaneous
§ 16. Personal use and regulation of marijuana

(2) Definitions. As used in this section, unless the context otherwise requires,

(f) "Marijuana" or "marihuana" means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marihuana concentrate. "Marijuana" or "marihuana" does not include industrial hemp, nor does it include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

(h) "Marijuana cultivation facility" means an entity licensed to cultivate, prepare, and package marijuana and sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.

(j) "Marijuana product manufacturing facility" means an entity licensed to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.

(k) "Marijuana products" means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.

(n) "Retail marijuana store" means an entity licensed to purchase marijuana from marijuana cultivation facilities and marijuana and marijuana products from marijuana product manufacturing facilities and to sell marijuana and marijuana products to consumers.

C.R.S. § 12-43.4-103 - Retail Marijuana Definitions

(15) "Retail marijuana" means "marijuana" or "marihuana", as defined in section 16 (2) (f) of article XVIII of the state constitution, that is cultivated, manufactured, distributed, or sold by a licensed retail marijuana establishment.

(16) "Retail marijuana cultivation facility" has the same meaning as "marijuana cultivation facility" as defined in section 16 (2) (h) of article XVIII of the state constitution.

(17) "Retail marijuana establishment" means a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana products manufacturer, or a retail marijuana testing facility.

(19) "Retail marijuana products manufacturer" has the same meaning as "marijuana product manufacturing facility" as defined in section 16 (2) (j) of article XVIII of the state constitution.

(20) "Retail marijuana store" has the same meaning as defined in section 16 (2) (n) of article XVIII of the state constitution.

	Retail Marijuana Taxation Ballot Questions - thru Fall 2015	
Municipality	Ballot Language	Pass/Fail; Y-N
FALL 2013		
	Sales Tax Measures	
CARBONDALE	2C: SHALL THE TOWN OF CARBONDALE'S TAXES BE INCREASED BY $394,875 IN THE FIRST FULL FISCAL YEAR, BEGINNING JANUARY 1, 2014, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND AN EXCISE TAX OF 5% OF THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTNATION FACILITY TO A RETAIL MARIJUANA STORE OR RETAIL MARIJUANA PRODUCTS MANUFACTURER, WITH THE RESULTING SALES OR EXCISE TAX RATES CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, NOTWITHSTANDING ANY OTHER LIMITATIONS PROVIDED BY LAW, AND USED TO FUND THE ENFORCEMENT OFREGULATIONS ON THE RETAIL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION, AND OTHER TOWN EXPENSES?	PASS, 1162-425
DENVER	Referred Question 2A "SHALL CITY TAXES BE INCREASED BY $4.48 MILLION ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 3.5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE TAX REVENUES BEING USED TO FUND THE ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION INCLUDING PREVENTION OF UNDERAGE CONSUMPTION, AND OTHER CITY EXPENSES, 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 15%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW?"	PASS, 69%-31%
FRASER	Referred Measure 2C SHALL TOWN OF FRASER TAXES BE INCREASED BY $100,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING A RETAIL MARIJUANA TAX OF FIVE PERCENT (5%) ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WHICH SHALL BE IN ADDITION TO THE MUNICIPAL SALES TAX ON SUCH SALES; AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT TO PROMOTE THE GENERAL PURPOSES OF THE TOWN OF FRASER AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 219-85
LITTLETON	Ballot Issue 2E SHALL CITY OF LITTLETON TAXES BE INCREASED BY AN ESTIMATED $120,000 IN 2014 (THE FIRST FULL FISCAL YEAR) AND WHATEVER AMOUNTS MAY BE COLLECTED IN FUTURE YEARS BY ADDING A NEW CHAPTER 22 TO TITLE 3 OF THE CITY CODE OF THE CITY OF LITTLETON TO IMPOSE A TAX OF THREE PERCENT (3%) OF THE PURCHASE PRICE PAID OR CHARGED FOR SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS IN THE CITY OF LITTLETON IN ADDITION TO THE SALES TAX AND ANY OTHER STATE TAX IMPOSED ON SUCH SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS? AND SHALL ALL REVENUE RECEIVED FROM SUCH TAX INCREASE AND ANY INVESTMENT INTEREST THEREON BE A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 63.8%-36.1%
MANITOU SPRINGS	2A - CITY OF MANITOU SPRINGS SHALL CITY OF MANITOU SPRINGS' TAXES BE INCREASED BY ONE HUNDRED TWENTY TWO THOUSAND DOLLARS ($122,000.00) ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 10%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT BY THE CITY WITHOUT REGARD TO ANY EXPENDITURE, REVENUERAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 66%-33%

MOUNTAIN VIEW	BALLOT ISSUE NO. 1 SHALL TOWN OF MOUNTAIN VIEW TAXES BE INCREASED $100,000.00 ANNUALLY IN THE FIRST FISCAL YEAR AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR BY THE IMPOSITION OF A 5% TAX ON THE PURCHASE OR SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, COMMENCING ON JANUARY 1, 2014, THE PROCEEDS OF SUCH TAX TO BE USED FOR POLICE PROTECTION, COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, AND RELATED SERVICES, AND SHALL THE PROCEEDS OF SUCH TAX AND INVESTMENT INCOME THEREON CONSTITUTE VOTER-APPROVED REVENUE CHANGES AND BE COLLECTED AND SPENT BY THE TOWN WITHQUTREGAR.D TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 86-34
NORTHGLENN	SHALL CITY OF NORTHGLENN TAXES BE INCREASED BY FOUR HUNDRED FIFTY THOUSAND DOLLARS ($450,000) ANNUALLY IN THE FIRST FISCAL YEAR, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING A NEW SALES TAX OF TWO PERCENT (2%) ON THE SALE OF RETAIL MARIJUANA AND MEDICAL MARIJUANA, AND RETAIL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS, WHICH SHALL BE IN ADDITION TO THE MUNICIPAL SALES TAX ON SUCH SALES, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT TO BE USED EXCLUSIVELY FOR THE CONSTRUCTION OF PUBLIC FACILITIES, INCLUDING, BUT NOT LIMITED TO, THE NORTHGLENN RECREATION CENTER, THE NORTHGLENN SENIOR CENTER, AND THE NORTHGLENN THEATRE AS A VOTER APPROVED REVENUE CHANGE WITHOUT REGARD TO ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 6791-3926
RED CLIFF	2G: SHALL TOWN OF RED CLIFF TAXES BE INCREASED BY $50,000.00 IN THE FISCAL YEAR COMMENCING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014 AND BY SUCH AMOUNTS AS MAY BE COLLECTED ANNUALLY THEREAFTER BY THE IMPOSITION ON JANUARY 1, 2014 OF A NEW SALES TAX ON THE RETAIL SALE OF MARIJUANA, MARIJUANA PRODUCTS AND MARIJUANA ACCESSORIES BY LICENSED MARIJUANA ESTABLISHMENTS AT A RATE OF UP TO 5 PERCENT (5%), AND BY THE IMPOSITION ON JANUARY 1, 2014 OF A NEW EXCISE TAX ON THE SALE OF MARIJUANA BY A MARIJUANA CULTIVATION FACILITY TO ANOTHER LICENSED MARIJUANA ESTABLISHMENT AT A RATE OF UP TO 15 PERCENT (15%), WITH SUCH ADDITIONAL REVENUES AS ARE GENERATED BY THE NEW TAX TO BE COLLECTED, RETAINED AND SPENT FOR THE PURPOSE OF FUNDING MUNICIPAL SERVICES AND OPERATIONS AND/OR OTHER LAWFUL GENERAL MUNICIPAL PURPOSES, AS A VOTER APPROVED REVENUE CHANGE, OFFSET AND EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 53-27
	Excise Tax Measures	
BOULDER	BALLOT ISSUE NO. 2A: RECREATIONAL MARIJUANA TAX SHALL CITY OF BOULDER TAXES BE INCREASED BY ($3,360,000 FIRST FULL FISCAL YEAR DOLLAR INCREASE) ANNUALLY AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN EXCISE TAX OF 5 PERCENT IN 2014 AND UP TO 10 PERCENT THEREAFTER ON THE CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF TRANSFER FROM THE CULTIVATION FACILITY AND AN ADDITIONAL SALES AND USE TAX OF 3.5 PERCENT IN 2014 AND UP TO 10 PERCENT THEREAFTER ON RECREATIONAL MARIJUANA AS PROVIDED IN ORDINANCE NO. 7916 COMMENCING JANUARY 1, 2014 WITH SUFFICIENT REVENUES FROM THE EXCISE AND SALES AND USE TAX TO BE USED FOR PUBLIC SAFETY, ENFORCEMENT AND ADMINISTRATIVE PURPOSES AND FOR COMPREHENSIVE SUBSTANCE ABUSE PROGRAMS INCLUDING WITHOUT LIMITATION PREVENTION, TREATMENT, EDUCATION, RESPONSIBLE USE, INTERVENTION, AND MONITORING, WITH AN EMPHASIS ON YOUTH, AND WITH THE REMAINDER USED BY THE GENERAL FUND; 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	PASS, 18,461-9,295
BRECKENRIDGE	2C: SHALL TOWN OF BRECKENRIDGE TAXES BE INCREASED BY SEVEN HUNDRED FIFTY THOUSAND DOLLARS ($750,000) IN THE FISCAL YEAR COMMENCING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 2014, A NEW EXCISE TAX ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS DEFINED IN THE COLORADO RETAIL MARIJUANA CODE AND APPLICABLE TOWN ORDINANCES, AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, IN ACCORDANCE WITH ORDINANCE NO. 29, SERIES 2013, WHICH IS HEREBY APPROVED; AND SHALL THE REVENUE RECEIVED BY THE TOWN FROM THE COLLECTION OF SUCH NEW TAX BE USED TO PAY OR REIMBURSE THE TOWN FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE TOWN FOR ADEQUATE 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 TOWN; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION ?	PAS,S 73%-27%

