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NEWS RELEASE

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Colorado Municipal League releases fall municipal election preview

October 11, 2021, Denver, Colo. – On Nov. 2, voters in 88 cities and towns across Colorado will consider local questions and candidates as part of the coordinated election. Fifty-six municipalities will hold their regularly-scheduled candidate elections, while the remainder will hold special elections on initiated and referred ballot questions. Over 125 municipal ballot questions are being considered across the state.

Ballot questions being considered by voters include:

Housing

Several municipalities have housing-related questions on the ballot:

- Avon – excise tax on the leasing of short-term rental units to fund community housing
- Basalt – \$18 million in debt authority to fund affordable housing, infrastructure improvements and green projects, to be paid for with the extension of previously approved property taxes
- Crested Butte – \$8.985 million in debt authority, to be paid for with an increase of the excise tax on vacation rentals; and a separate question for \$24 million in debt authority, to be paid for with two taxes: a sales and use tax and a Community Housing tax on undeveloped residential land and on residential units that are not a primary residence and are not being rented for residential purposes for at least six consecutive months per year
- Lafayette – sales tax to be used for mental health and human services, which may include rent assistance, as well as assistance with food, utilities, childcare, and medical care, mental health care and resources and support for victims of domestic violence
- Leadville – accommodations tax on the leasing of short-term rental units and short-term commercial public accommodations for the purpose of funding affordable and community housing programs
- Ouray – excise tax on the leasing of short-term rentals to fund housing programs, as well as to fund debt for the water and wastewater treatment plants
- Vail – sales tax to fund housing initiatives, developments and programs

Telluride has three housing-related questions on the ballot:

- Lodging tax to manage the effects of tourism on the community, including the acquisition of property for and construction of affordable or employee housing, as well as transportation improvements and wastewater treatment facility improvements
- An increase to the business license fees for short-term rental units and the imposition of a cap on the number of licenses to the number that have been issued as of November 2, 2021
- An initiative to cap the number of short-term rental business licenses available for non-primary residences to 400

Boulder voters will consider an initiative to increase the number of people allowed to reside in housing units.

Denver's ballot will include a referendum on an ordinance concerning the number of unrelated adults who can live in a household, which would strike down an increase in permitted housing residency by unrelated adults in Denver should the referendum pass. The ordinance also concerns residential care facilities and community corrections facilities.

Tax and bond issues

Sales tax questions will be on the ballot in:

- Castle Rock – for open space and trails
- Colorado Springs – for trails, open space and parks
- Deer Trail – for the provision of town services
- Gunnison – for streets and capital projects
- Idaho Springs – for water and wastewater capital improvement projects
- Lafayette – for public safety services
- Las Animas – for recreational improvements
- Littleton – for capital improvement projects
- Lone Tree – for city services
- Mead – for street improvements
- Monument – for police services
- Ramah – for municipal operations
- Superior – for transportation improvements
- Yuma – for general expenses

Sales tax extensions are being requested by:

- Boulder – for capital improvement projects
- Greeley – for street and pedestrian safety improvements

Denver's ballot will contain an initiative to reduce the total sales and use tax levied in Denver and require that if at any election, a tax is passed that exceeds the new rate of 4.5%, the city must adjust the existing tax to reduce the total rate to comply with the 4.5% cap.

Eckley has a use tax on the ballot for community infrastructure and maintenance.

Lodging taxes will be on the ballot in Castle Rock, Golden and Rico.

Black Hawk has two occupational taxes on the ballot: one on live stadium games, and the other on self-service betting devices for sports event betting.

Castle Rock voters will consider levying a new housing construction tax to fund police, fire protection and emergency medical services.

Several municipalities are requesting authority to expand the use of existing taxes:

- Evans – to use revenues from the sales tax on domestic food to finance the costs of a city police station
- Haxtun – to use revenues from the tax dedicated to the community center for street improvements
- Walsenburg – to use revenues from a street improvements tax to include other expenses related to streets and storm drainage projects
- Wellington – to use revenues from a streets tax for parks, trails and open space

Aspen voters are being asked to expand the uses allowed for the Wheeler Opera House real estate transfer tax and remove the current limitation on the grant of funds for the purpose of supporting cultural, visual and performing arts. The question requires approval by at least 60% of voters to pass.

Three property tax questions are on the ballot:

- Glenwood Springs – for the municipal airport
- Rico – for the public works fund
- Williamsburg – for road and flood drainage improvements

Calhan voters will decide whether to join the Pikes Peak Rural Transportation Authority and to approve an associated sales and use tax increase for the authority.

Debt authority is also being requested by:

- Boulder – \$110 million to fund capital improvement projects, to be paid for by the separately approved extension of the Community, Culture, Resilience and Safety sales and use tax
- Eagle – \$27 million for development projects to be undertaken by the Eagle Downtown Development Authority
- Englewood – \$70 million to finance objectives in any Englewood Downtown Development Authority plan of development
- Glenwood Springs – \$8 million for capital projects related to the municipal airport
- Haxtun – \$1.5 million for street improvements
- Julesburg - \$2.5 million for a public pool, to be paid for by a sales tax increase
- Louisville – \$51.4 million for transportation improvements, to be paid for by a property tax increase
- Westminster – \$15 million for parks and open space projects, to be paid for by the extension of an existing Parks, Open Space and Trails sales and use tax, and a second question to authorize \$25 million for public safety, to be paid for with an increase to the Public Safety sales tax

Denver has several debt questions on the ballot:

- \$104 million for repairs and improvements to the Denver facilities system
- \$38.6 million for repairs and improvements to the Denver housing and sheltering system
- \$190 million for repairs and improvements to the National Western Campus facilities system
- \$54 million for repairs and improvements to the Denver parks and recreation system
- \$63 million for repairs and improvements to the Denver transportation and mobility system

Gallagher Amendment adjustments

Norwood is requesting authority to adjust its mill levy rate annually as needed to offset revenue reductions caused by state-imposed changes to the percentage used to determine assessed valuation of property as well as the authority to collect, retain and spend all revenues.

