

BOARD OF COUNTY COMMISSIONERS FOR  
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION OPPOSING “AMENDMENT 74”, AN ATTEMPT TO AMEND THE  
COLORADO CONSTITUTION TO DRASTICALLY LIMIT STATE AND LOCAL  
GOVERNMENT SERVICES AT A HIGH COSTS TO TAXPAYERS

Resolution 2018-677

WHEREAS, local government services are essential to the citizens of Adams County; and,

WHEREAS, Amendment 74 declares that any state or local government law or regulation that “reduces” the “fair market value” of a private parcel is subject to “just compensation;” and,

WHEREAS, while Amendment 74 is shrouded in simple language, it has far reaching and complicated impacts; and,

WHEREAS, under the current Colorado Constitution, a property owner already has the right to seek compensation from state or local governments; and,

WHEREAS, Amendment 74 would expand this well-established concept by requiring the government – i.e., the taxpayers – to compensate private property owners for virtually any decrease whatsoever in the fair market value of their property traceable to any government law or regulation; and,

WHEREAS, Amendment 74 would severely limit the ability of Colorado’s state and local governments to do anything that might indirectly, unintentionally, or minimally affect the fair market value of any private property; and,

WHEREAS, Amendment 74 would drastically diminish the ability of our state and local governments to adopt – let alone attempt to enforce – reasonable regulations, limitations, and restrictions upon private property; and,

WHEREAS, Amendment 74 would place laws, ordinances, and regulations designed to protect public health and safety, the environment, our natural resources, public infrastructure, and other public resources in jeopardy; and,

WHEREAS, Amendment 74 would directly impact zoning, density limitations, and planned development; and,

WHEREAS, Amendment 74 would make inherently dangerous or environmentally damaging activities prohibitively costly to attempt to limit or regulate, even in the interest of the public; and,

WHEREAS, any arguable impact upon fair market value – however reasonable, justified, minimal, incidental, or temporary – resulting from state or local government action could trigger a claim for the taxpayers to pay; and,

WHEREAS, governments would be vulnerable to lawsuits for almost every decision to regulate or not to regulate, making regular government function prohibitively expensive for the taxpayer; and,

WHEREAS, similar efforts have been attempted and defeated in other states, such as the states of Washington and Oregon; and,

WHEREAS, the fiscal impact for similar language in Washington was estimated at \$2 billion dollars for state agencies and \$1.5 billion for local governments over the first six years; and,

WHEREAS, individuals filed billions of dollars in claims in Oregon before the residents repealed the takings initiative three years after its passage.

NOW THEREFORE, BE IT RESOLVED, THAT: The Adams County Board of Commissioners opposes Amendment 74.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry	_____	Excused
Tedesco	_____	Excused
Hansen	_____	Aye
O'Dorisio	_____	Aye
Hodge	_____	Aye
Commissioners		

STATE OF COLORADO )  
County of Adams )

I, Stan Martin, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

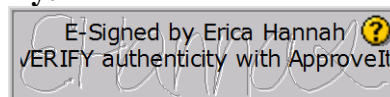
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 16<sup>th</sup> day of October, A.D. 2018.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Stan Martin:



By:



Deputy