FRISCO	2A: SHALL TOWN OF FRISCO TAXES BE INCREASED BY TWO HUNDRED SEVENTYFIVE THOUSAND DOLLARS ($275,000) IN THE FISCAL YEAR COMMENCING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A NEW EXCISE TAX, EFFECTIVE JANUARY 1, 2014, ON THE AUTHORIZED (UNDER STATE LAW) RETAIL SALE WITHIN THE TOWN OF MARIJUANA IN ANY FORM, INCLUDING BUT NOT LIMITED TO, A MARIJUANA PRODUCT AS DEFINED BY STATE LAW, AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OF THE MARIJUANA, IN ACCORDANCE WITH TOWN OF FRISCO ORDINANCE 13-_; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION ?	PASS, 78%-22%
SILVERTHORNE	2F: SHALL TOWN OF SILVERTHORNE TAXES BE INCREASED BY $100,000.00 IN CALENDAR YEAR 2014 AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR, BY THE IMPOSITION OF AN EXCISE TAX ON THE SALE OF MARIJUANA AND MARIJUANA PRODUCTS (AS SUCH ARE AUTHORIZED BY STATE LAW, (WITH THE EXCEPTION OF MEDICAL MARIJUANA AND PRODUCTS RELATED THERETO), COMMENCING JANUARY 1, 2014 AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER, WHICH TAX REVENUES SHALL BE EXPENDED FOR, BUT NOT BE LIMITED TO: • MENTAL HEALTH SUPPORT SERVICES WITHIN THE TOWN, AND • DUI ENFORCEMENT WITHIN THE TOWN, AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND SPEND THE REVENUES FROM SUCH TAX, INCLUDING ALL INTEREST DERIVED THEREFROM, WITHOUT REGARD TO THE REVENUE RAISING, DEBT LIMITATION OR OTHER RESTRICTIONS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 72.1%-27.9%
	Occupation Tax Measures	
EAGLE	2F: SHALL THE TOWN OF EAGLE’S TAXES BE INCREASED BY $50,000.00 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE LEVY OF AN OCCUPATION TAX UP TO $5.00 FOR EACH SALES TRANSACTION BY ANY RETAIL MARIJUANA STORE, ANY RETAIL MARIJUANA CULTIVATION FACILITY AND ANY RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN OF EAGLE, EFFECTIVE JANUARY 1, 2014; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES OR ANY OTHER LAW?	PASS, 1298-643
SPRING 2014		
	Sales Tax Measures	
Black Hawk	Ballot Issue #1: Shall City taxes be increased by imposing a new sales tax of 5% on sale of retail marijuana & medical marijuana and retail marijuana & medical marijuana products.	PASS, 40-4
Silverton	REFERRED MEASURE A SHALL THE TOWN OF SILVERTON'S TAXES BE INCREASED BY $20,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 1% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE TAX REVENUES BEING USED TO FUND THE ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION INCLUDING PREVENTION OF UNDERAGE CONSUMPTION, AND OTHER GENERAL PURPOSES OF THE TOWN, 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 1%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER SPENDING, REVENUE-RAISING, OR OTHER LIMITATIONS PROVIDED BY LAW?	PASS, 348-64
	Excise Tax Measures	

Dillon	SHALL THE TOWN OF DILLON TAXES BE INCREASED BY ONE HUNDRED THOUSAND DOLLARS ($100,000) IN 2015 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING EFFECTIVE January 1, 2015, A NEW EXCISE TAX ON (1) the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility and (2) THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS permitted by Article XVIII, Section 16 of the Colorado Constitution but not on the sale of medical marijuana pursuant to Article XVIII, Section 14 of the Colorado Constitution, AT THE RATE OF FIVE PERCENT (which rate may be adjusted from time to time by the Council so long as it does not exceed five percent) OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE COUNCIL; AND SHALL THE REVENUE RECEIVED BY THE TOWN FROM THE COLLECTION OF SUCH NEW TAX BE USED TO PAY OR REIMBURSE THE TOWN FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE TOWN FOR ADEQUATE 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 TOWN; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 115-34
Fruita	Referred Issue B: SHALL THE CITY OF FRUITA'S TAXES BE INCREASED BY $100,000 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE), AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A MARIJUANA EXCISE TAX AT THE RATE OF 5% OF THE PRICE PAID FOR THE PURCHASE OF RETAIL MARIJUANA, RETAIL MARIJUANA PRODUCTS AND RETAIL MARIJUANA ACCESSORIES WITH SUCH REVENUE TO BE USED FOR ADDITIONAL COSTS INCURRED FOR ADEQUATE ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY, AND ADMINISTRATION OF RETAIL MARIJUANA REGULATIONS AND OTHER GENERAL PURPOSES OF THE CITY; AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION?	PASS, 1913-1425
Larkspur	SHALL THE TOWN OF LARKSPUR, COLORADO ENACT ORDINANCE 7.85 TO ADOPT AN ADULT USE MARIJUANA EXCISE TAX OF 5% ON THE PRICE PAID FOR RETAIL MAIJUANA, RETAIL MARIJUANA PRODUCTS, AND RETAIL MARIJUANA ACCESSORIES TO COVER THE COST OF ADMINISTRATIVE AND ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY AS ALLOWED UNDER AMENDMENT 64 OF THE COLORADO CONSTITUTION?	FAIL, 23-75
Silverton	REFERRED MEASURE B SHALL THE TOWN OF SILVERTON TAXES BE INCREASED BY $60,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING A 3% WHOLESALE EXCISE TAX ON ALL MARIJUANA WHOLESALE TRANSACTIONS, WITH THE TAX REVENUES BEING USED TO FUND THE ENFORCEMENT OF REGULATIONS ON THE RETAIL AND MEDICAL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION INCLUDING PREVENTION OF UNDERAGE CONSUMPTION, AND OTHER GENERAL PURPOSES OF THE TOWN, WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHERVOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 3%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER SPENDING, REVENUE-RAISING, OR OTHER LIMITATIONS PROVIDED BY LAW?	PASS, 331-79
	Occupation Tax Measures	

