

**CHAFFEE COUNTY COLORADO  
RESOLUTION NO. 2022-58**

**PROVIDING FOR THE REFERRAL TO THE REGISTERED, QUALIFIED, ELECTORS OF CHAFFEE COUNTY, INCLUDING THE MUNICIPALITIES OF BUENA VISTA, SALIDA AND PONCHA SPRINGS, A QUESTION AUTHORIZING THE EXPANDED USE OF THE EXISTING ONE AND NINE TENTH OF A PERCENT (1.9%) LODGING TAX, TO INCLUDE CHILDCARE AND HOUSING FOR LOCAL WORKERS, AND FACILITATING AND ENHANCING OF VISITOR EXPERIENCE, TOGETHER WITH THE CONTINUED CURRENT USE OF ADVERTISING AND MARKETING FOR LOCAL TOURISM, SAID QUESTION TO BE SUBMITTED AT THE ELECTION TO BE HELD NOVEMBER 8, 2022; AND SETTING THE BALLOT TITLE AND BALLOT QUESTION FOR THE ELECTION**

**FINDINGS AND CONCLUSIONS:**

- A. Colorado Revised Statute (“C.R.S.”) § 30-11-107.5 originally authorized counties to levy up to a two percent (2%) lodging tax on short-term rentals of rooms or accommodations for the purpose of advertising and marketing local tourism only.
- B. Pursuant to Resolution 1990-12, the Chaffee County Board of County Commissioners (the “Board”) submitted to the voter a ballot questions for a lodging tax of 1.9% which was approved by the voters.
- C. In March 2022, the Colorado General Assembly passed and the Governor signed into law House Bill 22-1117 amending C.R.S. § 30-11-107.5 to authorize boards of county commissioners to refer to their voters a proposal to allow up to ninety percent (90%) of county lodging tax revenues from authorized excise tax on the purchase of hotel rooms, short term rentals and other lodging accommodations, for housing and childcare for local tourism-related workforce, including seasonal workers, and for other workers in the community, and for facilitating and enhancing visitor experiences.
- D. In addition, the General Assembly found and declared that “the role of destination marketing in Colorado has evolved to not only support economic growth through tourism, but also to address the social, cultural, and environmental issues related to tourism”; such as, enhancing the visitor experience “to protect our destinations’ cultural and natural assets and improve our residents’ quality of life.”
- E. The General Assembly also found and declared that:

“A visitor's experience is also heavily influenced by the host community's ability to support their residents and local workforce with housing and other essential services, as well as a strong quality of life that comes with our amazing natural and cultural assets. A thriving community ensures more positive visitor interactions and experiences in our restaurants, on our trails, and throughout our

main streets. This, in turn, increases the likelihood that a visitor will return and continue to support our local businesses. Robust support for our residents' needs is essential to the long-term health of both our communities and our economy.”

F. The Board understands the importance of economic growth through tourism while also recognizing certain negative impacts can result from tourism such as increasing the cost and decreasing the availability of housing and childcare for tourism-related workforce, including seasonal workers and other workers in the community. The Board sees how County lodging tax revenues can be used to off-set some of the unintended impacts of tourism by redirecting these monies to local programs and initiatives (examples include supporting affordable housing opportunities or projects through the Chaffee Housing Authority, supporting and facilitating the opening of new child care facilities, training and licensing of child care workers, and improving or enhancing recreation infrastructure, facilities and services, etc.)

G. In February 2022, the Board approved Resolution 2022-19 supporting HB22-1117. In Resolution 2022-19, the Board found that “[W]hile tourism remains the backbone of many Colorado communities, including Chaffee County, the need for other community-focused investments, including economic development, workforce recruitment, retention and development, and facilitating positive visitor experiences are also a priority.”

H. In order to maintain the economic health and viability of Chaffee County, the Board continues to support the need to properly fund: (1) the organization, promotion, marketing, and management of public events; (2) activities in support of business recruitment, management, and development; and (3) coordinated tourism promotion activities.

I. It is in the public interest and necessary to seek voter approval to allow up to 60% of county lodging tax revenues to be used for housing and childcare for the tourism related workforce, including seasonal workers, and for other workers in the community, and for facilitating and enhancing visitor experiences.

J. The Chaffee County Clerk and Recorder (the “County Clerk”) will conduct the 2022 General Election on November 8, 2022, and the Board, pursuant to C.R.S. § 1-7-116, intends to and shall notify the County Clerk of its intent to participate in the 2022 General Election pursuant to C.R.S. § 1-7.5-104.

K. It is necessary to set forth certain procedures concerning the conduct of such election.

**RESOLUTION:**

The Board resolves as follows:

**Section 1.** The question in Section 4 below is hereby certified to the County Clerk and shall be referred at the election to all eligible electors to be held on Tuesday, November

8, 2022 (the "Election"). The County Clerk shall cause a Notice to be published in accordance with C.R.S. § 30-11-107.5(3)(e).

**Section 2.** The Election shall be conducted pursuant to the provisions of an intergovernmental agreement (the "Agreement") between the Board and the County Clerk, who shall conduct the election on behalf of the County. The Board hereby authorizes the County Administrator to act as its designated agent and to enter into the Agreement.

