



Clerk & Recorder

Hillary Hall

NOTICE OF ELECTION

November 5, 2013 - Election Day

Vote by mail ballot or at a Voter Service and Polling Center.



NOTICE OF ELECTION TO INCREASE TAXES/TO INCREASE DEBT/ ON A CITIZEN PETITION/ON A REFERRED MEASURE.

This pamphlet contains summary statements for ballot propositions as required by the State of Colorado Constitution, Article X, Section 20.

A “yes” vote on any ballot issue is a vote in favor of changing current law or existing circumstances, and a “no” vote on any ballot issue is a vote against changing current law or existing circumstances.

This notice is mailed to each address with one or more active, registered electors. You may not be eligible to vote on all issues presented in this notice.

www.BoulderCountyVotes.org

2013 Coordinated Election: Boulder County, Colorado

Election Day – Tuesday, November 5, 2013

Check **BoulderCountyVotes.org** for more election information
or contact us: **Phone: 303-413-7740**
Email: Vote@BoulderCountyVotes.org

Important reminders:

- Check your voter registration details at BoulderCountyVotes.org in early October.
- The 2013 Coordinated Election will be conducted entirely by mail ballot. All active, registered voters will receive a ballot in the mail. Mail ballots will be sent to voters the week of October 15.
- If you make a mistake on your mail ballot, damage it or lose it, you may request a replacement ballot by emailing Vote@BoulderCountyVotes.org or calling 303-413-7740.
- Ballots must be received by the Boulder County Clerk & Recorder, a Voter Service and Polling Center or a designated drop-off location (see inside of back cover) by 7 p.m. on Election Day, Tuesday, Nov. 5, in order for your vote(s) to be counted. Ballots received after 7 p.m. on Nov. 5 will not be counted. Postmarks do not count as a received date.
- After voting your mail ballot, check your voter information at www.BoulderCountyVotes.org or call 303-413-7740 to verify your ballot was received.

VOTER SERVICE AND POLLING CENTERS

Four voter service and polling centers will be available in Boulder County during the 2013 Coordinated Election. Visit a voter service and polling center to:

- drop off your ballot
- cast a ballot in person
- request a replacement ballot
- register to vote or update your registration information
- vote using equipment and facilities for persons with disabilities.

BOULDER

Boulder County Clerk & Recorder's Office
1750 33rd Street

8 a.m. to 4:30 p.m. Monday-Friday, Oct. 15-25
8 a.m. to 6 p.m. Monday-Saturday, Oct. 28-Nov. 4
7 a.m. to 7 p.m. Tuesday, Nov. 5 (Election Day)

BOULDER

University Club, CU Campus
972 Broadway

8 a.m. to 6 p.m. Monday-Saturday, Oct. 28-Nov. 4
7 a.m. to 7 p.m. Tuesday, Nov. 5 (Election Day)

LONGMONT

Boulder County Clerk & Recorder's Office
529 Coffman Street

8 a.m. to 6 p.m. Monday-Saturday, Oct. 28-Nov. 4
7 a.m. to 7 p.m. Tuesday, Nov. 5 (Election Day)

LAFAYETTE

Boulder County Clerk & Recorder's Office
1376 Miners Drive, Suite 105

8 a.m. to 6 p.m. Monday-Saturday, Oct. 28-Nov. 4
7 a.m. to 7 p.m. Tuesday, Nov. 5 (Election Day)

THREE EASY STEPS TO VOTE

1. Check your voter registration.

Make sure you are registered and your address is current. Ballots are not forwarded by the U.S. Postal Service.

You can easily register to vote, update your address, or just check your status online at BoulderCountyVotes.org until October 28 for the November 5, 2013, election.

You may also register or update your address and vote at a Voter Service & Polling Center through Election Day.

2. Check your mailbox.

Your ballot will arrive in the mail. The Boulder County Elections Division plans to distribute ballots the week of Oct. 15. You have a choice of how to return the ballot after you vote. You can:

- **mail it back**
- **drop it off in person, or**
- **vote in person at a Voter Service & Polling Center.**

See the list of Voter Service & Polling Centers inside of the front cover. Or visit BoulderCountyVotes.org for more information.

Centers will open on October 28 for the November 5, 2013, election.

3. Get peace of mind. Make sure we received your ballot.

Your online voter registration record at BoulderCountyVotes.org will show the status of your ballot.

Keep in mind there may be a one- or two-day delay between turning in your ballot and seeing confirmation that it was received. If you have questions, call the Boulder County Elections Division at 303-413-7740.

Boulder County

ALL REGISTERED VOTERS
BOULDER COUNTY, COLORADO
Notice of Election – by Mail Ballots
Deadline for Receipt of Ballots:
November 5, 2013 – 7:00 p.m.
Boulder County Clerk’s Office
Main office: 1750 33rd St.
Boulder, CO 80301
303-413-7740

**NOTICE OF ELECTION TO INCREASE
TAXES/INCREASE DEBT ON REFERRED
MEASURES**

**BOULDER COUNTY SUBDIVISION
PAVING PUBLIC IMPROVEMENT
DISTRICT ISSUE 5C**

(Formation, Mill Levy and Debt Authorization)

Ballot Title and Text:

SHALL BOULDER COUNTY SUBDIVISION PAVING DISTRICT TAXES BE INCREASED UP TO \$3,300,000 ANNUALLY (SUCH DOLLAR AMOUNT REPRESENTING CALENDAR YEAR 2014 TAX COLLECTIONS) AND SHALL DISTRICT DEBT BE INCREASED UP TO \$30 MILLION WITH A MAXIMUM REPAYMENT COST OF UP TO \$40,942,800, ALL FOR THE PURPOSE OF PAYING THE COSTS OF ROAD REHABILITATION THROUGH AN AD VALOREM PROPERTY TAX MILL LEVY IMPOSED AT A RATE NOT TO EXCEED 7.15 MILLS, WITH THE ANNUAL TAX REVENUES FROM SUCH MILL LEVY (REGARDLESS OF DOLLAR AMOUNT) ON AND AFTER CALENDAR YEAR 2014 TO BE USED SOLELY FOR PAYMENT OF THE COSTS OF ROAD REHABILITATION AND THE PAYMENT OF DEBT ISSUED FOR SUCH PURPOSE; SHALL SUCH DEBT BEAR INTEREST AT A MAXIMUM NET EFFECTIVE INTEREST RATE NOT TO EXCEED 4.57% PER ANNUM AND BE ISSUED AND SOLD AT SUCH TIMES, AT SUCH PRICES (AT, ABOVE OR BELOW PAR) AND IN SUCH MANNER AND CONTAINING SUCH

TERMS, NOT INCONSISTENT HEREWITH, AS THE BOARD OF DIRECTORS MAY DETERMINE; SHALL THE REVENUE FROM TAXES AUTHORIZED BY THIS BALLOT ISSUE CONSTITUTE VOTER-APPROVED REVENUE CHANGES; AND SHALL BOULDER COUNTY SUBDIVISION PAVING DISTRICT BE ORGANIZED, ALL AS MORE PARTICULARLY SET FORTH IN BOARD OF COUNTY COMMISSIONERS’ RESOLUTION NO. 2013-79?

YES ____

NO ____

Fiscal Information for Ballot Issue 5c:

The estimated total of District fiscal year spending for the years 2009-2013 is “0.” The overall percentage and dollar change for that period are also “0.”

The maximum amount of proposed District tax increase for the first full fiscal year is \$3,300,000. District fiscal year spending without such increase is “0.”

Proposed Subdivision Paving Public Improvement District Bond Issue:

Maximum principal amount: \$30,000,000

Estimated maximum annual repayment cost: \$3,300,000

Maximum total repayment cost: \$40,942, 800

Principal balance of total current District bonded debt and maximum annual and remaining total repayment cost: \$0

Summary of statements submitted in support of Subdivision Paving Public Improvement District Issue 5C:

Our two choices are to approve a Public Improvement District or be “served” with a Local Improvement District. These two funding vehicles are somewhat similar, however:

- The PID provides both initial and ongoing funding for the rehabilitation of our subdivision roads. It is a “permanent solution for an ongoing problem.” You should never again watch your road deteriorate into “poor” condition, which will improve your property values. The LID is a temporary fix that will provide road rehabilitation over only a 15 year period; then funding ends, the 20% matching funds from the County ends, and the roads will begin to deteriorate. Roads that deteriorate below a 5.5 Pavement Quality Index will cost us millions of dollars to reconstruct, which is today’s scenario.

- The PID is a mill levy tax increase, which we are permitted to pay in two equal payments. The tax is deductible from our Federal Taxes; which lowers our “out-of-pocket” costs. The LID is an “assessment” which must be paid in lump sum each year. It is not deductible. If you fail to pay your annual assessment, the total amount remaining becomes due immediately. The unpaid LID assessment amounts to a lien on your property; which may or may not create headaches when you go to sell your home, depending on the perspective of the buyer and/or their mortgage company. The statutes allow the lien to be transferred to the next owner...if they are agreeable.

- Which is least costly for me? For many the PID will be least expensive. Do your own cost analysis. See Cost Calculator on the web page:
<http://www.bouldercounty.org/roads/plans/pages/subpaving.aspx>

- Who is in control? If the PID passes, your property taxes will increase by about 7.15 mills. That cannot be increased unless it is approved by the voters. If you allow the LID to

be “served,” then the annual assessment amount can be increased by the Commissioners, simply by holding a public hearing. It boils down to who you trust... the Commissioners or your unincorporated county neighbors?

- Timeliness: If “road rehabilitation urgency” is on your mind, then the PID was created for you. The PID is “bonded.” By voting for the PID, you are authorizing the County to borrow \$30 million. This money will be delivered early in 2014, and work can commence in earnest and almost immediately. If you live on a street categorized as in “poor condition,” you should see your road rehabilitated in the first 36 months. If you vote down the PID, then the LID assessment funds will only trickle in. This slow accumulation of revenue will prolong the rehabilitation process.

- What is the condition of my road? Visit the following web page:
<http://www.bouldercounty.org/roads/plans/pages/subpaving.aspx>

Click Subdivision Pavement Quality Map

- How can this money be spent?
 - Only for the rehabilitation of your roads. (state law)
- Who will watch over this fund?
 - A Citizens Advisory Committee, appointed by the County.
- How much will the County provide?
 - 20% matching funds, forever if you choose the PID.

Summary of statements submitted in opposition to Subdivision Paving Public Improvement District Issue 5C:

Road maintenance is one of the most basic responsibilities of any county. But over the past 18 years, Boulder County has devastated its Road Maintenance Budget in favor of diverting unspent funds to such vague Reserves as

'Natural or Man-made Disasters', for which there is no time-frame or quantifiable calculation possible; thus robbing a fundamental and specific taxpayer need to fund an unknown. Eighteen years ago the County's budget for road maintenance was 9% of property tax revenue. In 2012 it was less than 1%. While the County claims to have "re-defined" what road maintenance means, such a precipitous drop in spending clearly shows the County has essentially abandoned one of its most basic and long-funded responsibilities in order to increase funds for its own discretionary spending preferences, resulting in a PID that cause subdivision homeowners to pay twice to maintain roads. This is an irresponsible and unfair fiduciary act.

It is inappropriate to describe the situation regarding subdivision roads today as lack of revenues available. From 1995 to 2012, property tax revenues collected by Boulder County increased from \$53.1 million to \$137.4 million. Property tax revenues directed to road maintenance declined from \$4.6 million to \$1 million. Unallocated reserve funds increased \$6.6 million to \$63.6 million. The difficulty in funding maintenance of subdivision roads is a result of County Commissioner priorities.