Mancos	SHALL THE TOWN OF MANCOS TAXES BE INCREASED BY $50,000 IN 2015 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE), AND BY WHATEVER ADDrTIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTrVE JANUARY I, 2015. A NEW OCCUPATION TAX ON THE OCCUPATION OF SELLING WITHIN THE TOWN RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION (BUT NOT ON THE SALE OF MEDICAL MARIJUANA PURSUANT TO ARTICLE VIII, SECTION 14 OF THE COLORADO CONSTITUTION), SUCH TAX TO BE IMPOSED AT A MAXIMUM RA TE OF TEN DOLLARS PER SINGLE RETAIL TRANSACTION FOR THE SALE OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS WITHIN THE TOWN (WHICH TAX MAY BE DJUSTED FROM TIME TO TIME BY THE BOARD OF TRUSTEES WITHOUT FURTHER ELECTIONS SO LONG AS IT DOES NOT EXCEED TEN DOLLARS PER RETAIL TRANSACTION) IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE BOARD OF TRUSTEES, ROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF THE SALE OF RETAIL MARIJUANA IS PERMITTED WITHIN THE TOWN, AND NOTHING HEREIN SHALL BE CONSTRUED AS APPROVING THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS; AND SHALL THE PROCEEDS OF ANY SUCH TAXES AND INVESTMENT INCOME THEREON BE COLLECTED AND SPENT BY THE TOWN AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED AND SPENT BY THE TOWN?	PASS, 206-66
Sedgwick	ISSUE 1A SHALL TOWN OF SEDGWICK TAXES BE INCREASED BY $1,000,000.00 (FIRST FULL FISCAL YEAR INCREASE) AND ANNUALLY THEREAFTER IN SUCH AMOUNTS AS ARE RECEIVED EACH YEAR FROM THE LEVY OF AN OCCUPATION TAX AT A RATE OF $5.00 PER SALES TRANSACTION BY ANY RETAIL MARIJUANA STORE WITHIN THE TOWN OF SEDGWICK, TO COMMENCE JULY 1, 2014, AND WITH ALL REVENUES DERIVED FROM SUCH TAX TO BE COLLECTED, RETAINED AND SPENT FOR ANY LAWFUL MUNICIPAL PURPOSE; AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH OCCUPATION 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?	PASS, 27-4
Sedgwick	ISSUE 2A SHALL TOWN OF SEDGWICK TAXES BE INCREASED BY $1,000,000.00 (FIRST FULL FISCAL YEAR INCREASE) AND ANNUALLY THEREAFTER IN SUCH AMOUNTS AS ARE RECEIVED EACH YEAR FROM THE LEVY OF AN OCCUPATION TAX AT A RATE OF $100.00 PER SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY ANY RETAIL MARIJUANA CULTIVATION FACILITY WITHIN THE TOWN OF SEDGWICK, TO COMMENCE JULY 1, 2014, AND WITH ALL REVENUES DERIVED FROM SUCH TAX TO BE COLLECTED, RETAINED AND SPENT FOR ANY LAWFUL MUNICIPAL PURPOSE; AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH OCCUPATION 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?	PASS, 26-5
Fall 2014		
	Sales Tax Measures	
Basalt	SHALL THE TOWN OF BASALT, COLORADO, ACTINGTHROUGH ITS TOWN COUNCIL, BEGINNING JANUARY 1, 2015, BE AUTHORIZED TO IMPOSE AN ADDITIONAL MUNICIPAL SALES TAX OF 5% ON THE SAMPLE SALES OF RETAIL MARIJUANA AND MARIJUANA PRODUCTS WITH THE RESULTING SALES TAX RATE CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE BASALT TOWN COUNCIL, WITH THE RESULTING TAX REVENUES TO BE COLLECTED AND SPENT TO PAY DIRECT AND INDIRECT EXPENSES RELATED TO THE LICENSING AND REGULATION OF THE RETAIL MARIJUANA INDUSTRY, ENFORCEMENT OF MARIJUANA LAWS IN GENERAL, EDUCATION AND PUBLIC HEALTH PROGRAMS TO MITIGATE ANY NEGATIVE CONSEQUENCES ASSOCIATED WITH THE CONSUMPTION OF MARIJUANA AND MARIJUANA PRODUCTS, PROGRAMS TO PREVENT THE ILLEGAL DIVERSION OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS TO PERSONS UNDER THE AGE OF TWENTY-ONE (21); AND TO OTHERWISE PAY THE EXPENSES OF OPERATING AND IMPROVING THE TOWN AND ITS FACILITIES?	PASS, 970-375

Federal Heights	3) SHALL THE CITY OF FEDERAL HEIGHTS' TAXES BE INCREASED BY ($300,000) ANNUALLY BEGINNING IN 2015 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JANUARY 1, 2015, AN ADDITIONAL SALES TAX AT THE RATE OF FIVE PERCENT UPON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHIN THE CITY AS LEGALIZED BY ARTICLE XVIII, SECTION 16, OF THE COLORADO CONSTITUTION (WHICH RATE MAY BE ADJUSTED, FROM TIME TO TIME BY CITY COUNCIL, UPON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHOUT FURTHER VOTER APPROVAL SO LONG AS SUCH RATE DOES NOT EXCEED TEN PERCENT) WITH SUCH SALES TAX TO BE IN ADDITION TO THE APPLICATION OF THE CITY'S SALES TAX AND THE REVENUE RECEIVED BY THE CITY FROM THE COLLECTION OF THE SALES TAX TO BE USED TO PAY OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE CITY RELATED TO THE REGULATION OF THE USE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, TO SUPPORT LOCAL DRUG EDUCATION PROGRAMS, PREVENTION OF UNDERAGE CONSUMPTION OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND FOR OTHER GENERAL PURPOSES OF THE CITY, WITH THE REVENUE FROM SUCH TAX AND ANY EARNINGS FROM THE INVESTMENT THEREOF TO BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 1175-1052
Gunnison	SHALL THE CITY OF GUNNISON TAXES BE INCREASED BY $150,000.00 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION AND ASSESSMENT OF AN ADDITIONAL SALES TAX IN THE AMOUNT OF FIVE PERCENT (5%) ON THE SALE OF MEDICAL MARIJUANA, MEDICAL MARIJUANA INFUSED PRODUCTS, RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AND AN EXCISE TAX IN THE AMOUNT OF FIVE PERCENT (5%) OF THE CASH VALUE OF THE TRANSACTION ON THE SALE BY A RETAIL MARIJUANA CULTIVATION FACILITY OR RETAIL MARIJUANA PRODUCTS MANUFACTURING FACILITY TO A LICENSED MARIJUANA ESTABLISHMENT OUTSIDE THE CITY OF GUNNISON, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX COLLECTED BE SPENT TO DEFRAY COSTS INCURRED IN REGULATING THE MARIJUANA INDUSTRY, FUNDING SOCIAL, RECREATIONAL, AND EDUCATIONAL PROGRAMS WITHIN THE COMMUNITY AS MAY BE DETERMINED BY THE CITY INCLUDING SUBSTANCE ABUSE PREVENTION, EDUCATION AND COUNSELING PROGRAMS, AND TO PROMOTE THE GENERAL PURPOSES OF THE CITY OF GUNNISON AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OF ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION?	PASS, 974-472
Hot Sulphur Springs	SHALL TOWN OF HOT SULPHUR SPRINGS TAXES BE INCREASED BY $60,000 ANNUALLY IN THE FIRST FISCAL YEAR COMMENCING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, AND ONLY IN THE EVENT THAT THE TOWN BOARD OF TRUSTEES TAKES ACTION TO PERMIT THE RETAIL SALE OF MARIJUANA AND MARIJUANA INFUSED PRODUCTS WITHIN THE TOWN, BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW SALES TAX ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS DEFINED IN THE COLORADO RETAIL MARIJUANA CODE AND APPLICABLE TOWN ORDINANCES, AT THE RATE OF TEN PERCENT (10%) OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WHICH IS HEREBY APPROVED; WITH THE RATE OF SUCH SALES TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 15%?	FAIL, 175-154
Lyons	SHALL TOWN OF LYONS TAXES BE INCREASED BY $95,000.00 ANNUALLY IN THE FIRST FULL FISCAL YEAR COMMENCING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW SALES TAX ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS DEFINED IN THE COLORADO RETAIL MARIJUANA CODE AND APPLICABLE TOWN ORDINANCES, AT THE RATE OF THREE POINT FIVE PERCENT (3.5%) OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WHICH IS HEREBY APPROVED; AND SHALL THE REVENUE RECEIVED BY THE TOWN FROM THE COLLECTION OF SUCH NEW TAX BE USED TO PAY OR REIMBURSE THE TOWN FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE TOWN FOR ADEQUATE 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 TOWN, WITH THE RATE OF SUCH SALES TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 10%; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION ?	PASS, 548-154

Northglenn	SHALL CITY OF NORTHGLENN TAXES BE INCREASED BY FOUR HUNDRED FIFTY THOUSAND DOLLARS ($450,000) ANNUALLY IN THE FIRST FISCAL YEAR, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING A NEW SALES TAX OF TWO PERCENT (2%) ON THE SALE OF RETAIL MARIJUANA AND MEDICAL MARIJUANA, AND RETAIL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS, WHICH SHALL BE IN ADDITION TO THE MUNICIPAL SALES TAX ON SUCH SALES, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT TO BE USED EXCLUSIVELY FOR THE CONSTRUCTION OF PUBLIC FACILITIES, INCLUDING, BUT NOT LIMITED TO, THE NORTHGLENN RECREATION CENTER, THE NORTHGLENN SENIOR CENTER, AND THE NORTHGLENN THEATRE AS A VOTER APPROVED REVENUE CHANGE WITHOUT REGARD TO ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 6791-3926
Ouray	SHALL CITY OF OURAY'S TAXES BE INCREASED BY FIFTY-THREE THOUSAND DOLLARS ($53,000.00) IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 10%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT BY THE CITY WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 59-41%
Paonia	SHALL THE TOWN OF PAONIA TAXES BE INCREASED BY $50,000.00 IN 2015 (THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW TAX ON (1) THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AND (2) THE SALE WITHIN THE TOWN OF PAONIA RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII , SECTION 16 OF THE COLORADO CONSTITUTION AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OR TRANSFEREE OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE RATE OF EITHER OR BOTH TAXES 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 BOARD OF TRUSTEES OF THE TOWN OF PAONIA; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF RETAIL MARIJUANA ESTABLISHMENTS ARE PERMITTED WITHIN THE TOWN; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 481-286
Ramah	SHALL THE TOWN OF RAMAH TAXES BE INCREASED BY $50,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A NEW TAX ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OR TRANSFEREE OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, 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 BOARD OF TRUSTEES OF THE TOWN OF RAMAH; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF RETAIL MARIJUANA ESTABLISHMENTS ARE PERMITTED WITHIN THE TOWN; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?	TIE, 28-28
Trinidad	SHALL CITY OF TRINIDAD TAXES BE INCREASED BY $100,000.00 (FIRST FISCAL YEAR DOLLAR INCREASE) IN THE FISCAL YEAR COMMENCING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015 AND BY SUCH AMOUNTS AS MAY BE COLLECTED ANNUALLY THEREAFTER BY THE IMPOSITION ON JANUARY 1, 2015 OF A NEW SALES TAX ON THE RETAIL SALE OF MARIJUANA, MARIJUANA PRODUCTS AND MARIJUANA ACCESSORIES BY LICENSED MARIJUANA ESTABLISHMENTS AT A RATE OF FIVE PERCENT (5%), WITH SUCH ADDITIONAL REVENUES AS ARE GENERATED BY THE NEW TAX TO BE COLLECTED, RETAINED AND SPENT FOR THE PURPOSE OF FUNDING COMMUNITY DEVELOPMENT, PUBLIC SAFETY, YOUTH PROGRAMS, MUNICIPAL SERVICES AND OPERATIONS AND/OR OTHER LAWFUL GENERAL MUNICIPAL PURPOSES, AS A VOTER APPROVED REVENUE CHANGE, OFFSET AND EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 64%-36%
	Excise Tax Measures	

