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NEWS RELEASE FOR IMMEDIATE RELEASE

Colorado Municipal League releases fall municipal election results

Nov. 3, 2021, Denver, Colo. – Voters in 88 cities and towns across Colorado considered local questions and candidates as part of yesterday's coordinated election. 56 municipalities held their regularly-scheduled candidate elections, while the remainder held special elections on initiated and referred ballot questions. Over 125 municipal ballot questions were considered across the state. The following results are unofficial and subject to change.

Housing

Several municipalities had housing-related questions on the ballot.

The following questions passed:

- 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
- 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

In Crested Butte, voters approved \$8.985 million in debt authority, to be paid for with an increase of the excise tax on vacation rentals. They rejected a separate question for \$24 million in debt authority, which would have been paid for with two taxes, which will also not go into effect: 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

Telluride had three housing-related questions on the ballot.

- Two passed: a 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; and 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 Nov. 2, 2021.
- The initiative to cap the number of short-term rental business licenses available for non-primary residences to 400 failed.

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

Denver voters rejected a referendum on an ordinance concerning the number of unrelated adults who can live in a household, which would have overturned an increase in permitted housing residency by unrelated adults should it have passed. The ordinance, which will now stand, also concerned residential care facilities and community corrections facilities.

Tax and bond issues

Sales tax questions passed in:

- 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

Sales tax questions failed 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
- Superior – for transportation improvements
- Yuma – for general expenses

A sales tax in Idaho Springs, for water and wastewater capital improvement projects, is currently trailing by one vote.

Sales tax extensions were approved in:

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

Denver voters rejected an initiative that would have reduced the total sales and use tax levied in Denver and required that if at any election, a tax passed that exceeded the new rate of 4.5 percent, the city would have had to adjust the existing tax to reduce the total rate to comply with the 4.5 percent cap.

In Eckley, voters approved a use tax for community infrastructure and maintenance.

Lodging taxes passed in Castle Rock, Golden and Rico.

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

A proposed housing construction tax to fund police, fire protection and emergency medical services in Castle Rock failed.

Several municipalities received authority to expand the use of existing taxes:

- Evans – approved the use of revenues from the sales tax on domestic food to finance the costs of a city police station
- Haxtun – approved the use of revenues from the tax dedicated to the community center for street improvements

- Walsenburg – approved the use of revenues from a street improvements tax to include other expenses related to streets and storm drainage projects
- Wellington – approved the use of revenues from a streets tax for parks, trails and open space

Aspen voters approved the expansion of the uses allowed for the Wheeler Opera House real estate transfer tax and the removal of the current limitation on the grant of funds for the purpose of supporting cultural, visual and performing arts. The question required, and received, approval by at least 60 percent of voters to pass.

Three property taxes failed:

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

Calhan voters voted to join the Pikes Peak Rural Transportation Authority and approved an associated sales and use tax increase for the authority.

Debt authority was granted in:

- 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
- Haxtun – \$1.5 million for street improvements
- Julesburg - \$2.5 million for a public pool, to be paid for by a sales tax increase

Debt authority was not granted in:

- Glenwood Springs – \$8 million for capital projects related to the municipal airport
- Louisville – \$51.4 million for transportation improvements, which would have been paid for by a property tax increase

Westminster debt questions were split. Voters approved authority for \$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 denied authority for \$25 million for public safety, which would have been paid for with an increase to the Public Safety sales tax.

Denver voters passed four of five 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
- \$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

The sole debt question to fail in Denver was for \$190 million for repairs and improvements to the National Western Campus facilities system.

Property tax rate adjustments

Norwood voters granted the town 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 received authority to collect, retain and spend all revenues as allowed by voter approval under the Taxpayer's Bill of Rights (TABOR).

Voters in several other municipalities also approved 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 62 percent approval rate for tax questions, 70 percent approval rate for debt questions and 87 percent approval rate for revenue retention questions since voter approval was first required in 1993.

Governance

Westminster voters rejected 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 approved the formation of a home rule charter commission.

Two recalls failed in Avon.

Log Lane Village and Mt. Crested Butte voters chose not to eliminate term limits for their elected officials.

Broadband

Milliken and Windsor will become the 117th and 118th municipalities to be exempted by local voters from the statutory restriction on providing, or using municipal funding to provide, broadband or telecommunications services.

Marijuana

Marijuana businesses were on the ballot in:

- Brighton – rejected question which would have allowed both marijuana businesses and a marijuana tax
- Golden – appear to have approved retail stores, though results are currently close, and approved a marijuana tax in a separate question
- Lamar – approved medical and retail stores, cultivation, manufacturing and testing, and approved marijuana taxes in a separate question
- Mead – rejected medical and retail businesses
- Wellington – rejected medical and retail stores and approved a marijuana tax in a separate question
- Westminster – approved marijuana businesses, but because they were contingent on the approval of a marijuana tax in a separate question which appears to have narrowly failed, neither will go into effect
- Wray – rejected question which would have allowed both manufacturing and an excise tax

Marijuana taxes passed in De Beque and Las Animas, and failed in Fort Lupton, Lakewood and Yuma. A marijuana tax in Idaho Springs is currently ahead by one vote.

Denver voters defeated an initiative to increase the marijuana sales tax to fund pandemic research.

Publication requirements

Greenwood Village voters approved 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 approved an amendment to their code to provide that the mayor and all councilmembers be elected using a ranked voting method.

Elizabeth voters approved moving their regular elections to November of even-numbered years, and Denver voters approved a move to April of odd-numbered years.

Charter amendments

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

- Boulder – approved three amendments: regarding council compensation, regarding meetings of council and regarding the number of signatures required for initiative, referendum and recall petitions
- Delta – approved an amendment regarding contracts and rejected a second amendment regarding borrowing provisions
- Denver – approved an amendment to allow 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 – approved the removal of a requirement for council approval of certain contracts
- Greeley – rejected 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 – approved an amendment to shorten the residency qualification for city councilors to one year, an amendment to update archaic language and an amendment to update the charter to use gender neutral language
- Telluride – approved non-substantive changes to the election code and meetings sections and a second question to move petition regulations to the municipal code
- Westminster – approved 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, and rejected an amendment to update the charter to use gender neutral language

Arvada voters approved three of four charter amendments: increasing the number of days to fill a council vacancy, increasing the amount of time permitted to gather signatures on a referendum petition and increasing the amount of time permitted to gather signatures on an initiative petition. The one amendment that failed would have removed the prohibition of an employee of another municipality from holding public office in Arvada.

Other issues

Other issues that were decided include:

- Aspen – approved the exchange of public property for a conservation easement
- Boulder – rejected an initiative to require an election approving the annexation agreement for land known as CU South and appear to have rejected an initiative to prohibit the sale and manufacture for sale of certain fur products, though results are currently close
- Cherry Hills Village – approved the organization of general improvement district and the authorization of debt and levy of property tax
- Denver – approved an initiative requiring a municipal election before allowing development on land protected by a conservation easement; rejected a second initiative also concerning development on land protected by a conservation easement that would have also redefined conservation easement; and rejected an initiative to require the city to enforce unauthorized camping and allow up to four authorized camping locations on public property
- Lyons – approved the construction of a solar generation and battery storage facility on town property
- Wiggins – rejected the sale of public property

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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