There is no timeframe for the work to be performed, where, when, and what. Subdivision roads would continually suffer from wear and tear. The county has provided no schedule or deadline to complete (or even begin) the repairs or reconstruction of these roads and bridges. Where does each subdivision stand on this process?

The County concealed about \$63M in discretionary funds from the Subdivision Paving Working Group. Now that this fact is known, these funds should be given consideration before asking property owners to approve a PID.

C.R.S. 30-20-603, 6(f) requires that assessments to property owners be proportional to the benefits received, however this is not true of the proposed assessment algorithm. Multiple unit structures in subdivisions, will receive a disproportionately low assessment per owner/vehicle as compared to individual residences.

**BOULDER COUNTY NEDERLAND ECO PASS
PUBLIC IMPROVEMENT DISTRICT ISSUE 5D**

(Formation and Mill Levy)

Ballot Title and Text:

SHALL BOULDER COUNTY NEDERLAND ECO PASS PUBLIC IMPROVEMENT DISTRICT TAXES BE INCREASED UP TO \$110,000 ANNUALLY (SUCH DOLLAR AMOUNT REPRESENTING CALENDAR YEAR 2014 TAX COLLECTIONS) FOR A LIMITED TEN YEAR PERIOD THROUGH AN AD VALOREM PROPERTY TAX MILL LEVY IMPOSED AT A RATE NOT TO EXCEED 1.85 MILLS, WITH THE ANNUAL TAX REVENUES FROM SUCH MILL LEVY (REGARDLESS OF DOLLAR AMOUNT) ON AND AFTER CALENDAR YEAR 2014 TO BE USED FOR THE PURPOSE OF PAYING THE COSTS OF PROVIDING AN ECO PASS TO ALL PERMANENT RESIDENTS IN THE DISTRICT; SHALL THE REVENUE FROM TAXES AUTHORIZED BY THIS BALLOT ISSUE CONSTITUTE A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITATIONS SET FORTH IN SECTION 29-1-301 OF THE COLORADO REVISED STATUTES; AND SHALL BOULDER COUNTY NEDERLAND ECO PASS DISTRICT BE ORGANIZED, ALL AS MORE PARTICULARLY SET FORTH IN BOARD OF COUNTY COMMISSIONERS' RESOLUTION NO. 2013-80?

YES ____

NO ____

Fiscal Information for Ballot Issue 5D:

The estimated total of District fiscal year spending for the years 2009-2013 is "0." The overall percentage and dollar change for that period are also "0."

The maximum amount of proposed District tax increase for the first full fiscal year is \$110,000. District fiscal year spending without such increase is "0."

**Summary of statements submitted in
support of Nederland Eco Pass Public
Improvement District Issue 5D:**

Your YES vote on Issue 5D is critical- not just for bus riders in the district but for our local economy.

Nederland has been in partnership with Boulder County Transportation in support of a pilot project to provide bus passes known as EcoPasses to all residents living within the Nederland Library District since 2012 through a combination of State grant funding (approx. 70% of costs) and Boulder County local match funds (approx. 30% of costs). The grant funding expires at the end of 2013 and a new source of funding is needed in order to pay for the program on an annual, on-going basis. A public improvement district can provide those funds, with an estimated increase in property taxes of \$14.85 per \$100,000 of assessed residential property. The average 2012 value of a property in the district is \$286,000. The estimated cost to such a property would be \$42 per year.

Issue 5D:

- provides all residents of the district additional, affordable, sustainable transportation connections throughout the RTD District with unlimited RTD bus and light rail access (with a \$2.50 surcharge for buses headed to and from Denver International Airport).
- increases mobility and access to a social service, the pilot program showed a 45% increase in ridership.
- minimizes roadway congestion, energy consumption, greenhouse gas, and other air emissions, the pilot program has already reduced carbon emissions by over 90.3 metric tons, for cleaner air for all residents.

- allows increased community economic vitality as the local economy saw a 7.3% increase in sales tax during the pilot program.
- could increase service with the steady demand in ridership, as Nederland has the highest per capita use in RTD, due to the combination of the EcoPass along with those residents already receiving a bus pass from their place of employment.
- provides economic benefit and essential livelihood to fixed-income and low-income residents and those with disabilities.
- continues the EcoPass program which has greatly reduced the Vehicle Miles Traveled (VMT) in Boulder Canyon by 250,000 miles, which extends the life of road maintenance.
- could effectively reduce traffic congestion during Nederland's many special events during the year, as event coordinators have successfully recommended using RTD to avoid traffic and parking congestion.
- would allow for any remaining revenues, if funding permits, to be used to pay for additional or expanded transit service hours of existing bus routes, or transit related amenities, including but not limited to: bus stop pads, benches, and bicycle racks and shelters.

This ballot measure expressly requires voter approval before any future increase in current tax rates can occur, and expires after ten years. As an added measure of accountability, the Nederland Board of Trustees have proposed that the new EcoPass Improvement District Board would be required to produce an annual report, illustrating how the funds are spent, as a component unit of the County's Audit.

Summary of statements submitted in opposition to Nederland Eco Pass Public Improvement District Issue 5D:

Citizens should vote against the formation of a Nederland EcoPass public improvement district and against the additional 1.85 mil tax levy on property owners to fund this program. The rationalization for this issue brought forth to the commissioners for imposing this tax consists of four invalid arguments.

First, over 3300 permanent residents in the district will receive an RTD EcoPass that can be used throughout the RTD district. But most residents of the proposed tax district do not use their existing EcoPass. Ridership on the N route averages approximately 400 passengers per day, and not all of these riders are from Nederland. The heaviest ridership leaving Nederland occurs in the morning at rush hour which averages 90 people taking the bus between the hours of 5:30 AM to 9:00 AM. Thus less than 3% of the population from Nederland commute by bus, and if we assume all 400 daily riders are from the proposed tax district, this still only constitutes 12% of the population using the bus. Thus this tax will benefit a very small percentage of Nederland residents.