Aurora	SHALL AURORA'S TAXES BE INCREASED BY $2,400,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR OF SUCH INCREASE AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER FROM THE IMPOSITION OF A 5.0% EXCISE TAX ON THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA THAT IS SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY AND AN ADDITIONAL 2.0% SALES AND USE TAX ON THE SALE AND USE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE RATE OF SUCH SALES AND USE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 10%, AND SHALL THE REVENUES FROM SUCH TAXES BE COLLECTED, RETAINED, AND SPENT AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, SECTION 11-27 OF THE AURORA CHARTER, OR ANY OTHER LAW WHICH PURPORTS TO LIMIT AURORA'S REVENUES OR EXPENDITURES?	PASS, 53624-32124
Canon City	SHALL THE CITY OF CAÑON CITY TAXES BE INCREASED BY $100,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A NEW EXCISE TAX ON (1) THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AND (2) THE SALE WITHIN THE CITY OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION AT THE RATE OF FIVE PERCENT (5%) [WHICH RATE MAY BE ADJUSTED FROM TIME TO TIME BY THE COUNCIL SO LONG AS IT DOES NOT EXCEED TEN PERCENT (10%)] OF THE PRICE PAID BY THE PURCHASER OR TRANSFEREE OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE COUNCIL OF CAÑON CITY; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF RETAIL MARIJUANA ESTABLISHMENTS ARE PERMITTED WITHIN THE CITY; AND SHALL THE REVENUE RECEIVED BY THE CITY FROM THE COLLECTION OF SUCH NEW TAX BE USED BY THE CITY TO MAINTAIN, REPAIR AND RECONSTRUCT PUBLIC STREETS 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?	PASS, 3801-2257
De Beque	SHALL THE TOWN OF DE BEQUE'S TAXES BE INCREASED BY $300,000.00 IN CALENDAR YEAR 2015, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT CALENDAR YEAR, BY THE IMPOSITION OF AN EXCISE TAX ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS SUCH ARE AUTHORIZED BY STATE LAW AND BY THE TOWN OF DE BEQUE, COMMENCING JANUARY 1, 2015, AT THE RATE OF FIVE PERCENT (5%) OF THE PURCHASE PRICE PAID BY EACH PURCHASER OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHIN THE TOWN, WHETHER FROM THE SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AND/OR FROM THE SALE OF RETAIL MARIJUANA BY A RETAIL MARIJUANA STORE, AND SHALL ALL SUCH TAX REVENUES BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, NOT WITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN THE COLORADO CONSTITUTION OR OTHER APPLICABLE LAW?	PASS, 81-44
Hot Sulphur Springs	SHALL TOWN OF HOT SULPHUR SPRINGS TAXES BE INCREASED BY $60,000 ANNUALLY IN THE FIRST FISCAL YEAR COMMENCING JANUARY 1, 2015, AND ENDING DECEMBER 31, 2015, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, AND ONLY IN THE EVENT THAT THE TOWN BOARD OF TRUSTEES TAKES ACTION TO PERMIT THE OPERATION OF RETAIL MARIJUANA CULTIVATION FACILITIES WITHIN THE TOWN, BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW EXCISE TAX OF 10%TO BE PAID TO THE TOWN WHEN UNPROCESSED RETAIL MARIJUANA IS FIRST SOLD OR TRANSFERRED BY A RETAIL MARIJUANA CULTIVATION FACILITY; WITH THE RATE OF SUCH EXCISE TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 15%?	FAIL, 175-152

Lafayette	SHALL THE CITY OF LAFAYETTE TAXES BE INCREASED BY $240,000 ANNUALLY BEGINNING IN 2015 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW EXCISE TAX UPON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY WITHIN THE CITY AND UPON THE SALE OR TRANSFER OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHIN THE CITY, ALL AS LEGALIZED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION, AT THE RATE OF FIVE PERCENT (WHICH RATE MAY BE ADJUSTED FROM TIME TO TIME BY THE CITY COUNCIL ON EITHER THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY OR UPON THE SALE OR TRANSFER OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS OR UPON BOTH SUCH SALES OR TRANSFERS WITHOUT FURTHER VOTER APPROVAL SO LONG AS SUCH RATE DOES NOT EXCEED TEN PERCENT), WITH SUCH EXCISE TAX TO BE IN ADDITION TO THE APPLICATION OF THE CITY'S SALES TAX, AND THE REVENUE RECEIVED BY THE CITY FROM THE COLLECTION OF THE EXCISE TAX TO BE USED TO PAY OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BYTHE CITY RELATED TO THE REGULATION OF THE USE OF RETAIL MARIJUANA ANDRETAIL MARIJUANA PRODUCTS, TO SUPPORT LOCAL DRUG EDUCATION PROGRAMS, PREVENT UNDERAGE CONSUMPTION OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND FOR OTHER GENERAL PURPOSES OF THE CITY, AND WITH THE REVENUE FROM SUCH TAX AND ANY EARNINGS FROM THE INVESTMENT THEREOF TO BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 4830-1741
Pueblo	SHALL THE CITY OF PUEBLO'S TAXES BE INCREASED BY $ 986,249 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) BEGINNING JANUARY 1, 2015 AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, THROUGH THE ADOPTION OF ORDINANCE NO. 8754 IMPOSING AN EXCISE TAX OF 8.0 % WHEN UNPROCESSED RETAIL MARIJUANA IS FIRST SOLD OR TRANSFERRED BY A RETAIL MARIJUANA CULTIVATION FACILITY AND BY IMPOSING AN ADDITIONAL SALES TAX OF 4.3 % ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITH THE RATE OF EITHER OR BOTH TAXES BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF EITHER TAX DOES NOT EXCEED 15.0 % AND SHALL ALL REVENUES DERIVED FROM SUCH TAXES BE COLLECTED, RETAINED AND SPENT, NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW, AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY PURSUANT TO ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW AND ALLOWING SUCH REVENUE TO BE EXPENDED AS THE CITY COUNCIL SHALL DETERMINE?	FAIL, 52-48%
Rifle	SHOULD THE CITY OF RIFLE'S TAXES BE INCREASED BY $250,000, BEGINNING JANUARY 1, 2015, AND BY SUCH AMOUNTS THAT ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX IN THE AMOUNT OF 5% OF THE MARKET RATE OF RETAIL MARIJUANA,UPON THE SALE OR TRANSFER OF RETAIL MARIJUANA FROM A RETAIL MARIJUANA CULTIVATION FACILITY WITHIN THE CITY OF RIFLE TO A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, A RETAIL MARIJUANA STORE, ANOTHER RETAIL MARIJUANA CULTIVATION FACILITY OR ANY OTHER PURCHASER OR TRANSFEREE, WITHIN OR WITHOUT THE CITY OF RIFLE; WITH THE MARKET RATE OF MARIJUANA TO EQUAL, IN ANY EVENT,THE AVERAGE MARKET RATE FOR RETAIL MARIJUANAUNDER C.R.S.§ 39-28.8-101, AS THAT CODE SECTION MAY BE AMENDED; WITH THE RESULTING TAX REVENUES TO BE COLLECTED BY THE CITY AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY APPLICABLE REVENUE OR EXPENDITURE LIMITATION IMPOSED BY ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 1451-849
Silver Plume	SHALL THE TOWN OF SILVER PLUMES TAXES BE INCREASED BEGINNING IN CALENDAR YEAR 2015, BY IMPOSING A NEW EXCISE TAX EFFECTIVE JANURARY 1, 2015, ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS SUCH ARE AUTHORIZED BY STATE LAW, AT THE RATE OF FOUR PERCENT OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE RATE OF TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 8% AND THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW?	PASS, 99-7
	Occupation Tax Measures	

