










## 2017 BOULDER CHAMBER EYE ON THE BALLOT

*The Boulder Chamber presents its positions on the 2017 ballot measures*

**How these positions were taken:** The positions taken on these ballot measures are arrived at after obtaining input from our diverse membership, direct meetings with representatives that provide opposing perspectives on and those with strong background knowledge, and a thorough review of available material. Each ballot measure was then thoughtfully analyzed and discussed by the Boulder Chamber’s Community Affairs Council (CAC), the Boulder Chamber’s policy advisory body that features balanced representation from across our membership. The Boulder Chamber Board of Directors received all of this information and the CAC’s recommended positions before voting on our final 2017 ballot measure positions.

In summarizing the Boulder Chamber’s stances on the numerous 2017 ballot measures, President and CEO John Tayer stated, “With a Boulder Chamber membership that reflects the diversity of opinions across our community, you can be sure there was significant debate on all the ballot measures we considered. Ultimately, though, our positions reflect the Boulder Chamber’s consistent appreciation for prudent investments in the infrastructure and programs that strengthen our community. At the same time, we take a strong stand for accountability in the expenditure of tax-generated resources, which is reflected in our positions on the municipalization effort and the Cultural & Community Safety Tax.”

For more information and additional perspective on all of the Boulder Chamber’s positions on the ballot measures, please contact Director of Public Affairs, Andrea Meneghel, at [andrea.meneghel@boulderchamber.com](mailto:andrea.meneghel@boulderchamber.com).

 <b>BOULDER CHAMBER 2017 BALLOT SCORE CARD</b>		
Ballot Issue	Summary of Issue	Boulder Chamber Position
<b><u>BOULDER COUNTY BALLOT ISSUE 1A:</u></b> <b>“WORTHY CAUSE” SALES &amp; USE TAX EXTENSION</b>	Extend 0.05% sales & use tax for 15 years to fund capital facilities & equipment for non-profit human service agencies and housing authorities.	
<b><u>BOULDER COUNTY BALLOT QUESTION 1B:</u></b> <b>SHERIFF TERM LIMIT EXTENSIONS TO FIVE TERMS</b>	Enable a person to be nominated for and elected to the Sheriff’s office for a maximum of five consecutive terms. The office is currently limited to four consecutive terms.	
<b><u>BOULDER COUNTY BALLOT QUESTION 1C:</u></b> <b>AUTHORIZATION TO PROVIDE BROADBAND SERVICES</b>	Passage would authorize Boulder County to provide high-speed internet service in unincorporated areas with public or private sector partners.	
<b><u>CITY OF BOULDER BALLOT ISSUE 2L:</u></b> <b>EXTEND &amp; RAISE THE UTILITY OCCUPATION TAX THAT FUNDS MUNICIPALIZATION</b>	Extension and increase of the existing Utility Occupation Tax (3 years, \$17M) that funds the City of Boulder’s exploration of municipalization.	
<b><u>CITY OF BOULDER BALLOT ISSUE 2M:</u></b> <b>CAPITAL IMPROVEMENT TAX, ‘CULTURAL &amp; COMMUNITY SAFETY TAX’</b>	A four-year, \$42 million package funded by a renewed 0.03% sales tax to invest in city facilities and infrastructure projects. It would also provide matching funds for the facility investments of numerous local non-profits.	
<b><u>CITY OF BOULDER BALLOT ISSUE 2N:</u></b> <b>DEBT AUTHORITY FOR THE COMMUNITY, CULTURE &amp; SAFETY TAX FOR CAPITAL IMPROVEMENTS</b>	Would authorize the increase of the debt of the city to fund capital improvement projects (the city projects that will be voted on in 2M) in the City of Boulder from a 0.3 percent sales and use tax.	
<b><u>CITY OF BOULDER BALLOT QUESTION 2O:</u></b> <b>CHARTER CHANGE REQUIRING VOTE PRE-ACQUISITION</b>	Amends the City Charter to require a vote prior to incur debt for construction or to separate from the existing utility system and prior to providing electricity to City customers via a separate system.	
<b><u>CITY OF BOULDER BALLOT QUESTION 2P:</u></b> <b>EXTENSION OF COUNCIL’S AUTHORITY TO CONDUCT EXECUTIVE SESSIONS</b>	Amends requirements for notices of executive sessions regarding legal advice and negotiation strategy associated with the municipalization effort. Would prohibit discussions about negotiating a franchise agreement or other settlements that would terminate Boulder’s effort to operate an independent municipal electric utility.	