Second, a claim was made that the EcoPass provides increased mobility and access to social services. This is incorrect. For example, the EcoPass does not provide access to the disabled public, because Access-a-Ride is not covered under an RTD EcoPass program. Access to only one bus route and twenty-six daily trips offers minimal additional mobility. No increased transport service or guarantee of preservation of present service is being offered with this tax increase.

Third, a claim was made that the previous two year EcoPass grant program showed a significant decrease in traffic congestion and pollution on Boulder Canyon highway of 250,000 vehicle transport miles annually. When this is recalculated to reflect daily traffic, the results demonstrate a decrease of only 29 cars

per week day. CDOT tabulates that, on average, 8,800 cars per day drive up or down Boulder Canyon between Nederland and Boulder. The resulting decrease in traffic with the free EcoPass program has been an insignificant 0.3% reduction. There has been no significant benefit to the environment or to traffic reduction.

The final argument for this tax levy is that it will increase community vitality. This is unlikely, since it adds yet another cost to Nederland businesses and residents who already cope with a heavy tax burden. Another tax increase will just cause prices of goods and services to increase in the Town of Nederland, further eroding Nederland town sales tax revenues.

Unlike tax investments toward infrastructure, this tax funds a service from Nederland and it will not result in bringing more visitors to Nederland.

Currently every EcoPass neighborhood in Boulder County is organized on a voluntary basis. The formation of a Nederland EcoPass district coerces citizens to pay for a product that they do not want to buy. Taxes should benefit everyone who contributes; this tax benefits very few. This ballot measure is not in the interest of the majority of affected citizens.

City of Boulder

ALL REGISTERED VOTERS

CITY OF BOULDER
Office of the City Clerk
1777 BROADWAY
P.O. BOX 791
BOULDER, CO 80306
(303) 441-3013

NOTICE OF ELECTION TO INCREASE TAXES AND DEBT AND FOR REVENUE CHANGES

CITY OF BOULDER BALLOT ISSUE NO. 2A

RECREATIONAL MARIJUANA TAX

SHALL ALL 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 REVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE CITY OF BOULDER UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

FOR THE MEASURE _____

AGAINST THE MEASURE _____

Fiscal Information for Ballot Issue 2A:

BALLOT ISSUE 2A - (Increase debt for the purpose of funding capital improvement projects included in Ordinance 7798 adopted by the City)

(ii) Estimated total District fiscal year spending for the current year and actuals for each of the past four years, and the overall percentage and dollar change.

<u>Fiscal Year</u>	<u>Dollar Spending</u>
2009 Actual	153,804,000
2010 Actual	176,376,000
2011 Actual	179,758,000
2012 Actual	204,928,000
2013 Estimate	188,050,000

Overall Percentage Change
from 2009 to 2013 22.27%
Overall Dollar Change
from 2009 to 2013 \$ 34,246,000

(iii) For the first full fiscal year of this proposed district tax increase (2014), the district estimates that the maximum dollar amount of the increase in the Recreational Marijuana Tax will be \$3,360,000 and that the district fiscal year spending without the increase will be \$197,150,000.

Summaries prepared from materials filed by persons in favor of or opposed to the ballot issue:

Those in favor say:

No comments were submitted

Those opposed say:

No comments were submitted

CITY OF BOULDER BALLOT ISSUE NO. 2B

SALES AND USE TAX

SHALL CITY OF BOULDER TAXES BE INCREASED (\$4,482,200 FIRST FULL FISCAL YEAR DOLLAR INCREASE ANNUALLY) BY INCREASING THE SALES AND USE TAX BY 0.15 CENTS FOR THE PERIOD OF JANUARY 1, 2014 TO DECEMBER 31, 2019 WITH ALL OF THE REVENUES COLLECTED USED TO FUND TRANSPORTATION CONSTRUCTION AND SERVICES SUCH AS MAINTENANCE OF PAVEMENT, CONSTRUCTION OF TRANSPORTATION INFRASTRUCTURE, TRANSIT SERVICE AND OTHER TRANSPORTATION PURPOSES? 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 CITY OF BOULDER UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

FOR THE MEASURE ____

AGAINST THE MEASURE ____

Fiscal Information for Ballot Issue 2B - new 0.15 cent sales and use tax for transportation purposes for six years

(ii) Estimated total District fiscal year spending for the current year and actuals for each of the

past four years, and the overall percentage and dollar change.

<u>Fiscal Year</u>	<u>Dollar Spending</u>
2009 Actual	153,804,000
2010 Actual	176,376,000
2011 Actual	179,758,000
2012 Actual	204,928,000
2013 Estimate	188,050,000

Overall Percentage Change
from 2009 to 2013 22.27%

Overall Dollar Change
from 2009 to 2013 \$ 34,246,000

(iii) For the first full fiscal year of this proposed district tax increase (2014), the

district estimates that the maximum dollar amount of the increase in the Sales and Use Tax for transportation purposes will be \$4,482,000 and that the district fiscal year spending without the increase will be \$197,150,000

Summaries prepared from materials filed by persons in favor of or opposed to the ballot issue:

Those in favor say:
No comments were submitted

Those opposed say:
No comments were submitted

City of Lafayette

**ALL REGISTERED VOTERS
CITY OF LAFAYETTE
BOULDER COUNTY, COLORADO
NOTICE OF ELECTION TO INCREASE TAXES
ON A CITIZEN PETITION**

ELECTION DATE: November 5, 2013

ELECTION HOURS: 7:00 a.m. to 7:00 p.m.

