

RESOLUTION NO. ____ - 22

A RESOLUTION SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF THE CITY OF COLORADO SPRINGS, COLORADO, AT THE COORDINATED ELECTION CONDUCTED BY MAIL BALLOT TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, THE QUESTION OF INCREASING SALES TAX \$5,600,000 ANNUALLY BY IMPOSING AN ADDITIONAL 5% SALES TAX ON THE SALE OF RETAIL/RECREATIONAL MARIJUANA WITHIN THE CITY OF COLORADO SPRINGS AND CONSTITUTING A VOTER APPROVED REVENUE CHANGE EXEMPT FROM SPENDING AND REVENUE LIMITATIONS; PROVIDING FOR THE FORM OF THE BALLOT TITLE AND TEXT; PROVIDING FOR CERTAIN MATTERS WITH RESPECT TO THE ELECTION; AND PROVIDING THE EFFECTIVE DATE OF THIS RESOLUTION

WHEREAS, on March 22, 2022, a statement of intent to circulate a petition to amend the Charter of the City of Colorado Springs ("Charter") was submitted to the City Clerk by qualified electors designated as the Petition Committee; and

WHEREAS, on April 4, 2022, the Initiative Review Committee ("IRC") met to provide comment on the proposed initiated ordinance; and

WHEREAS, on April 6, 2022, the Petition Committee submitted revisions to the proposed initiated ordinance and in response to such revisions the Petition Committee recommended review by the Title Board; and

WHEREAS, the Title Board of the City, met on April 13, 2022, and after suggested revisions to the proposed initiated ordinance were agreed to by the Petition Committee, the Title Board designated and fixed a title for the petition for the proposed initiated ordinance; and

WHEREAS, the petition was thereafter circulated and submitted to the City Clerk, and on July 15, 2022, the City Clerk certified that a sufficient number of valid signatures has been submitted pursuant to Charter § 12-30(c)(3); and

WHEREAS, City Council of the City of Colorado Springs, Colorado, a municipal corporation duly organized and existing as a home rule city under Article XX of the Constitution of the State of Colorado and the City Charter, is required to set a ballot title for the proposed ballot issue; and

WHEREAS, the City Council does hereby determine that the Coordinated Election conducted by mail ballot on November 8, 2022, also be designated as a

special municipal election pursuant to City Charter § 11-20 and § 31-10-108, C.R.S. (the "Election") at which the question of increasing the City sales tax by 5% on the sale of retail/recreational marijuana shall be submitted to the City's electors qualified and registered to vote thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Council hereby submits and refers to the vote of the registered qualified electors of the City to be held at the Election (as defined in Section 2), the question regarding a 5% increase of the City's sales tax on the sale of retail/recreational marijuana within the City of Colorado Springs, as a voter approved revenue change, exempt from spending and revenue limitations, which appears in full in Section 3 of this Resolution.

Section 2. The Election shall be a Special Municipal Election held as part of the Coordinated Election conducted by mail ballot on November 8, 2022.

Section 3. The question of creating and imposing an additional 5% sales tax on the sale of retail/recreational marijuana shall be submitted to the registered qualified electors of the City in substantially the following form:

SHALL CITY TAXES BE INCREASED \$5,600,000 ANNUALLY BEGINNING JANUARY 1, 2023, AND BY WHATEVER AMOUNTS ARE RAISED IN YEARS THEREAFTER, BY INCREASING THE RATE OF SALES TAX ON THE SALES OF RETAIL/RECREATIONAL MARIJUANA WITHIN THE CITY OF COLORADO SPRINGS BY A RATE OF 5%, SOLELY FOR THE PURPOSE OF FUNDING PUBLIC SAFETY PROGRAMS, MENTAL HEALTH SERVICES, AND POST-TRAUMATIC STRESS DISORDER TREATMENT PROGRAMS FOR VETERANS; AND SHALL THE CITY BE PERMITTED TO COLLECT, RETAIN AND SPEND ALL REVENUES DERIVED THEREFROM AS A VOTER-APPROVED REVENUE CHANGE AND EXCEPTION TO ANY CONSTITUTIONAL, STATUTORY AND CITY CHARTER REVENUE AND SPENDING LIMITATIONS WHICH MAY OTHERWISE APPLY?

_____ YES/FOR THE INITIATED ORDINANCE

_____ NO/AGAINST THE INITIATED ORDINANCE

Section 4. The City Clerk and officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution. The City Clerk shall assist and cooperate with the County Clerk and Recorder in conducting the Special Municipal Election held as part of a Coordinated Election.

Section 5. All actions heretofore taken by the Council, IRC, Title Board, and officers of the City, not inconsistent with the provisions of this resolution and toward the Election, are hereby ratified, approved and confirmed.

Section 6. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 7. All resolutions, bylaws and regulations of the City in conflict with this resolution, are hereby repealed to the extent of any conflict. This repealer shall not be construed to revive any ordinance, resolution, bylaw or regulation, in whole or in part, previously repealed.

Section 8. This resolution shall be effective upon passage.

Dated at Colorado Springs, Colorado this 10th day of August, 2022.

Council President

ATTEST:

Sarah B. Johnson, City Clerk