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NEWS RELEASE

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Colorado Municipal League releases fall municipal election results

Nov. 9, 2022, Denver, Colo. – On Nov. 8, voters in 85 cities and towns across Colorado considered local questions and candidates as part of the general election. Nineteen municipalities held their regularly-scheduled candidate elections, while the remainder held special elections on initiated and referred ballot questions. Over 150 municipal ballot questions were considered across the state. The Town of Rico conducted its regular election on Nov. 1.

The following results are unofficial and subject to change.

Housing

Several municipalities had housing-related tax and bond issues on the ballot.

The following lodging taxes specifically naming housing as an approved expenditure passed.

- **Georgetown** – to support the activities of business promotion and tourism, including housing and childcare for the tourism-related workforce
- **Glenwood Springs** – for workforce housing projects, including associated infrastructure, and programs

A lodging tax to support workforce housing and workforce childcare needs in the town also passed in the **Estes Park Local Marketing District**.

Snowmass Village received authorization to expand the allowed uses of the revenues from the existing lodging tax and a portion of the revenues from the existing sales tax to include workforce housing purposes.

Durango received authority to retain revenues from the 2021 voter-approved lodging tax increase, with the excess revenues to be used for affordable housing programs, transportation and arts and cultural programs. **Vail** received authority to retain revenues from the 2021 sales tax, with the revenues to be used for housing initiatives and developments.

Short-term rental taxes passed in:

- **Aspen** – to fund affordable housing, infrastructure maintenance and environmental initiatives
- **Carbondale** – to fund affordable and attainable housing programs and projects
- **Dillon** – for community projects and services addressing visitor impacts
- **Salida** – an annual occupational license tax and a nightly occupational tax, both to fund affordable housing
- **Steamboat Springs** – to fund affordable and attainable housing projects and associated infrastructure improvements

Denver voters rejected an excise tax that would have been paid by landlords on each individual residential property for lease to fund tenant legal services.

In **Grand Lake**, a question authorizing marijuana businesses, contingent upon the passage of a marijuana tax, is currently ahead by two votes. In separate questions, the retail marijuana sales tax passed, while the medical marijuana sales tax failed. Both tax questions had provisions to dedicate half of the collected revenue to attainable housing.

Dillon voters authorized increasing debt up to \$20 million for workforce housing projects.

Grand Junction voters turned down three housing-related questions:

- a lodging tax increase to fund affordable housing programs and initiatives
- a short-term rental tax to fund affordable housing programs
- an amendment to their city charter to increase the maximum authorized lease term for city property from 25 years to 99 years when the property is used for affordable housing projects

Tax and bond issues

Sales tax questions passed in:

- **Dove Creek** – for streets, capital improvements and parks and recreation
- **Englewood** – one tax increase for street maintenance, and a separate tax increase for alternative policing programs relating to homelessness, mental health and addiction
- **Idaho Springs** – to fund water and wastewater capital improvements
- **Nederland** – for law enforcement services, personnel to support public safety and personnel to support other town services
- **Superior** – for recovery efforts related to the 2021 Marshall Fire
- **Wiggins** – for streets related capital improvements
- **Windsor** – for creating and preserving open space and working farms and community separators

Sales tax questions failed in:

- **Cripple Creek** – for general expenses
- **Fowler** – for criminal justice as well as street and alley repair and maintenance
- **Gunnison** – for maintaining existing streets and related infrastructure such as curbs and gutters, ADA accessibility and drainage
- **La Junta** – for the general fund
- **Milliken** – for general operations including public safety, municipal services, transportation, other public improvements, parks and recreational facilities and police services
- **Sugar City** – for general expenses
- **Yuma** – for emergency services and streets

Aspen voters approved an extension of their parks and open space tax. **Pueblo** voters approved an extension of their public safety sales tax.

Lodging taxes passed in:

- **Dillon** – to address visitor impacts related to recreation, public safety, street and parking improvements and town center redevelopment
- **Julesburg** – for services and infrastructure
- **Littleton** – to promote arts and culture and tourism
- **Lyons** – to address visitor impacts and fund community projects and capital improvements
- **Nederland** – for health and human services programs and law enforcement services
- **Palisade** – to promote sustainable tourism and emergency services

Lodging taxes failed in **Centennial** and **Hudson**.