**LOCAL ELECTION OFFICE: 1290 South Public
Road, Lafayette, CO 80026
(303) 665-5588 x3313**

**DESIGNATED ELECTION OFFICIAL: Susan
Koster, CMC, Lafayette City Clerk,**

**COORDINATED ELECTION OFFICIAL: Hillary
Hall, Boulder County Clerk and Recorder, 1750
33rd Street, Boulder, CO 80301,
(303) 413-7740**

**BALLOT TITLE AND TEXT:
CITY OF LAFAYETTE BALLOT ISSUE
NO. 301 UTILITY OCCUPATION TAX**

SHALL CITY OF LAFAYETTE TAXES BE INCREASED (UP TO \$720,000 IN THE FIRST YEAR) ANNUALLY AND BY SUCH AMOUNTS AS MAY BE COLLECTED THEREAFTER, BY AMENDMENT OF THE CITY HOMERULE CHARTER TO IMPOSE A "UTILITY OCCUPATION TAX" UPON PUBLIC UTILITY COMPANIES WHO USE CITY RIGHTS-OF-WAY TO PROVIDE ELECTRIC AND GAS UTILITIES AT THE RATE OF \$720,000 PER UTILITY COMPANY, AS AN ALTERNATIVE TO THE CURRENT THREE PERCENT FRANCHISE FEE IF A FRANCHISE FEE OR LICENSE FEE IS NO LONGER COLLECTED, AND SHALL THAT REVENUE BE DEDICATED TO PROJECTS AND

PURPOSES THAT REDUCE ENERGY CONSUMPTION THROUGH ENERGY EFFICIENCY AND/OR INCREASE USE OF RENEWABLE ENERGY BY THE GOVERNMENT, RESIDENTS AND BUSINESSES OF LAFAYETTE, AND SHALL THE FULL PROCEEDS OF THIS TAX 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 LAFAYETTE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

YES _____

NO _____

ACTUAL HISTORICAL AND CURRENT

ESTIMATED FISCAL YEAR SPENDING

INFORMATION:

YEAR	FISCAL YEAR SPENDING
2009 (actual)	\$ 29,292,063*
2010 (actual)	31,900,172*
2011 (actual)	33,278,244*
2012 (actual)	30,623,435*
2013 (current year estimated)	33,515,292

Overall percentage change in fiscal year spending over the five year period from 2009 through 2013: 14.5 %

Overall dollar change in fiscal year spending over the five year period from 2009 through 2013:

\$ 4,223,229

Estimated spending for first full fiscal year without taking into account the tax increase authorized by BALLOT ISSUE NO. 301: \$ 31,633,874

Estimate maximum dollar amount of tax increase authorized by the BALLOT ISSUE NO. 301 for first full fiscal year: \$ 720,000

**Amounts include debt repayment cost of \$1,594,485 in 2013; \$1,594,485 in 2012; \$1,636,785 in 2011; \$1,876,232 in 2010; and \$2,255,565 in 2009*

SUMMARIES OF WRITTEN COMMENTS FILED WITH THE ELECTION OFFICER:

The following summaries were prepared from comments filed by persons in favor of or opposed to the ballot issue:

THOSE IN FAVOR OF THE BALLOT ISSUE SAY:

- The Utility Occupation Tax (UOT) is NOT an additional tax/fee. It replaces the current Franchise Fee on everyone's energy bill and is revenue-neutral in Year 1.
- The UOT funds renewable energy and energy efficiency/conservation projects for Lafayette residents, businesses and government, whereas the Franchise Fee goes to the General Fund for unrestricted spending.
- The UOT only takes effect if the 20-year Franchise Renewal (Question 2A) is NOT

approved, so please vote NO on 2A with YES on 301.

- Lafayette will be serviced by the same Utility and pay the same rates for energy with or without a franchise agreement.

Reasons to vote YES on 301 (and NO on 2A):

- This is a once-in-a-generation opportunity to choose our direction on energy – the status quo and coal, or renewables and energy efficiency.
- Both energy directions cost ratepayers about the same amount of tax/fee. We are choosing how it is spent.
- Most of our power comes from coal. Coal plants emit pollutants (mercury, sulfur and nitrogen oxides, soot) and consume enormous amounts of a precious resource (water) for cooling. Renewables do not.
- The primary cause of climate change is massive amounts of carbon dioxide from coal-burning power plants. We can choose more renewable energy and energy efficiency instead. It's time to take responsibility for the climate we leave to future generations.
- Our utility will invest hundreds of millions of our dollars in 30-year-old coal plants rather than in more renewable energy. This will only change after they hear strong messages of customer dissatisfaction like cities not renewing 20-year contracts and investing in clean energy themselves.
- Energy savings from renewables and energy efficiency stay local and generally pay for the investment over time. Dollars paid to our monopoly utility go to Minnesota and pay for corporate overhead and 7-10% guaranteed profit.
- Statements that the UOT will harm City services or personnel are highly-exaggerated scare tactics (see analysis on the website). The

City has managed similar budget shifts effectively, and the outlook for Lafayette sales tax revenue is excellent. Even the worst-case scenario of a short-term cash flow challenge is readily managed by postponing nonessential planned road expansions (South Boulder Road, 111th Street).

- The two recommended votes carry ZERO RISK because City Council adopted Ordinance 18, which extends the current 20-year franchise by one year if 2A is not approved, allowing the franchise to be considered again in 2014, and giving the City time to spend the \$1.2M in the "undergrounding fund".
- Loss of the \$180,000 annual undergrounding contribution is a small price to pay for making Lafayette a showcase city on clean energy.
- Transitioning from fossil fuels to renewables and energy efficiency is necessary for our future. We must take charge of it ourselves, and this is our best opportunity. Please vote YES on 301 and NO on 2A to change Lafayette's direction on energy and to inspire others by our example.