Revenue retention

Williamsburg is requesting authority to collect, retain and spend all revenues as allowed by voter approval under the Taxpayer’s Bill of Rights (TABOR). Several other municipalities are also requesting this authority, but for specific purposes:

- Castle Rock – for police, fire protection, emergency medical services and roads
- Colorado Springs – to create a wildfire mitigation and prevention program
- Monument – for road construction and maintenance
- Pueblo – for road repairs and improvements

Historically, municipalities have passed a majority of the TABOR-related questions that have been asked, with a 61% approval rate for tax questions, 70% approval rate for debt questions and 87% approval rate for revenue retention questions since voter approval was first required in 1993.

Governance

Westminster’s ballot will have a question concerning the establishment of a commission to explore providing for the election of some or all council members by ward, rather than at-large.

In Monument, voters will decide if the town should initiate the process to become a home rule municipality.

Two recalls are on the ballot in Avon.

Log Lane Village and Mt. Crested Butte voters will consider eliminating term limits for their elected officials.

Broadband

Milliken and Windsor are seeking approval to join the 116 municipalities already exempted by local voters from the statutory restriction on providing broadband or telecommunications services that also prohibits most uses of municipal funding for infrastructure to improve local broadband or telecommunications services.

Marijuana

Marijuana businesses are on the ballot in:

- Golden – retail stores, contingent on the approval of a marijuana tax in a separate question
- Lamar – medical and retail stores, cultivation, manufacturing and testing, contingent on the approval of marijuana taxes in a separate question
- Mead – medical and retail businesses
- Wellington – medical and retail stores, with a separate tax question on the ballot
- Westminster – marijuana businesses, contingent on the approval of a marijuana tax in a separate question

Marijuana taxes are also being considered in De Beque, Fort Lupton, Idaho Springs, Lakewood, Las Animas and Yuma.

A Denver initiative would increase the marijuana sales tax to fund pandemic research.

The question being considered in Brighton will authorize both marijuana business and a marijuana sales tax should it pass. In Wray, voters will consider allowing marijuana manufacturing facilities and authorizing an excise tax in a combined question.

Publication requirements

Greenwood Village is requesting an amendment to the charter to delete the reference to a legal newspaper with regard to publication requirements and instead establish publication requirements by ordinance.

Election changes

Broomfield voters will consider amending their code to provide that the mayor and all council members be elected using a ranked voting method.

Elizabeth is asking voters to move their regulation elections to November of even-numbered years, and Denver is requesting a move to April of odd-numbered years.

Charter amendments

Several charter amendments are on the ballot in home rule municipalities around the state:

- Delta – one amendment regarding contracts, and a second amendment regarding borrowing provisions
- Denver – allowing the citizen oversight board to appoint the independent monitor with the consent of city council, providing the office of the monitor with independent legal counsel and establishing the employment status of employees
- Fort Morgan – removing a requirement for council approval of certain contracts
- Greeley – two amendments, one requiring outside analysis and voter approval for purchase, lease or use of the city's water supply, and one requiring outside analysis and voter approval prior to selling or leasing excess water or infrastructure
- Lafayette – an amendment to update archaic language, and an amendment to shorten the residency qualification for city councilors to one year
- Lafayette and Westminster – updating the charter to be gender neutral
- Telluride – non-substantive changes to the election code and meetings sections, and a second question to move petition regulations to the municipal code
- Westminster – an amendment regarding background checks, to be in compliance with state and federal policy, and a second amendment updating the election code to be in compliance with state and federal law

Arvada charter amendments up for approval include: increasing the number of days to fill a council vacancy, increasing the amount of time permitted to gather signatures on a referendum petition, increasing the amount of time permitted to gather signatures on an initiative petition and deleting language that prohibits an employee of another municipality from holding public office in Arvada.

Boulder has three charter amendments on the ballot: regarding council compensation, regarding meetings of council and regarding the number of signatures required for initiative, referendum and recall petitions.

Other issues

Other issues to be decided include:

- Aspen – exchange of public property for a conservation easement
- Boulder – an initiative to prohibit the sale and manufacture for sale of certain fur products and an initiative to require an election approving the annexation agreement for land known as CU South
- Cherry Hills Village – organization of general improvement district, with the authorization of debt and levy of property tax
- Denver – an initiative to require the city to enforce unauthorized camping and allow up to four authorized camping locations on public property, and two initiatives concerning development on land protected by a conservation easement
- Lyons – permitting the construction of a solar generation and battery storage facility on town property
- Wiggins – sale of public property

CML thanks the city, town and county clerks who assisted CML staff in compiling this election data.

CML is a nonprofit, nonpartisan organization established in 1923 and represents the interests of 270 cities and towns. For more information on the Colorado Municipal League, please visit www.cml.org or call 303-831-6411.

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