**BOULDER COUNTY BALLOT ISSUE 1A: "WORTHY CAUSE" SALES & USE TAX EXTENSION**

<b>WHAT IT IS</b>	<b>SUPPORTERS SAY:</b>	<b>OPPONENTS SAY:</b>
<p>Extend 0.05% sales &amp; use tax for 15 years to fund capital facilities &amp; equipment for non-profit human service agencies and housing authorities providing mental health, affordable housing, and other services focused on children, food service, shelter, elderly and the disabled.</p>	<ul style="list-style-type: none"> <li>• This has been part of Boulder County's funding revenue for 17 years; since 2000 it has been authorized 3 times with over 60% voter approval.</li> <li>• This provides essential funding to key human services that community based organizations rely on.</li> <li>• This funds the ability to provide better services and facilities for vulnerable populations.</li> </ul>	<ul style="list-style-type: none"> <li>• Some believe these services should be funded through the Boulder County budget, rather than a separate tax.</li> <li>• Some say that government shouldn't take money from people giving it to non-profits, when those people can make donations to non-profits of their choosing.</li> <li>• Some claim that sales taxes are inherently regressive, having a greater impact on low-income individuals than on the middle class or wealthy, and thus takes money from the very people it seeks to help.</li> </ul>

**BOULDER CHAMBER POSITION: SUPPORT**

The Boulder Chamber supports the Worthy Cause tax to continue funding for the non-profit agencies that help to meet our County's critical human service needs.

- The Worthy Cause tax has transformed the human service sector in Boulder County by freeing non-profit capital expenditures and debt payments to be re-focused on direct services to their clients.
- It facilitates greater investment in a range of services that support our workforce and their families, helping to keep them in our community.
- The Worthy Cause tax reflects our community values, as Boulder County-wide polling indicates 82% support for this initiative. It has been authorized three times by voters since 2000.

**BOULDER COUNTY BALLOT QUESTION 1B: SHERIFF TERM LIMIT EXTENSIONS TO FIVE TERMS**

<b>WHAT IT IS</b>	<b>SUPPORTERS SAY:</b>	<b>OPPONENTS SAY:</b>
<p>Voter approval would modify state-imposed term limits for the office of the Boulder County Sheriff to enable a person to be nominated for and elected to the office for a maximum of five consecutive terms. The Sheriff's office is currently limited to four consecutive terms.</p>	<ul style="list-style-type: none"> <li>• State-wide term limits should not restrict community support for their chief law enforcement officer.</li> <li>• The term limit extension provides more time for the Boulder County Sheriff to complete major initiatives and programs.</li> </ul>	<ul style="list-style-type: none"> <li>• It is good governance to periodically cycle elected leadership.</li> <li>• Term limits encourage the development of leadership within the Sheriff's Department as other personnel consider pursuing the elected Sheriff position.</li> </ul>

**BOULDER CHAMBER POSITION: SUPPORT**

High quality law enforcement is relevant to the stability of a good business climate. If a Sheriff is not effective, they are voted out. In Boulder County, our current Sheriff is doing a remarkable job and has started many programs that have been successful due to the consistency and continuity of leadership. Our citizens should not be prevented by state imposed term limits from the opportunity to re-elect strong leadership, as this community has traditionally re-elected its Sheriff for multiple terms when the individual in office has effectively reflected the values, priorities and character of Boulder County's residents in the department's approach to law enforcement.