THOSE AGAINST THE BALLOT ISSUE SAY:

Vote NO on Utility Occupation Tax to avoid \$720,000 in cuts to Lafayette residential services such as police and fire protection, parks and recreation, public arts, and snow plowing. This proposed tax will remove existing funding for these services and require the amount to be spent elsewhere.

The revenues from said occupation tax are obligated exclusively to purchase renewable energy. The City of Lafayette will be required to offset the costs of all street lights, security lights and traffic lights plus administration and purchasing of public rights of way from other programs within the City of Lafayette's budget.

The Utility Occupation Tax requires public utility companies to be taxed 3% of total electricity and natural gas sales. This \$720,000 tax will be passed along to residents through their utility bills.

The Utility Occupation Tax cannot be used on undergrounding projects to bury unsightly overhead utility lines. The passage of this Occupation Tax also causes the City's existing \$1.2 million undergrounding fund from the public utility company to be allocated to other municipalities.

The Utility Occupation Tax does not sanction the City to participate in utility right of way franchise agreements with public utility companies.

ESTES PARK SCHOOL DISTRICT R-3

**ALL REGISTERED VOTERS
ESTES PARK SCHOOL DISTRICT R-3
BOULDER COUNTY, COLORADO**

NOTICE OF ELECTION TO INCREASE TAXES ON A REFERRED MEASURE

**Deadline for receipt of ballots: November 5,
2013 7:00 p.m.**

**Coordinated Election: Coordinated Election
Official: [Hillary Hall, Boulder County Clerk and
Recorder; 1750 33rd St. #200, Boulder,
Colorado 80301; telephone number (303) 413-
7700**

**Local election office address and phone
number: Designated Election Official: Kim
Morris, Designated Election Official; Estes Park
School District R-3, 1605 Brodie Avenue, Estes
Park, Colorado 80517; telephone number (970)
586-2361, Ext. 3001**

Ballot title and text:

ESTES PARK SCHOOL DISTRICT R-3 BALLOT ISSUE 3A

SHALL ESTES PARK SCHOOL DISTRICT R-3 TAXES BE INCREASED \$750,000 ANNUALLY TO BE COLLECTED IN 2014 AND ANNUALLY THEREAFTER, BUT ONLY IF THE STATEWIDE BALLOT MEASURE TO INCREASE STATE TAX REVENUES FOR PUBLIC EDUCATION IS NOT APPROVED, WITH SUCH DISTRICT TAXES TO BE DEPOSITED IN THE GENERAL FUND OF THE DISTRICT AND EXPENDED FOR EDUCATIONAL PURPOSES, AND SHALL SUCH TAX INCREASE BE AN ADDITIONAL PROPERTY TAX MILL LEVY IN EXCESS OF THE LEVY OTHERWISE AUTHORIZED BY LAW; AND SHALL THE DISTRICT BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND

ALL REVENUES FROM SUCH TAXES AND THE EARNINGS FROM THE INVESTMENT OF SUCH REVENUES AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS THAT WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

Actual historical and current estimated
fiscal year spending information:

YEAR	FISCAL YEAR SPENDING ¹
2009-2010 (actual)	14,685,019
2010-2011 (actual)	13,090,719
2011-2012 (actual)	22,627,794
2012-2013 (actual— currently unaudited)	13,103,239
2013-2014 (current year estimated)	13,459,241

Estimated 2013-2014 tax increase authorized by Ballot Issue 3A: \$750,000

Information regarding current bonded debt (As of Jan 2013):

Principal balance: \$22,270,000
Maximum annual
repayment costs: \$ 1,656,469
Maximum remaining
total repayment costs: \$32,742,821

¹ Fiscal year spending includes amounts expended by the District for bonded debt service and voter-approved revenue changes.

**Summaries of written comments filed with
the election officer:**

**The following summaries were prepared from
comments filed by persons FOR Ballot Issue
3A:**

No summary was filed by the statutory
deadline.

**The following summaries were prepared from
comments filed by persons AGAINST Ballot
Issue 3A:**

No summary was filed by the statutory
deadline.

LEFTHAND FIRE PROTECTION DISTRICT

TO ALL REGISTERED VOTERS

**NOTICE OF ELECTION ON A REFERRED
MEASURE**

**LEFTHAND FIRE PROTECTION DISTRICT
BOULDER COUNTY, COLORADO**

Election Date: November 5, 2013

Election Hours: 7:00 A.M. to 7:00 P.M.

**District Office Address & Telephone Number:
3815 E. Easter Place, Centennial, CO**

Telephone: 303-534-8318

**Local Election Office Address & Telephone
Number: Boulder County Elections Division
1750 33rd Street, Suite 200, Boulder, CO 80301**

Ballot Title and Text:

**LEFTHAND FIRE PROTECTION
DISTRICT**

BALLOT QUESTION 5A

SHALL LEFTHAND FIRE PROTECTION DISTRICT TAXES BE INCREASED \$104,000 (FIRST FISCAL YEAR DOLLAR INCREASE) A MILL LEVY INCREASE OF 3 MILLS, THEN INCREASED BY 1 MILL PER YEAR, FOR THE NEXT 2 YEARS, A TOTAL INCREASE OF 5 MILLS, FOR THE PURPOSE OF PAYING THE GENERAL OPERATING EXPENSES, MAINTENANCE COSTS OF THE DISTRICT, AND CAPITAL ASSET ACQUISITION.