Empire	SHALL THE TOWN OF EMPIRE'S TAX REVENUE BE INCREASED BY AN ESTIMATED $1000 ANNUALY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE LEVY OF AN OCCUPATION TAX UP TO $5.00 FOR EACH WHOLESALE TRANSACTION (NON-MEDICAL) OF MARIJUANA OR MARIJUANA PRODUCTS BY ANY ADULT USE MARIJUANA CENTER, MARIJUANA CULTIVATION FACILITY AND MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN OF EMPIRE, EFFECTIVE JANUARY 1, 2015; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES OR ANY OTHER LAW?	PASS, 70-35
Palisade	"SHALL THE TOWN OF PALISADE'S TAXES BE INCREASED BY $200,000.00 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE LEVY OF AN OCCUPATION TAX IN THE AMOUNT OF $5.00 FOR EACH SALES TRANSACTION THAT IS LESS THAN $100.00, IN THE AMOUNT OF $10.00 FOR EACH SALES TRANSACTION THAT IS $100.00 OR OVER BUT LESS THAN $500.00, AND IN THE AMOUNT OF $25.00 FOR EACH SALES TRANSACTION THAT IS $500.00 OR OVER INVOLVING THE SALE OR PURCHASE OF RETAIL MARIJUANA, RETAIL MARIJUANA PRODUCTS OR RETAIL MARIJUANA ACCESSORIES BY ANY RETAIL MARIJUANA STORE, ANY RETAIL MARIJUANA CULTIVATION FACILITY AND ANY RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN OF PALISADE, EFFECTIVE JANUARY 1, 2015; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES OR ANY OTHER LAW?	PASS, 60-40%
Spring 2015		
	There were no marijuana tax ballot actions in spring 2015 elections	
Fall 2015		
COMMERCE CITY	ISSUE NO.1SHALL THE CITY OF COMMERCE CITY TAXES BE INCREASED BY ONE HUNDRED THOUSAND DOLLARS IN THE FISCAL YEAR COMMENCING JANUARY 1, 2016, AND ENDING DECEMBER 31, 2016, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN EXCISE TAX ON THE SALE OF MARIJUANA AND MARIJUANA PRODUCTS AS SUCH ARE AUTHORIZED BY STATE LAW COMMENCING JANUARY 1, 2016 AT THE RATE OF FIVE PERCENT OF THE PRICE PAID BY THE PURCHASER, IN ACCORDANCE WITH CITY ORDINANCE 2050; 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?	Pass 63-37%
DENVER	2B May the City and County of Denver retain and spend all 2014 revenues derived from the special retail marijuana sales tax as originally approved by the voters on November 5, 2013, and continue to impose and collect the tax to the full extent permitted by the original voter approval?	Pass 81-19%
GEORGETOWN	SHALL THE TOWN OF GEORGETOWN TAXES BE INCREASED BY $100,000 IN 2016 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JANUARY 1, 2016, A NEW OCCUPATION TAX ON THE OCCUPATION OF SELLING WITHIN THE TOWN RETAIL AND WHOLESALE MARIJUANA AND RETAIL AND WHOLESALE MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION, SUCH TAX TO BE IMPOSED AT A MAXIMUM RATE OF FIVE DOLLARS PER SINGLE RETAIL OR WHOLESALE TRANSACTION WITHIN THE TOWN (WHICH TAX MAY BE ADJUSTED FROM TIME TO TIME BY THE BOARD OF SELECTMEN WITHOUT FURTHER ELECTIONS SO LONG AS IT DOES NOT EXCEED FIVE DOLLARS PER TRANSACTION) IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER ADOPTED BY THE BOARD OF SELECTMEN; AND SHALL THE PROCEEDS OF ANY SUCH TAXES AND INVESTMENT INCOME THEREON BE COLLECTED AND SPENT BY THE TOWN AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES, OR ANY OTHER LAW?	Pass 52-48%
HAYDEN	REFERENDUM 2D SHALL THE TOWN OF HAYDEN'S TAXES BE INCREASED BY ONE HUNDRED FORTY THREE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS ($143,500) IN FISCAL YEAR 2016 (FIRST FULL FISCAL YEAR DOLLAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION OF AN EXCISE TAX IN THE AMOUNT OF SEVEN AND ONE-HALF PERCENT (7.5%) IN 2016 AND UP TO FIFTEEN PERCENT (15%) THEREAFTER ON THE SALE OR TRANSFER OF MARIJUANA (BOTH MEDICAL AND RETAIL) BY A MARIJUANA CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF SALE OR TRANSFER FROM THE CULTIVATION FACILITY, COMMENCING ON JANUARY 1, 2016; AND IN CONNECTION THEREWITH, SHALL THE FULL PROCEEDS OF SUCH TAX AT SUCH RATE 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 TOWN OF HAYDEN UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Pass 62-38%
LEADVILLE	2A SHALL CITY OF LEADVILLE TAXES BE INCREASED, COMMENCING JANUARY 1, 2018, BY $150,000 ANNUALLY IN THE FIRST FISCAL YEAR ENDING DECEMBER 31, 2018, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A NEW EXCISE TAX OF 5% OF THE AVERAGE MARKET RATE AS DETERMINED BY THE COLORADO DEPARTMENT OF REVENUE WHEN UNPROCESSED RETAIL MARIJUANA IS FIRST SOLD OR TRANSFERRED BY A MARIJUANA CULTIVATION FACILITY; WITH THE RATE OF SUCH EXCISE TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 10%, AND SHALL ALL REVENUES DERIVED FORM SUCH EXCISE TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTHWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES, OR ANY OTHER LAW?	Pass 61-39%

LOG LANE VILLAGE	2ASHALL THE TOWN OF LOG LANE VILLAGE'S TAXES BE INCREASED BY five hundred thousand ($500,000) ANNUALLY IN FISCAL YEAR 2016 (FIRST FULL FISCAL YEAR DOLLAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION OF AN EXCISE TAX IN THE AMOUNT OF ONE AND ONE HALF PERCENT (1.5%) ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF SALE OR TRANSFER FROM THE CULTIVATION FACILITY, COMMENCING ON JANUARY1, 2016; AND IN CONNECTION THEREWITH, SHALL THE FULL PROCEEDS OF SUCH TAX AT SUCH RATE AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVEDREVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE TOWNOF LOG LANE VILLAGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Pass 58-42%
LYONS	2B SHALL TOWN OF LYONS TAXES BE INCREASED, COMMENCING JANUARY 1, 2016, BY $270,000.00 ANNUALLY IN THE FIRST FISCAL YEAR ENDING DECEMBER 31, 2016, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, A NEW EXCISE TAX OF 5% OF THE AVERAGE MARKET RATE AS DETERMINED BY THE COLORADO DEPARTMENT OF REVENUE WHEN RETAIL MARIJUANA IN ANY FORM IS FIRST SOLD OR TRANSFERRED BY A MARIJUANA CULTIVATION FACILITY OR MARIJUANA INFUSED PRODUCTS FACILITY; WITH THE RATE OF SUCH EXCISE TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 10%, AND SHALL ALL REVENUES DERIVED FROM SUCH EXCISE TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES, OR ANY OTHER LAW?	Pass 65-35%
MANITOU SPRINGS	2E SHALL THE CITY OF MANITOU SPRINGS, COLORADO BE PERMITTED TO RETAIN AND EXPEND $ 57,993 IN EXCESS REVENUE RECEIVED BY THE CITY FROM THE CITY'S SPECIAL RETAIL MARIJUANA SALES TAX AS ORIGINALLY APPROVED BY THE VOTERS ON NOVEMBER 5, 2013, WHICH EXCESS REVENUE WOULD OTHERWISE BE REFUNDED BY A TEMPORARY REDUCTION IN THE CITY'S SPECIAL RETAIL MARIJUANA TAX, PURSUANT TO THE REQUIREMENTS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 84-16%
MILLIKEN (measure to allow failed)	Ballot Issue 2J SHALL THE TOWN OF MILLIKEN'S TAXES BE INCREASED BY $50,000.00 BEGINNING IN 2016 (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE LEVY OF AN OCCUPATION TAX UP TO $10.00 FOR EACH SALES TRANSACTION BY ANY RETAILMARIJUANA STORE, ANY RETAIL MARIJUANA CULTIVATION FACILITY AND ANY RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29 OF THE COLORADO REVISED STATUTES OR ANY OTHER LAW?	Pass 54-46%
MOUNTAIN VIEW	2A SHALL THE TOWN OF MOUNTAIN VIEW RETAIN THE EXCESS REVENUE RECEIVED BY THE TOWN FOR FISCAL YEAR 2014 FROM THE TOWN'S RETAIL MARIJUANA SALES TAX AS ORIGINALLY APPROVED BY THE VOTERS ON NOVEMBER 5, 2013, AND SHALL SUCH RETAINED TAXES AND ANY INVESTMENT INCOME THEREON CONSTITUTE VOTER-APPROVED REVENUE CHANGES AND BE COLLECTED AND SPENT BY THE TOWN WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 71-29%
PARACHUTE	SHALL THE TOWN OF PARACHUTE'S TAXES BE INCREASED BY $200,000.00 IN THE FIRST FULL FISCAL YEAR, BEGINNING JANUARY 1, 2016, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 5% ON UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUNA STORE, RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, OR OTHER RETAIL MARIJUANA CULTIVATION FACILITY, WITH THE RESULTING EXCISE TAX RATE CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED, RETAINED AND SPENT BY THE TOWN AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY APPLICABLE REVENUE OR EXPENDITURE LIMITATION IMPOSED BY ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Pass 107-57
PUEBLO	QUESTION NO. 2B (EXCISE TAX ON MARIJUANA CULTIVATORS) SHALL THE CITY OF PUEBLO'S TAXES BE INCREASED BY $850,000 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) BEGINNING JANUARY 1, 2016 AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, THROUGH THE ADOPTION OF ORDINANCE NO. 8903 IMPOSING AN EXCISE TAX OF 8.0 % WHEN UNPROCESSED RETAIL MARIJUANA IS FIRST SOLD OR TRANSFERRED BY A RETAIL MARIJUANA CULTIVATION FACILITY WITH THE RATE OF THE TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 15.0 % AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED, RETAINED AND SPENT, NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW, AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY PURSUANT TO ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW AND ALLOWING SUCH REVENUE TO BE EXPENDED AS THE CITY COUNCIL SHALL DETERMINE?	Pass 12750-8737
SOUTH FORK (measure to allow failed)	2. SHALL THE TOWN OF SOUTH FORK TAXES BE INCREASED BY AN ESTIMAED FIFTY THOUSAND DOLLARS ($50,000.00) PER YEAR COMMENCING JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OF ANY MARIJUANA PRODUCT EFFECTIVE JANUARY 1, 2016, ON THE AUTHORIZED (UNDER STATE LAW) RETAIL SALE OF MARIJUANA WITHIN THE TOWN OF SOUTH FORK IN ANY FORM, INCLUDING BUT NOT LIMITED TO, MARIJUANA PRODUCTS AS DEFINED BY STATE LAW, WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED TEN PERCENT (10%) AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 126-82