**BOULDER COUNTY BALLOT QUESTION 1C: AUTHORIZATION TO PROVIDE BROADBAND SERVICES**

<b>WHAT IT IS</b>	<b>SUPPORTERS SAY:</b>	<b>OPPONENTS SAY:</b>
<p>Asks for voter approval to exempt Boulder County from the limitations imposed by state-law that restricts local governments in the provision of broadband services.</p> <p>Passage would authorize Boulder County to provide high-speed internet service, including new/improved high bandwidth services, in unincorporated areas with public or private sector partners.</p>	<ul style="list-style-type: none"> <li>• Ubiquitous access to high-speed broadband across the region is essential to the future economic vitality of Boulder County communities.</li> <li>• Regional high-speed internet will connect Boulder County businesses and homes, helping to make telecommuting a more feasible alternative.</li> <li>• High-speed internet is critical for regional job growth, economic competitiveness, educational opportunities, public information and access to improved health care.</li> </ul>	<ul style="list-style-type: none"> <li>• The private sector responds to market demand.</li> </ul>

**BOULDER CHAMBER POSITION: SUPPORT**

The Boulder Chamber supports allowing Boulder County to explore providing broadband services based on the following principles:

- High speed broadband internet infrastructure is a critical service that allows Boulder County’s economy to remain regionally competitive.  
The ability to establish broadband infrastructure throughout unincorporated Boulder County will facilitate critical connections between municipal broadband systems.
- Ubiquitous access to broadband infrastructure increases market competition, which is a positive element of a vibrant and innovative economy.
- The goal of attempting to provide ubiquitous broadband to offer higher speed service at lower costs is something that meets both public and private sector goals.
- By supporting this regionally, it sends a message to the state level about supporting the establishment of broadband infrastructure throughout Colorado.
- We expect that Boulder County will give strong consideration to private sector or public/private partnerships as the most efficient and effective option for building-out its broadband system.





**CITY OF BOULDER BALLOT ISSUE 2L:  
EXTEND & RAISE THE UTILITY OCCUPATION TAX THAT FUNDS MUNICIPALIZATION**

<b>WHAT IT IS</b>	<b>SUPPORTERS SAY:</b>	<b>OPPONENTS SAY:</b>
<p>Extends and raises of the portion of the existing Utility Occupation Tax that funds the City of Boulder’s exploration of municipalization.</p> <p>The extension and increase of this tax would fund the municipaliza- tion effort for the next 3 years, for approximately \$17 million (collected over 5 years).</p>	<ul style="list-style-type: none"> <li>• There should be a continued commitment to pursue municipalizing Boulder’s electric utility system.</li> <li>• City of Boulder staff needs more time and financial resources to continue in the effort to determine a final municipalization cost.</li> <li>• A municipal electric utility provides greater energy independence for making alternative energy choices.</li> <li>• Democratizing our electric energy system provides greater assurance of achieving carbon reduction and renewable energy goals.</li> <li>• The Colorado Public Utilities Commis- sion provided a clear path for Boulder to proceed forward with the municipalization effort.</li> </ul>	<ul style="list-style-type: none"> <li>• There has been little progress or indication a successful path to municipalization exists.</li> <li>• Over the past 6 years, 3 applications have been submitted to the PUC – the results have countered many of the city’s initial municipal- ization expectations and suggest the process will be more costly and take more time than anticipated.</li> <li>• There are other viable alternatives to achiev- ing the City of Boulder’s renewable energy and carbon reduction goals that can be done in conjunction with Xcel’s own progress and efforts.</li> </ul>

**BOULDER CHAMBER POSITION: OPPOSE**

The Boulder Chamber is fully committed to exploring solutions to achieve Boulder’s carbon reduction goals and increase renewable energy use. However, to date, the municipalization effort has failed to achieve expected milestones and the results of the Public Util- ities Commission hearings have indicated significant uncertainty about its future success. This uncertainty has been compounded by time and cost estimates that are continually exceeding all projections.

The Boulder Chamber also believes there are other more effective and promising avenues for achieving climate and energy goals, this includes working with Xcel which is making significant strides in these areas. For all of these reasons, the Boulder Chamber believes it’s time for our community to consider an alternative path.