YES ___

NO ___

Fiscal Information

Total District Fiscal Spending

2013 (estimated) \$756,000

2012 (actual) \$722,519

2011 (actual) \$530,486

2010 (actual) \$654,132

2009 (actual) \$686,252

Overall Percentage Change

from 2009-2013 (increase) 10.16%

Overall Dollar change

from 2009-2013 (increase) \$69,748

District Estimates of Maximum Dollar Amount of Tax Increase and of District Fiscal Year Spending Without the Increase for First Full Fiscal Year of Proposed Tax Increase:

Estimated Maximum Dollar Amount
of Tax Increase for 2014: \$104,000

Estimated 2014 Fiscal Year Spending
Without Proposed Tax Increase: \$508,000

Summary of Written Comments for the Proposal:

Lefthand Fire Protection District provides fire protection, rescue and emergency medical services 24 hours a day, seven days a week to a 70-square mile area which includes residential, rural, wildland, industrial, and commercial properties. Passage of 5A will help the District continue to provide these services, keeping our homes and communities safe, and reducing property insurance rates.

Lefthand has experienced a combination of moderate growth and declining property values which as impacted our tax base. Coupled with that, higher service expectations such as emergency medical and rescue services, the costs of training and necessary equipment, as well as firefighting training and equipment for structure fires and wildfires, have increased Lefthand’s operating costs. Unfortunately, revenue has not kept up with the increase in demand. The proposed tax increase is quite small, less than \$24.00 per \$100,000 of market value of residential property in the first year, and an increase of \$8.00 per year for the next two years; a total of \$40.00.

The District is asking for additional revenue in order to improve facilities, to support an apparatus replacement program and in order to recruit and retain the best-qualified personnel.

The funds from this mill levy increase will allow the District to be proactive, and have the necessary funds to pay for service improvements rather than relying on new debt

for each and every project. The funds will be used to:

1. Provide additional capabilities for wildland/urban interface fire and emergency services;
2. Improve the existing station facilities;
3. Maintain and improve training for 24-hour/7-day per week coverage both volunteer and paid, allowing for faster response and increasing the necessary depth of service to the entire District; and,
4. Continue to implement first response basic and advanced life support service, which is of particular benefit to those areas of the District where long ambulance response times exist.

It is imperative that the District’s services – which operate 24 hours a day, 7 days a week – have the resources to maintain service and response levels to protect the lives of the residents and their property.

Summary of Written Comments Against the Proposal:

No comments were filled by the Constitutional deadlines.

LYONS REGIONAL LIBRARY DISTRICT

**TO ALL REGISTERED VOTERS
NOTICE OF MAIL BALLOT ELECTION TO
INCREASE TAXES
LYONS REGIONAL LIBRARY DISTRICT, BOULDER
COUNTY, COLORADO**

Actual historical and current estimated fiscal
year spending information:

<i>Election Date: November 5, 2013</i>	Year	Fiscal Year Spending
<i>Voting Service and Polling Center Locations and Hours: Contact Boulder County Elections at (303) 413-7740 for the nearest location and hours)</i>	2009 (actual)	\$0
	2010 (actual)	\$0
	2011 (actual)	\$0
	2012 (actual)	\$0
	2013 (estimated)	\$11,000

Ballot Title and Text:

**LYONS REGIONAL LIBRARY
DISTRICT BALLOT ISSUE 4C**

SHALL THE LYONS REGIONAL LIBRARY DISTRICT TAXES BE INCREASED BY \$385,000 AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY A MILL LEVY OF NOT MORE THAN 5.85 MILLS, COMMENCING IN TAX YEAR 2013 FOR COLLECTION IN FISCAL YEAR 2014, AND CONTINUING THEREAFTER AS PROVIDED BY LAW, SUCH PROCEEDS TO BE USED FOR ANY LAWFUL PURPOSE FOR WHICH LIBRARY DISTRICT FUNDS MAY BE USED UNDER THE COLORADO LIBRARY LAW (SECTION 24-90-101 et seq., C.R.S.) AND SHALL SUCH TAX PROCEEDS BE COLLECTED AND SPENT BY THE DISTRICT AS VOTER APPROVED REVENUE CHANGES IN EACH YEAR, WITHOUT REGARD TO ANY SPENDING OR REVENUE LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR SECTION 29-1-301, C.R.S.?

Overall percentage change in fiscal year spending over the five year period from 2009 through 2013: % n.a.

Overall dollar change in fiscal year spending over the five year period from 2009 through 2013: \$11,000

Estimated 2014 fiscal year spending without taking into account the tax increase authorized by ballot issue 4C: \$0

Estimated 2014 tax increase authorized by ballot issue 4C: \$385,000

Summaries of written comments on ballot issue 4C filed with the election officer:

The following summary was prepared from comments filed by persons FOR the issue:

Lyons has a small, outdated library, underfunded at about \$100,000 per year by the Town of Lyons. Proposition 4C would allow the new Lyons Regional Library District to build and operate a modern library/resource center with expanded space and programs for children, teens, families, seniors and local groups. Surveys and public meetings indicate substantial public support for this project in a growing community with a high percentage of young families with children and seniors. If set at the maximum rate, the tax increase would be about \$140 annually (\$12 per month) for a \$300,000 house, \$280 annually (\$24 per month) for \$600,000 house. That is less than average for similar-size Colorado library districts. The library district board may elect to phase in the amount of tax, setting a lower initial rate. A volunteer steering committee recommended locating a new facility in central Lyons, with anticipated benefits for the local economy and convenient access for many area residents who must now drive to other cities to visit a modern library. The committee also recommended that the present historic Depot building be preserved, either as part of a new facility or on its own. A capital campaign, including a \$250,000 matching pledge from a local family, is expected to be conducted to augment tax funds for the library/resource center if voters approve ballot issues 4C and 4D. Grants will also be sought from foundations if issues 4C and 4D pass. If those measures do not pass, the Town of Lyons will continue to operate the small existing library, with no additional funding from the District or the capital campaign.

The following summary was prepared from comments filed by persons AGAINST the issue: No comments were filed by the constitutional deadline.