STERLING	IF BALLOT QUESTION NO. 300 APPROVING THE ALLOWANCE OF THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, AND RETAIL MARIJUANA STORES IN THE CITY OF STERLING, IS PASSED BY THE VOTERS, SHALL CITY OF STERLING TAXES BE INCREASED BY $600,000.00 FOR THE FIRST FULL FISCAL YEAR (2016), AND ANNUALLY THEREAFTER BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN EXCISE TAX OF 15 PERCENT IN 2016, AND THEREAFTER ON THE CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF TRANSFER FROM THE CULTIVATION FACILITY, AND AN ADDITIONAL SALES AND USE TAX OF 5 PERCENT IN 2016, AND THEREAFTER, WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 10 PERCENT ON RECREATIONAL MARIJUANA AS PROVIDED IN SAID BALLOT QUESTION NO. 300, WITH THE RESULTING REVENUES FROM THE EXCISE AND SALES AND USE TAX TO BE USED TO PAY OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE CITY RELATED TO THE REGULATION OF THE USE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND FOR OTHER GENERAL PURPOSES OF THE CITY; 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 STERLING UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Fail 1375-1173
Spring 2016		
BLANCA	SHALL THE TOWN OF BLANCA'S TAXES BE INCREASED BY $50,000 IN THE FIRST FULL FISCAL YEAR, BEGINNING MAY 1, 2016, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 5.0% OF THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA STORE OR RETAIL MARIJUANA PRODUCTS MANUFACTURER, WITH THE RESULT CAPABLE OF BEING INCREASED, LOWERED OR REVOKED AT THE SOLE DISCRETION OF THE BOARD OF TRUSTEES OF THE TOWN OF BLANCA SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 5.0 %, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT TO FUND THE ENFORCEMENT OF REGULATIONS ON THE MARIJUANA CULTIVATION AND INFUSED PRODUCT INDUSTRY AND FOR THE PURPOSE OF FUNDING MUNICIPAL SERVICES AND OTHER MUNICIPAL PURPOSES, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY OTHER LIMITATIONS PROVIDED BY LAW OR CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 33-8
CRESTONE	SHALL THE TOWN OF CRESTONE 'S TAXES BE INCREASED BY AN ESTIMATED FIFTY THOUSAND DOLLARS ($50,000) PER YEAR COMMENCING APRIL 5, 2016 AND ENDING DECEMBER 31, 2016, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, THROUGH THE ADOPTION OF A RETAIL MARIJUANA STORE TAX AT THE RATE OF 5% ON THE PRICE PAID FOR THE PURCHASE OF RETAIL MARIJUANA AND MARIJUANA INFUSED PRODUCTS, W ITH SUCH REVENUE TO BE USED FOR THE ADDITIONAL COSTS INCURRED FOR ADEQUATE ENFORCEMENT AND ADMINISTRATION OF RETAIL MARIJUANA REGULATIONS AND OTHER GENERAL PURPOSES OF THE TOWN; AND SHALL ALL REVENUES DERIVED FROM SUCH RETAIL MARIJUANA TAX BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE , NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 30-13
HOTCHKISS	2C BEGINNING JANUARY 1 017, SHALL THE TOWN OF HOTCHKISS TAXES BE INCREASE BY ONE HUNDRED THOUSAND DOLLARS ($100,000.00) IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF TWO PERCENT (2%) ON THE-SALE OF RETAIL AND MEDICAL MARIJUANA AND RETAIL AND MEDICAL MARIJUANA PRODUCTS, WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED TEN PERCENT(10%), ONLY IN THE EVENT THAT SUCH FACILITIES ARE PERMITTED IN THE TOWN OF HOTCHKISS BASED UPON AN AFFIRMATIVE VOTE OF THE QUALIFIED ELECTORS OF THE TOWN OF HOTCHKISS, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT BY THE TOWN OF HOTCHKISS WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Pass 185-102
PONCHA SPRINGS (measure to allow failed)	SHALL THE TOWN OF PONCHA SPRINGS TAXES BE INCREASED BY $50,000.00 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION AND ASSESSMENT OF AN ADDITIONAL SALES TAX IN THE AMOUNT OF FIVE PERCENT (5%) ON THE SALE OF MEDICAL MARIJUANA, MEDICAL MARIJUANA INFUSED PRODUCTS, RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AND AN EXCISE TAX IN THE AMOUNT OF FIVE PERCENT (5%) ON THE CASH VALUE OF THE TRANSACTION ON THE SALE BY A RETAIL MARIJAUNA PRODUCTS MANUFACTURING FACILITY TO A LICENSED MARIJUANA ESTABLISHMENT OUTSIDE THE TOWN OF PONCHA SPRINGS, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX COLLECTED BE SPENT TO DEFRAY COSTS INCURRED IN REGULATING THE MARIJUANA INDUSTRY, FUNDING SOCIAL, RECREATIONAL, AND EDUCATIONAL PROGRAMS WITHIN THE COMMUNITY AS MAY BE DETERMINED BY THE TOWN INCLUDING SUBSTANCE ABUSE PREVENTION, EDUCATION AND COUNSELING PROGRAMS, AND TO PROMOTE THE GENERAL PURPOSES OF THE TOWN OF PONCHA SPRINGS AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OF ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION?	Pass 138-102
SEDGWICK	SHALL TOWN OF SEDGWICK TAXES BE INCREASED BY $500,000 (FIRST FULL FISCAL YEAR INCREASE) AND ANNUALLY THEREAFTER IN SUCH AMOUNTS AS ARE RECEIVED EACH YEAR THROUGH THE IMPOSITION OF AN EXCISE TAX IN THE AMOUNT OF TWO PERCENT (2%) ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF SALE OR TRANSFER FROM THE CULTIVATION FACILITY, COMMENCING ON JULY 1, 2016, WHICH IF APPROVED, SHALL REPLACE THE OCCUPATION TAX LEVIED ON SALES OR TRANSFERS OF RETAIL MARIJUANA BY RETAIL MARIJUANA CULTIVATION FACILITIES, AND WITH ALL REVENUES DERIVED FROM SUCH TAX TO BE COLLECTED, RETAINED AND SPENT FOR ANY LAWFUL MUNICIPAL PURPOSE; AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH EXCISE 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?	Pass 29-3

SILVER CLIFF	Issue B: SHALL THE TAXES OF THE TOWN OF SILVER CLIFF BE INCREASED BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITONAL SALES TAX OF 10 % ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AND AN EXCISE TAX OF 10 % OF THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM A MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA FACILITY OR MARIJUANA PRODUCT MANUFACTURING FACILITY, ONLY IN THE EVENT THAT SUCH FACILITIES ARE PERMITTED IN THE TOWN OF SILVER CLIFF BASED UPON AN AFFIRMATIVE VOTE OF THE QUALIFIED ELECTORS OF THE TOWN OF SILVER CLIFF, WITH THE RESULTING SALES OR EXCISE TAX RATES BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE TOWN OF SILVER CLIFF BOARD OF TRUSTEES, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, NOTWITHSTANDING ANY OTHER LIMITATIONS PROVIDED BY LAW?	Pass 164-115