For more on the Boulder Chamber’s perspective, please see President and CEO John Tayer’s recent Daily Camera Op-Ed, [“Time to Change Course on Muni”](#), co-authored with former Boulder Mayor and Boulder County Commissioner Will Toor and Beth Hartman, a former Board Member for the Association of Energy Services Professionals.



**CITY OF BOULDER BALLOT ISSUE 2M: COMMUNITY, CULTURE & SAFETY TAX FOR CAPITAL IMPROVEMENTS**

WHAT IT IS	SUPPORTERS SAY:	OPONENTS SAY:
<p>It is a four-year, \$42 million package funded by a renewed 0.03% sales tax to invest in several city facilities and infrastructure projects. It would also provide matching funds for the facility investments of numerous local non-profits.</p> <p>Approximately 75% of the funding will be allocated to city facilities and projects, while approximately 25% of the funding will go towards non-profits.</p> <p><b>City Project List ~\$31 Million</b></p> <ul style="list-style-type: none"> <li>• \$12.5M relocating fire station at 30th &amp; Arapahoe</li> <li>• \$5.5M police &amp; fire communications</li> <li>• \$5M North Boulder Library</li> <li>• \$4.2M Scott Carpenter Pool</li> <li>• \$3.5M 4 Mile Canyon Creek Greenway 19th – Broadway</li> <li>• \$400K Public Art</li> </ul> <p><b>Non-Profits Project List ~\$11 Million</b></p> <ul style="list-style-type: none"> <li>• \$1.75M Studio Arts Boulder</li> <li>• \$1.6M Meals on Wheels</li> <li>• \$1.4M ReSource</li> <li>• \$1.25M KGNU</li> <li>• \$1M BMoCA</li> <li>• \$822K Community Cycles</li> <li>• \$87K Growing Gardens</li> </ul>	<p>This sales tax helps shore up needed safety services, enhances Boulder’s cultural amenities, and broadens the reach of community facilities.</p>	<ul style="list-style-type: none"> <li>• Should be part of the City of Boulder’s Capital Improvement Plan and annual budget.</li> <li>• It is the biggest portion of approximately \$70M in taxes being considered for approval this year. It is a high additional tax burden on businesses and residents.</li> </ul>

**BOULDER CHAMBER POSITION: SUPPORT**

The Boulder Chamber’s support for this tax extension is based on the following principles:

- It includes a range of projects that benefit a broad cross section of the community.
- It addresses infrastructure deficiencies, health and safety issues, sustainability/ livability and quality of life initiatives.
- It represents a reasonable return on investment model in terms of impact to the community compared to dollars invested.
- It allows city projects to be delivered quicker and community projects to be funded that otherwise may not get done.

While the Boulder Chamber supports this initiative and the related question (2N) about incurring debt for funding many of the 2M projects, it must be clear that there is an expectation that:

**1) An Oversight Committee will administer this tax allocation and project review.** Upon implementation of Ballot Measure 2M, the Boulder Chamber expects the City of Boulder to convene an oversight committee to review the funding allocation to both city projects and non-profit entities, providing assurance that project milestones and expectations are being met. This would provide a mechanism to address risks if non-profits are not able to raise the matching funds. It also provides community oversight and discretion over unused tax revenue, as it should be allocated to replacement projects rather than directed to the City of Boulder’s General Fund.

**2) In the future, the City of Boulder will plan for essential and critical infrastructure to be funded through the General Fund and Capital Improvement Plan.** Many of the projects Ballot Issue 2M funds are essential services that should be in the City of Boulder budget and programmed through the General Fund and Capital Improvement Plan. The City of Boulder should make a strong effort, by clearly displaying a plan to its residents, to set aside more capital funding for these types of critical infrastructure projects; as funding essential to critical city priorities should not be continually dependent upon the passage of supplemental funding initiatives.