Two property tax mill levy increases passed in:

- **Denver** – for library services
- **Fountain** – for public safety

Property tax mill levy increases failed in **Palmer Lake** and **Williamsburg**.

Erie voters approved an extension of an existing property tax mill levy to be used for trails, parks and open space.

Other tax issues that passed include:

- **Boulder** – a question to replace the existing utility occupation tax and climate action plan excise tax with a new climate tax, and a separate question authorizing debt to be repaid from the climate tax up to \$52.9 million to meet the city's climate goals
- **Central City** – an occupation tax on table games and gaming devices

In **Severance**, a use tax on motor vehicles to fund transportation infrastructure failed.

Cherry Hills Village voters approved an amendment to the city tax code to require persons engaged in business in the city, including remote sellers and others making deliveries to residents, to collect sales tax.

Authority to increase debt was granted in:

- **Fort Lupton** – up to \$10 million, with approval to extend the city's community recreation center tax, to fund phase two of the recreation center
- **Longmont** – up to \$20 million for storm drainage system improvements
- **Sterling** – up to \$29 million for wastewater system improvements

Revenue retention

The following municipalities were granted authority to retain and spend all revenues collected from previously approved taxes:

- **Denver** – two questions, to retain revenues from and continue to impose the 2020 climate action sales tax and the 2020 homelessness resolution sales tax
- **Eagle** – two questions, to retain revenues from the 2020 tobacco tax and the 2020 lodging tax, with the lodging tax revenues to be split between open space and marketing uses

In **Hartman**, a question to retain and spend all revenues collected from all sources in 2023 and each subsequent year is currently ahead by one vote. A similar question in **Milliken** failed.

Home Rule

Monument voters adopted a home rule charter, making the town the 105th home rule municipality in the state. Meanwhile, questions authorizing formation of a home rule commission passed in **Erie** and failed in **Lochbuie**.

Delta's question to create a charter commission for the purpose of submitting amendments to their existing charter to be considered at a future election failed.

Governance

In **Las Animas**, two separate questions to make the city clerk and the city treasurer appointive rather than elected positions failed.

Iliff voters rejected the elimination of term limits for the mayor and trustees.

Broadband

Castle Pines, Lone Tree, Pueblo and Trinidad received approval to join the 119 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 were on the ballot in:

- **Colorado Springs** – rejected one question to authorize retail establishments and approved a separate question authorizing a tax on retail sales
- **Cripple Creek** – approved a question to authorize marijuana businesses, contingent upon the passing of a separate question authorizing an excise tax on cultivation, a sales tax on retail sales and an occupation tax on medical sales, which is currently passing by four votes
- **Dove Creek** – rejected three questions: to authorize retail and medical businesses, to authorize an excise tax on retail cultivation and to authorize an occupation tax on retail sales
- **Hotchkiss** – approved retail and medical businesses in a question that also authorized the commencement of a 2016 tax on marijuana sales
- **Nunn** – rejected a question to authorize retail and medical businesses and a separate question authorizing a tax on retail sales
- **Palmer Lake** – approved up to two retail stores

Taxes on retail marijuana sales passed in **Ault** and **Nederland**, and a tax on wholesale unprocessed retail marijuana passed in **Fort Lupton**. A marijuana sales tax failed in **Sugar City**.

In **Lamar**, a citizen's initiative to amend the city charter to prohibit certain actions relating to marijuana, including the licensing and operation of marijuana establishments and prohibiting actions relating to having more than one ounce of marijuana for personal use, has failed.

Election changes

Boulder, Fleming, LaSalle, Timnath and Wiggins received approval to move their regular elections to November of even-numbered years. **Silt** voters approved moving their election date to November of odd-numbered years.

Mt. Crested Butte voters approved moving their regular election to November of even-numbered years and, in a separate question, granted an extension of certain councilmembers' terms to allow for an orderly transition.

In **Fort Collins**, questions to move their election date to November of odd-numbered years and to require ranked-choice voting for the offices of mayor and councilmember both passed.