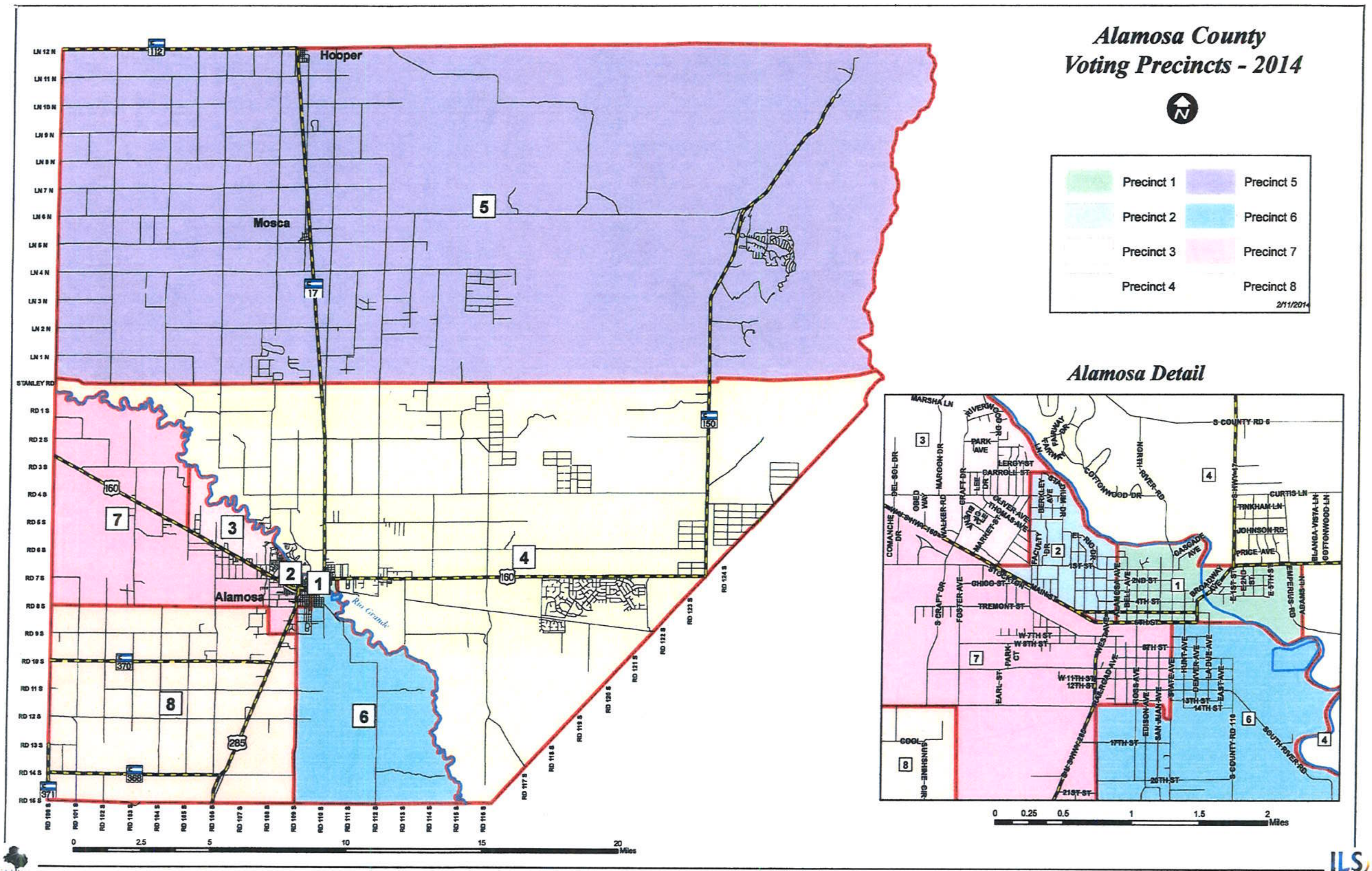
Totals	Early	Absentee	Polling Place	Total
Presidential Electors				
Virgil H. Goode Jr./Jim Clymer - American Constitution		23	8	31
Barack Obama/Joe Biden - Democratic	199	2809	774	3782
Mitt Romney/Paul Ryan - Republican	144	2083	466	2693
Gary Johnson/James P. Gray - Libertarian	4	48	21	73
Jill Stein/Cheri Honkala - Green	0	18	6	24
Stewart Alexander/Alex Mendoza - Socialist, USA	0	1	0	1
Ross C. "Rocky" Anderson/Luis J. Rodriguez - Justice	0	6	0	6
Roseanne Barr/Cindy Lee Sheehan - Peace and Freedom	2	17	8	27
James Harris/Alyson Kennedy - Socialist Workers	1	0	0	1
Tom Hoefling/Jonathan D. Ellis - America's	0	0	1	1
Gloria La Riva/Filberto Ramirez Jr. - Socialism and Liberation	0	3	0	3
Merlin Miller/ Harry V. Bertram - American Third Position	0	1	0	1
Jill Reed/Tom Cary - Unaffiliated	0	17	3	20
Thomas Robert Stevens/Alden Link - Objectivist	0	0	0	0
Sheila "Samm" Tittle/ Matthew A. Turner - We the People	0	8	0	8
Jerry White/Phyllis Scherrer - Socialist Equality	0	0	0	0
Write In-Randall Terry/Missy Reilly Smith - Independent/Republican	0	0	0	0
	0			
Representative to the 113th United States Congress District 3	0			
Sal Pace - Democratic	163	2341	625	3129
Scott R. Tipton - Republican	159	2282	524	2965
Gregory Gilman - Libertarian	10	82	30	122
Tisha T. Casida - Unaffiliated	12	172	49	233
Write In-Morgan West - Unaffiliated	0	0	0	0
Write In-Jaime McMillan - Unaffiliated	0	0	0	0
	0			
	0			
	0			

Regent of the University of Colorado at Large	**0**			
Stephen C. Ludwig - Democratic	**169**	**2438**	**678**	**3285**
Tyler Belmont - American Constitution	**10**	**138**	**51**	**199**
Brian Davidson - Republican	**129**	**1792**	**394**	**2315**
Daniel Ong - Libertarian	**11**	**148**	**58**	**217**
	0			
	0			
Regent of the University of Colorado Congressional District 3	**0**			
Jessica Garrow - Democratic	**173**	**2489**	**689**	**3351**
Glenn Gallegos - Republican	**137**	**1971**	**467**	**2575**
	0			
United States Senate District 35	0			
Larry W. Crowder - Republican	138	2179	506	**2823**
Crestina Martinez - Democratic	192	2597	696	**3485**
William Stuart Bartley - Libertarian	19	175	54	**248**
	0			
State Representative District 62	0			
Edward Vigil - Democratic	195	2729	718	**3642**
Tim Walters - Republican	144	2140	521	**2805**
	0			
District Attorney 12th Judicial District	0			
David Mahonee - Democratic	154	2309	627	**3090**
Peter L. Comar - Republican	176	2446	581	**3203**
	0			
County Commissioner District 1	0			
Darius H. Allen - Republican	170	2691	570	**3431**
Erwin Young - Unaffiliated	164	2056	630	**2850**
	0			
	0			
	0			

County Commissioner District 3	0			
George W. Wilkinson - Republican	151	2378	525	**3054**
Marianne Dunne - Democratic	188	2519	693	**3400**
	0			
Court of Appeals - Nathan B. Coats	0			
Yes	203	2966	802	**3971**
No	84	1175	293	**1552**
	0			
Court of Appeals - Laurie A. Booras	0			
Yes	200	3052	804	**4056**
No	83	1071	286	**1440**
	0			
Court of Appeals - James S. Casebolt	0			
Yes	204	2979	771	**3954**
No	78	1117	305	**1500**
	0			
Court of Appeals - Dennis A. Graham	0			
Yes	199	2906	775	**3880**
No	82	1173	301	**1556**
	0			
Court of Appeals - Gale T. Miller	0			
Yes	196	2970	782	**3948**
No	82	1116	295	**1493**
	0			
Court of Appeals - Daniel Marc Taubman	0			
Yes	190	2969	771	**3930**
No	87	1120	302	**1509**
	0			
	0			
	0			

Court of Appeals - John R. Webb	0			
Yes	198	2966	777	**3941**
No	80	1107	296	**1483**
	0			
District Judge 12th Judicial District - Pattie P. Swift	0			
Yes	240	3817	881	**4938**
No	67	853	272	**1192**
	0			
Amendment S	0			
Yes	164	2258	660	**3082**
No	151	2373	504	**3028**
	0			
Amendment 64	0			
Yes	212	2678	801	**3691**
No	130	2275	450	**2855**
	0			
Amendment 65	0			
Yes	248	3586	944	**4778**
No	84	1119	246	**1449**
	0			
Ballot Question 3A	0			
Yes	160	2264	732	**3156**
No	165	2226	441	**2832**

Precinct	yes	no	location
1	251	225	mostly in city limits, central
2	200	231	mostly in city limits, central
3	327	580	majority in city limits
4	440	598	small portion in city, mostly east alamosa
5	204	270	completely outside city limits
6	242	262	partially in city limits, south area
7	321	452	partially in city limits, south and west
8	149	402	completely outside city limits
Total	2134	3020	



Alamosa County
Voting Precincts - 2014
Precinct 1
Precinct 2
Precinct 3
Precinct 4
Precinct 5
Precinct 6
Precinct 7
Precinct 8
2/11/2014
Alamosa Detail
Hooper
Mosca
Alamosa
Rio Grande
1
2
3
4
5
6
7
8
0
2.5
5
10
15
20
Miles
0
0.25
0.5
1
1.5
2
Miles
ILS

ALAMOSA CITY COUNCIL
COUNCIL COMMUNICATION

Subject/Title:
Discussion Regarding Placing a Question on the November 8th Ballot Pertaining to Council Compensation

Recommended Action:
Staff recommends that Council discuss its desire to place a question on the November 8th ballot pertaining to Council compensation and provide appropriate direction to staff.