**Section 3.** The election shall be conducted as a coordinated election in the County in accordance with Articles 1 to 13 of Title 1, C.R.S. (the "Uniform Election Code"). For purposes of the provisions of the Uniform Election Code relating to the "Designated Election Official" of the County, the County Clerk is hereby designated as the County's Designated Election Official responsible for the running of the election and the performance of all acts required or permitted by the Uniform Election Code. The cost of the election shall be paid from the County's general fund and reimbursed out of the county lodging tax tourism fund. C.R.S. § 30-11-107.5(3)(e).

**Section 4.** At the Election, the following ballot language, title and issue, in substantially the form set forth below, shall be referred to the eligible voters of the entire County, including the municipalities of Salida, Buena Vista, and Poncha Springs:

**"Expansion to Use of Lodging Tax**

WITHOUT RAISING TAXES SHALL CHAFFEE COUNTY'S EXISTING LODGING EXCISE TAX OF ONE AND 9/10TH OF A PERCENT (1.9%) ON THE RENTAL FEE PRICE, OR OTHER CONSIDERATION PAID OR CHARGED FOR THE LEASING, RENTAL, SALE OR FURNISHING OF A ROOM OR ACCOMMODATION FOR A SHORT-TERM PERIOD (A PERIOD OF LESS THAN 30 CONSECUTIVE DAYS) IN CHAFFEE COUNTY, INCLUDING THE MUNICIPALITIES OF BUENA VISTA, SALIDA AND PONCHA SPRINGS, ALSO BE USED FOR ALL PURPOSES AS PROVIDED BY LAW, INCLUDING USE OF FUNDS: (1) TO SUPPORT HOUSING AND CHILDCARE FOR LOCAL WORKERS, SEASONAL WORKERS AND FOR OTHER WORKERS IN THE COMMUNITY; (2) TO FACILITATE AND ENHANCE VISITOR EXPERIENCES; WITH A MINIMUM OF FORTY PERCENT (40%) OF SAID LODGING EXCISE TAX REVENUE TO BE RETAINED FOR ADVERTISING AND MARKETING LOCAL TOURISM, AND NO MORE THAN SIXTY PERCENT (60%) TO BE USED TO SUPPORT LOCAL WORKFORCE AND QUALITY OF LIFE BY PROVIDING AND FUNDING AFFORDABLE HOUSING AND CHILDCARE FOR LOCAL WORKERS, SEASONAL WORKERS AND FOR OTHER WORKERS IN THE COMMUNITY AND FACILITATING AND ENHANCING VISITOR EXPERIENCE; COMMENCING ON JANUARY 1, 2023.

\_\_\_\_\_ YES/FOR

\_\_\_\_\_ NO/AGAINST"

**Section 5.** If voters approve the herein ballot question for the expansion of use to lodging tax, the following categories shall be eligible to receive funding at the direction

of the Board, following a publicly noticed hearing, with all operating and capital expenditures subject to an annual independent audit and expended in compliance with local government budget law, based on the following current needs and opportunities:

- i. Providing and Funding Housing For Tourism-Related Workforce, Seasonal Workers and For Other Workers in the Community;
- ii. Childcare for Tourism-Related Workforce, Seasonal Workers and For Other Workers in the Community; and
- iii. Facilitating and Enhancing the Visitors Experience

“Providing and Funding Housing For Tourism-Related Workforce, Seasonal Workers and For Other Workers in the Community” may include without limitations, funding affordable and workforce housing and housing projects and programs, funding the Chaffee County Housing Authority, supporting housing opportunities for affordable and workforce housing, capital projects for affordable and workforce housing, and supporting grant opportunities for expanding and supporting housing opportunities for affordable and workforce housing for local workers, seasonal workers and for other workers in the community.

“Childcare for Tourism-Related Workforce, Seasonal Workers and For Other Workers in the Community” may include without limitations, opening of new child care facilities, renovating and expanding existing child care facilities, training and licensing of child care workers, and supporting grant opportunities for existing and new child care facilities for local workers, seasonal workers and for other workers in the community.

“Facilitating and Enhancing the Visitors Experience” may include without limitation, improving or enhancing recreation infrastructure, facilities, and related services.

**Section 6.** If any part, section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Resolution, it being the intention that the various parts hereof are severable.

**Section 7.** The officers and employees of Chaffee County are authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution. All actions previously taken by the members of the Board and the officers and employees of the County consistent with the provisions of this Resolution are ratified and approved.

**Section 8.** This Resolution shall take effect immediately on its passage. The question set forth in Section 4 upon approval of a majority of the registered electors voting at the election shall be effective on January 1, 2023.

ADOPTED AND APPROVED by the Chaffee County Board of County Commissioners  
on August 22, 2022.

BOARD OF COUNTY COMMISSIONERS



\_\_\_\_\_  
[Acting] Chairman

The vote on the above Resolution was as follows:

Commissioner Greg Felt	<u>Yes</u>
Commissioner Keith Baker	<u>Yes</u>
Commissioner Russell Granzella	<u>Yes</u>

STATE OF COLORADO, CHAFFEE COUNTY

ATTEST:

The above is a true and correct record of Resolution 2022—58 duly adopted by the Chaffee County Board of County Commissioners by a 3-0 vote at a regular meeting, properly noticed and held on August 22, 2022.

*Lori Mitchell by*  
*Kathleen Luente* *Chief Deputy*  
 Chaffee County Clerk *Clerk and Recorder*