Charter amendments

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

- **Aurora** – rejected an amendment to replace the general prohibition against convicted felons holding elective office with a more specific prohibition against persons convicted of embezzlement of public money, bribery, perjury, solicitation of bribery, or subornation of perjury
- **Boulder** – approved an amendment clarifying sections related to candidates running for more than one office, candidacy by sitting council members, filling council vacancies and changing the swearing-in date of newly elected officials
- **Cañon City** – approved four charter amendments regarding open meetings, certain employment provisions, accepting land to be used as parks or playgrounds and provisions relating to the municipal court and municipal jail
- **Cherry Hills Village** – approved an amendment requiring voter approval to transfer most city trails or open space property
- **Craig** – appears to have approved an amendment concerning the powers of the council, though the unofficial results are close

- **Dacono** – approved amending language concerning the Public Works Department to more accurately reflect the duties and responsibilities of the Public Works Director
- **Denver** – approved modernizing election procedures, including initiative provisions, ballot question language, and candidate nomination deadlines
- **Englewood** – approved eight amendments to update language to be gender silent; update election language to track state law; revise redistricting language to comply with federal law; amend language related to the start of council terms; allow for more flexibility in council meetings, including allowing remote meetings; remove reference to the development and maintenance of an airport; adjust requirements regarding number of members on boards and commissions; and make changes to comply with the Colorado Governmental Immunity Act
- **Fort Collins** – approved an amendment to the section regarding mayor and council compensation to provide for a salary that is a certain percentage of the area median income, as well as to provide councilmembers the option of receiving healthcare-related benefits
- **Littleton** – approved allowing procurement policies to be set by ordinance
- **Longmont** – approved two charter amendments, one to remove outdated language and a second making changes regarding prospective council vacancies created when a councilmember runs for another elected office
- **Parachute** – approved an amendment concerning terms of persons filling vacancies and rejected an amendment that would have allowed the town manager to appoint the clerk, police chief, and finance director
- **Rico** – approved the amending of rules concerning the conduct of elections to facilitate the town’s participation in coordinated elections
- **Rifle** – approved an amendment concerning the granting of franchises
- **Severance** – approved an amendment clarifying terms and term limits when filling a vacancy
- **Timnath** – rejected increasing the threshold of registered electors that would trigger an increase in the number of councilmembers and commence redistricting

Other issues

- **Avon, Eagle, Minturn, Red Cliff and Vail** – approved the creation of the Eagle Valley Transportation Authority and levying a sales tax to fund its operations, while voters in **Gypsum** rejected the same question
- **Boulder** – approved a question repealing the library commission and associated tax if a separate initiative to create a library district passes, though it appears that separate initiative is likely to fail, and rejected a citizen-initiated referendum that would have repealed the annexation of a property known as CU South
- **Dacono** – appears to have narrowly rejected increasing mayor and council compensation
- **Denver** – approved two citizen-initiated measures, one requiring multifamily residential premises, non-residential premises, food waste producers, retail food mobile license holders and special events organizers to offer recycling and/or organic material diversion, and a separate question concerning an ordinance to create a sidewalk master plan, which will charge a fee to property owners and authorize bonds to fund a sustainable sidewalk program
- **Gilcrest** – approved allowing chickens in residential districts in town
- **LaSalle** – approved the publication of ordinances by title rather than in full provided ordinances are available for review at town hall
- **Las Animas** – approved the publication of ordinances by title rather than in full provided ordinances are posted in full on the city’s website
- **Littleton** – approved a citizen-initiated referendum that would repeal a zoning ordinance regarding a property known as the Newton Property General Planned Development Plan (Aspen Grove), and three questions related to the creation of a downtown development authority, authorizing the retention and

expenditure of all revenues of the authority, and authorizing a property tax mill levy increase within the boundaries of the authority

- **Lyons** – approved expanding the permitted and conditional uses of the parks and open space zoning district to allow for arts and cultural and non-profit facilities
- **Mead** – results are currently unavailable for four questions related to the creation of a general improvement district, authorizing two property taxes for the district, and authorizing up to \$3 million in debt for the district
- **Salida** – approved a question conveying the Salida Community Center to Salida Senior Citizens, Inc., and, following a citizen-initiated referendum, overturned the city council’s approval of a proposed development plan
- **Trinidad** – approved the sale of a specific public property

Note

Berthoud’s ballot included a question that would have authorized the town to annex property but the Board of Trustees withdrew the question and votes cast on the question were deemed invalid.

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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