Background:
Several Council Members have indicated interest in placing a question on the November 8 ballot pertaining to Council compensation. Because the Charter sets out the compensation guidelines for City Council, only a vote of the registered city voters can change the guidelines. As directed, staff conducted a survey of similar and regional communities to provide a comparison of compensation provided by other councils and boards. That survey is attached.

Issue Before the Council:
Does Council wish to place a question on the November 8th ballot regarding Council compensation?

Alternatives:
Council has the following options related to placing an item on the November 8th ballot:

- Increasing Council compensation by a certain amount
- Creating an escalator for Council compensation
- Allowing compensation beyond a monthly stipend to include other benefits
- Any combination of these options

Council can also decide to not place an item on the November 8th ballot.

Fiscal Impact:
Until further direction is provided to staff, it is impossible to determine the fiscal impact.

Legal Opinion:
The City Attorney will be present for questions.

Conclusion:
Time is quickly running out to place an item on the November 8th ballot. The ballot title must be certified by the City Clerk and submitted to the County Clerk by September 9th. If Council is interested in placing an item related to compensation on the ballot, it will need to provide direction to staff.

ATTACHMENTS:

Description	Type

Council Compensation Survey Backup Material

City Council Survey
June 2014

	Alamosa	Monte Vista	Durango	Trinidad	Delta
Classification	Home Rule/Council Manager	Home Rule/Council Manager	Home Rule/Council Manager	Home Rule/Council Manager	Home Rule /Council Manager
Population	9,000	4,431	17,216	8,771	8,818
How is the Mayor compensated?	$600 per month	$200 per month	$750 per month	$850 per month	$150 per month
How are council members compensated?	$400 per month	$150 per month	$500 per month	$550 per month	$100 per month
Any planned increases?	No	Every 5 years they look to see if State & Civil employees receive a raise, Council than looks in to getting % raise. Haven't actually received a raise in years	Possibly; would depend on 2015 budget	No	No
When?			Jan. 2015		
How much?			Unknown at this time		
What benefits are provided to the Mayor?	PERA	None	Medical, Dental, Vision, Life Insurance, LTD, FSA, EAP(employee assistance)	none	Dental and Vision
What benefits are provided to council members?	PERA	None	Medical, Dental, Vision, Life Insurance, LTD, FSA, EAP(employee assistance)	none	Dental and Vision
What "perks" are offered to members? (i.e. free passes to facilities, events equipment, technology, expenses account)	Pay for conferences	Pay for conferences, provide city vehicle for travel, mileage reimbursement if city vehicle isn't available	Free Rec. Center Pass, Parking Sticker so they may park downtown for free while on City business	none	Rec Center pass, CML Conference, training email
How do perks compare to city employee perks?		None	They receive all the benefits regular City employees receive except for the Retirement options, Personal Time Off, Holiday Pay, and Tuition Reimbursement	N/A	N/A

City Council Survey
June 2014

	La Junta	Fort Morgan	Lamar
Classification	Home Rule/Council-Manager	Home Rule/Council-Manager	Home Rule/City Administrator
Population	7,046	11,451	7,836
How is the Mayor compensated?	None	$200 per month	$400 per month
How are council members compensated?	None	$100 per month	$200 per month
Any planned increases? When? How much?	No	None planned for the foreseeable future – we put two separate ballot questions on the 2009 municipal election ballot, one to increase council members from $100 to $500 a month, and the other to increase the mayor from $200 to $800, and both were defeated pretty soundly. There has been no serious talk of any pay increases since then.	None scheduled, last one was in 2010
What benefits are provided to the Mayor?	none	Same benefits as all city employees- primarily fully paid health insurance for family	None
What benefits are provided to council members?	none	Same benefits as all city employees- primarily fully paid health insurance for family	None
What "perks" are offered to members? (i.e. free passes to facilities, events equipment, technology, expenses account)	They pay expnses for City-related travel, food and lodging. Will also pay for some community banquets and other community-related activities.	Tablets, education/training/conference attendance for council. All city employees receive free admission to things like the rec center, swimming pool, etc.	None
How do perks compare to city employee perks?		Pretty much the same	Employees get free passes to the Rec. Center

Classification	**Alamosa** 719-852-1201 Home Rule/Council Manager	**Monte Vista** 719-852-1201 Home Rule/Council Manager	**Durango** 970-375-5010 Home Rule/Council Manager	**Trinidad** 719-846-9843 ex:135 Home Rule/Council Manager	**Delta** 970-874-7902 Home Rule /Council Manager
Population	9,000	4,431	17,216	8,771	8,818
How is the Mayor compensated?	$600 per month	$310.25 per month	$1,117 per month	$850 per month	$150 per month
How are council members compensated?	$400 per month	$232.75 per month	$867 per month	$550 per month	$100 per month
Any planned increases? When? How much?	No	Every 5 years they look to see if State & Civil employees receive a raise, Council then looks in to getting % raise. Haven't actually received a raise in years	Voted in 2015 to increase pay. Last increase was in 2005. Previous amount was $750/month for Mayor and $500/month for council members.	No	No
What benefits are provided to the Mayor?	PERA	None	Medical, Dental, Vision, Life Insurance, LTD, FSA, EAP(employee assistance)	none	Dental and Vision
What benefits are provided to council members?	PERA	None	Medical, Dental, Vision, Life Insurance, LTD, FSA, EAP(employee assistance)	none	Dental and Vision
What "perks" are offered to members? (i.e. free passes to facilities, events equipment, technology, expenses account)	Pay for conferences	Pay for conferences, provide city vehicle for travel, mileage reimbursement if city vehicle isn't available	Free Rec. Center Pass, Parking Sticker so they may park downtown for free while on City business	none	Rec Center pass, CML Conference, training email
How do perks compare to city employee perks?		None	They receive all the benefits regular City employees receive except for the Retirement options, Personal Time Off, Holiday Pay, and Tuition Reimbursement	N/A	N/A

Classification	Alamosa 719-852-1201 Home Rule/Council Manager	La Junta 719-384-5991 Home Rule/Council-Manager	Fort Morgan 970-542-3963 Home Rule/Council-Manager	Lamar 719-336-1372 Home Rule/City Administrator
Population	9,000	7,046	11,451	7,836
How is the Mayor compensated?	$600 per month	None	$200 per month	$400 per month
How are council members compensated?	$400 per month	None	$100 per month	$200 per month
Any planned increases? When? How much?	No	No	None planned for the foreseeable future – we put two separate ballot questions on the 2009 municipal election ballot, one to increase council members from $100 to $500 a month, and the other to increase the mayor from $200 to $800, and both were defeated pretty soundly. There has been no serious talk of any pay increases since then.	None scheduled, last one was in 2010
What benefits are provided to the Mayor?	PERA	none	Same benefits as all city employees-primarily fully paid health insurance for family	None
What benefits are provided to council members?	PERA	none	Same benefits as all city employees-primarily fully paid health insurance for family	None
What "perks" are offered to members? (i.e. free passes to facilities, events equipment, technology, expenses account)	Pay for conferences	They pay expnses for City-related travel, food and lodging. Will also pay for some community banquets and other community-related activities.	Tablets, education/training/conference attendance for council. All city employees receive free admission to things like the rec center, swimming pool, etc.	None
How do perks compare to city employee perks?			Pretty much the same	Employees get free passes to the Rec. Center

	Alamosa 719-852-1201	Montrose 970-240-1430	Gunnison 970-641-8140
Classification	Home Rule/Council Manager		
Population	9,000	19,217	5,873
How is the Mayor compensated?	$600 per month	1,000 per month	600 per month
How are council members compensated?	$400 per month	900	500
Any planned increases? When? How much?	No	None	None
What benefits are provided to the Mayor?	PERA	Health Benefits at COBRA rate	None
What benefits are provided to council members?	PERA	Health Benefits at COBRA rate	None
What "perks" are offered to members? (i.e. free passes to facilities, events equipment, technology, expenses account)	Pay for conferences	Surface Laptop	Ipad
How do perks compare to city employee perks?		None	None