Ballot Title and Text:

LYONS REGIONAL LIBRARY DISTRICT BALLOT ISSUE NO. 4D

WITHOUT INCREASING TAXES, SHALL THE LYONS REGIONAL LIBRARY DISTRICT BE AUTHORIZED TO COLLECT, RETAIN AND SPEND ALL REVENUES AND OTHER FUNDS COLLECTED FROM ANY AND ALL REVENUE SOURCES, INCLUDING STATE AND PRIVATE GRANTS OR DONATIONS, AUTHORIZED FEES AND PROPERTY TAXES, SUCH AUTHORIZATION TO BE EFFECTIVE IN FISCAL YEAR 2013, AND CONTINUING THEREAFTER; PROVIDED THAT THE DISTRICT'S GENERAL OPERATING PROPERTY TAX RATE SHALL NOT BE INCREASED WITHOUT FURTHER VOTER APPROVAL; AND SHALL THE REVENUES FROM ALL SUCH SOURCES BE COLLECTED, RETAINED AND SPENT AS VOTER APPROVED REVENUE CHANGES AND AS EXCEPTIONS TO THE LIMITS WHICH WOULD OTHERWISE APPLY, INCLUDING WITHOUT LIMITATION, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION AND SECTION 29-1-301, C.R.S.?

YES ___

NO ___

Actual historical and current estimated
fiscal year spending information:

Year	Fiscal Year Spending
2009 (actual)	\$0
2010 (actual)	\$0
2011 (actual)	\$0
2012 (actual)	\$0
2013 (estimated)	\$11,000

Overall percentage change in fiscal year
spending over the five year period from 2009
through 2013: % n.a.

Overall dollar change in fiscal year spending
over the five year period from 2009 through
2013: \$ 11,000

Estimated 2014 fiscal year spending without
taking into account the tax increase authorized
by ballot issue 4D: \$0

Estimated 2014 tax increase authorized by
ballot issue 4D: \$385,000

**Summaries of written comments on ballot
issue 4D filed with the election officer:**

**The following summary was prepared from
comments filed by persons FOR the issue:**

Proposition 4D is a companion measure to
Proposition 4C. Proposition 4D, if approved,
would not impose any additional tax beyond
the amount in Proposition 4C. Proposition 4D
simply would allow the Lyons Regional Library
District to retain tax funds if the District also
receives revenue from other sources. For
example, if the District's capital campaign raised
\$500,000 in donations, the District would have
to cut its tax revenue by \$500,000 the next year
if Proposition 4D did not authorize retention of
that money. So while Ballot Issue 4C would
provide the tax revenue to fund the Library
District, Issue 4D would let the Library District
keep that revenue if the District (as anticipated)
also gets revenue from other sources like
donations and grants.

**The following summary was prepared from
comments filed by persons AGAINST the issue:**

No comments were filed by the constitutional
deadline.

DRIVE-BY MAIL BALLOT DROP-OFF LOCATIONS AND TIMES

BOULDER

County Clerk & Recorder

1750 33rd Street

8 a.m.-6 p.m. Saturday, Nov. 2, and Monday,
Nov. 4

7 a.m. to 7 p.m. Tuesday, Nov. 5 (Election Day)

BOULDER

Boulder County Courthouse, Treasurer's Office

1325 Pearl Street

(Walk-in ballot drop-off only at this location)

8 a.m. to 4:30 p.m. Monday-Friday, Oct. 15-Nov.
4

7 a.m. to 7 p.m. Tuesday, Nov. 5 (Election Day)

LONGMONT

Drive-Up Ballot Collection

534 Terry St.

8 a.m.-6 p.m. Saturday, Nov. 2, and Monday,
Nov. 4

7 a.m. to 7 p.m. Tuesday, Nov. 5 (Election Day)

LAFAYETTE

Lafayette Public Library

775 W. Baseline Road

8 a.m.-6 p.m. Saturday, Nov. 2, and Monday,
Nov. 4

7 a.m. to 7 p.m. Tuesday, Nov. 5 (Election Day)

LOUISVILLE

Steinbaugh Pavilion

824 Front Street

8 a.m.-6 p.m. Saturday, Nov. 2, and Monday,
Nov. 4

7 a.m. to 7 p.m. Tuesday, Nov. 5 (Election Day)

LYONS

Town Hall

432 Fifth Ave.

8 a.m.-6 p.m. Saturday, Nov. 2, and Monday,
Nov. 4

7 a.m. to 7 p.m. Tuesday, Nov. 5 (Election Day)

NEDERLAND

Nederland Community Center

750 Highway 72 North

8 a.m.-6 p.m. Saturday, Nov. 2, and Monday,
Nov. 4

7 a.m. to 7 p.m. Tuesday, Nov. 5 (Election)

Additional assistance for Boulder County voters:

- ADA accessible voting machines are available for use at all ballot replacement centers. For more information, please contact the Boulder County Elections Division at 303-413-7740 or Vote@BoulderCountyVotes.org.
- If you have questions or need assistance in Spanish, please contact our office at 303-413-7740 or log onto our website at BoulderCountyVotes.org. *Si usted tiene preguntas o necesita ayuda en español, por favor comuníquese con nuestra oficina al 303-413-7740 o visite nuestro sitio web en BoulderCountyVotes.org.*

BOULDER COUNTY CLERK & RECORDER
ELECTIONS DIVISION
1750 33RD ST STE 200
BOULDER, CO 80301-2546



NONPROFIT ORG
US POSTAGE
PAID
THE PRESORT
CENTER

ALL REGISTERED VOTERS

Election Day: Tuesday, Nov. 5, 2013

*Voted ballots must be received by the Boulder County Clerk & Recorder's Office
no later than 7 p.m. Election Day to be counted.*

Receiving this notice does not guarantee you are registered to vote.
Visit **www.BoulderCountyVotes.org** to verify your voter registration status,
register to vote or update your voter registration information.

Questions? Email **Vote@BoulderCountyVotes.org** or call **303-413-7740**.
www.BoulderCountyVotes.org