Further, the Boulder Chamber had some concern with the final process for selecting the identified community projects and believes greater public outreach in advance of the application process should have occurred. Future funding initiatives of this kind should provide more clear prioritization standards and engage non-profits throughout the city explaining their eligibility and the opportunity that exists. Otherwise, initiatives like 2M risk becoming an exclusive resource for particularly popular programs or non-profits that happen to have the wherewithal to advocate for their needs. This can support complacent business models rather than identifying real community investment that will deliver excellence and/or offer innovative service mechanisms.

**Note:** As part of supporting Ballot Question 2M, the Boulder Chamber also supports of Ballot Question 2N to increase debt in order to fund the projects included in 2M.



**CITY OF BOULDER BALLOT QUESTION 20: CHARTER CHANGE REQUIRING VOTE PRE-ACQUISITION**

WHAT IT IS	SUPPORTERS SAY:	OPPONENTS SAY:
<p>Amends the City Charter to require a vote prior to incurring debt for construction or to separate from the existing utility system and prior to providing electricity to City customers via a separate system.</p>	<ul style="list-style-type: none"> <li>• Some view voter approval prior to large expenditure of public funds as favorable.</li> <li>• This should provide added clarity on separation costs, construction costs, acquisition costs of Xcel’s assets, and transition costs associated with the municipalization effort.</li> <li>• This should also identify “day one” costs of service to users.</li> </ul>	<ul style="list-style-type: none"> <li>• Some believe the vote adds an unnecessary additional step and obstacle.</li> <li>• Some believe another vote is unnecessary, as prior criteria is in place that sets the parameters for a path forward to municipalization.</li> </ul>

**BOULDER CHAMBER POSITION: SUPPORT**

The Boulder Chamber has always advocated for a vote before acquisition or separation from Xcel’s electric utility once final construction costs and utility rates are fully understood. While we’re concerned we may never have an accurate assessment of the complete cost, we need a very transparent and specific estimate of all the costs, calculated by a trusted third party assessor. To that end, and in the event that citizens vote to continue the municipalization process, we support the voting provision in Ballot Question 20. It is understood that this ballot initiative will not affect the commitment to metrics that voters originally placed in the City Charter, such as the original acquisition, separation and construction authorization of up to a \$214M limit.

**CITY OF BOULDER BALLOT QUESTION 2P: EXTENSION OF COUNCIL’S AUTHORITY TO CONDUCT EXECUTIVE SESSIONS**

WHAT IT IS	SUPPORTERS SAY:	OPPONENTS SAY:
<p>Amends requirements for notices of executive sessions regarding legal advice and negotiation strategy associated with the municipalization effort</p> <p>Prohibits discussions about negotiating a franchise agreement or other settlements that would terminate Boulder’s effort to operate an independent municipal electric utility</p> <p>Extends authority to hold executive sessions until December 31, 2023</p>	<ul style="list-style-type: none"> <li>• Executive Sessions are critical to formulating the City’s municipalization strategy.</li> <li>• Eliminating the ability to negotiate a settlement in executive session would maintain transparency between the City and Xcel Energy and the commitment to municipalizing.</li> </ul>	<ul style="list-style-type: none"> <li>• It is critical to include the ability to negotiate settlement opportunities within executive sessions in order for the City and Xcel to explore potential opportunities that may be more beneficial solutions than to solely continue along the path of municipalization.</li> <li>• Municipalization is such a significant commitment for the City of Boulder, all discussions associated with the process should be open to the public.</li> </ul>

**BOULDER CHAMBER POSITION: OPPOSE**

The Boulder Chamber would normally support continuation of executive sessions associated with the strategy for approaching such a complex legal issue. However, the Boulder Chamber believes settlement negotiations should be part of executive sessions and does not support excluding this from the extension provisions of Ballot Question 2P. Specifically, it should be permissible to consider the terms of a franchise agreement in executive session. Turning those negotiations into public deliberations undercuts what is achievable through settlement strategies. Ultimately, it’s appropriate to permit City Council to have private consultations with attorneys in order to negotiate the best path forward for achieving our climate goals.

