



IGNACIO TOWN SPECIAL BOARD MEETING AGENDA
Monday, January 31, 2022 – 6:30 PM
Abel F. Atencio Community Room, 570 Goddard Avenue
or via Remote Public Meeting

*The remote meeting is hosted by Zoom and requires Attendees to login to the Zoom meeting website at the following address: <https://zoom.us/j/95764945563>, or Attendees wishing to participate by phone shall call: **346-248-7799** and key in Webinar ID Number: **957 6494 5563**.*

*There is a Zoom Etiquette file on the Town website that details how Zoom meetings work and what is expected of Attendees. All Attendees will be able to hear and/or see the Town Board meeting. Attendees will be muted until the Mayor takes Attendee comments. Attendees wanting to comment must click on the "Raised Hand" tab at the bottom of the screen, or callers will have to enter *9. The Mayor will acknowledge which Attendee is to speak (by name or phone number) and the meeting host will allow them to speak. The meeting host will unmute the Attendee (or notify the Attendee if they need to unmute themselves by entering *6). The Attendee shall first provide their name and address before they begin their comments. Failure to follow directions or maintain meeting decorum will result in the muting of your connection.*

- I. **CALL SPECIAL MEETING TO ORDER:** Pledge of Allegiance
- II. **UNFINISHED BUSINESS**
 - A. Marijuana Ballot Language Discussion
- III. **NEW BUSINESS**
 - A. Resolution 03-2022
- IV. **ADJOURNMENT**

RETAIL MARIJUANA (OCCUPATION TAX):

SHALL THE TOWN OF IGNACIO TAXES BE INCREASED BY \$[300,000] IN 2022, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JULY 1, 2022, A NEW OCCUPATION TAX ON THE SELLING WITHIN THE TOWN OF **RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS** PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION, AT THE RATE OF A MAXIMUM OF \$10 PER SINGLE RETAIL TRANSACTION IMPOSED UPON THE RETAILER (WHICH MAY BE ADJUSTED FROM TIME TO TIME BY THE BOARD OF TRUSTEES BUT WHICH SHALL NOT EXCEED \$10 PER TRANSACTION WITHOUT FURTHER VOTER APPROVAL) IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE BOARD OF TRUSTEES, INCLUDING ORDINANCES RESTRICTING THE NUMBER OF SUCH FACILITIES AND OTHER RULES AND REGULATIONS DEEMED NECESSARY AND APPROPRIATE BY THE TRUSTEES; AND SHALL THE PROCEEDS OF SUCH REVENUE BE UTILIZED BY THE TOWN FOR GENERAL PURPOSES; **AND SHALL THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS BY A RETAIL MARIJUANA BUSINESS BE PERMITTED WITHIN THE TOWN;** AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?

MEDICAL MARIJUANA (OCCUPATION TAX)

SHALL THE TOWN OF IGNACIO TAXES BE INCREASED BY \$[300,000] IN 2022, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JULY 1, 2022, A NEW OCCUPATION TAX ON THE SELLING WITHIN THE TOWN OF **MEDICAL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS** PERMITTED BY ARTICLE XVIII, SECTION 14 OF THE COLORADO CONSTITUTION, AT THE RATE OF A MAXIMUM OF \$10 PER SINGLE RETAIL TRANSACTION IMPOSED UPON THE RETAILER (WHICH MAY BE ADJUSTED FROM TIME TO TIME BY THE BOARD OF TRUSTEES BUT WHICH SHALL NOT EXCEED \$10 PER TRANSACTION WITHOUT FURTHER VOTER APPROVAL) IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE BOARD OF TRUSTEES, INCLUDING ORDINANCES RESTRICTING THE NUMBER OF SUCH FACILITIES AND OTHER RULES AND REGULATIONS DEEMED NECESSARY AND APPROPRIATE BY THE TRUSTEES; AND SHALL THE PROCEEDS OF SUCH REVENUE BE UTILIZED BY THE TOWN FOR GENERAL PURPOSES; **AND SHALL THE SALE OF MEDICAL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS, BY A MEDICAL MARIJUANA BUSINESS BE PERMITTED WITHIN THE TOWN;** AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?

RETAIL MARIJUANA (SALES TAX INCREASE):

SHALL THE TOWN OF IGNACIO TAXES BE INCREASED BY \$[] IN 2022, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JULY 1, 2022, AN ADDITIONAL SPECIAL SALES TAX PURSUANT TO SECTION 29-2-115, C.R.S., OF []% ON THE SELLING WITHIN THE TOWN OF **RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS** (WHICH MAY BE ADJUSTED FROM TIME TO TIME BY THE BOARD OF TRUSTEES BUT WHICH SHALL NOT EXCEED []% WITHOUT FURTHER VOTER APPROVAL) IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE BOARD OF TRUSTEES, INCLUDING ORDINANCES RESTRICTING THE NUMBER OF SUCH FACILITIES AND OTHER RULES AND REGULATIONS DEEMED NECESSARY AND APPROPRIATE BY THE TRUSTEES; AND SHALL THE PROCEEDS OF SUCH REVENUE BE UTILIZED BY THE TOWN FOR GENERAL PURPOSES; **AND SHALL THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS BY A RETAIL MARIJUANA BUSINESS BE PERMITTED WITHIN THE TOWN;** AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?

RESOLUTION 03-2022

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO, SETTING THE TITLE AND CONTENT OF A BALLOT ISSUE TO BE SUBMITTED TO THE ELECTORATE OF THE TOWN OF IGNACIO AND SETTING FORTH OTHER DETAILS RELATING THERETO AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON TUESDAY APRIL 5, 2022.

WHEREAS, the Town of Ignacio (the “Town”), is a Colorado statutory town duly organized and existing under laws of the State of Colorado; and

WHEREAS, the members of the Board of Trustees of the Town (the “Board”) have been duly elected and qualified; and

WHEREAS, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any new tax, the creation of any debt and for spending certain moneys above limits established by TABOR; and

WHEREAS, TABOR requires the Town to submit ballot issues (as defined in TABOR) to the Town’s electors on limited election days before action can be taken on such ballot issues; and

WHEREAS, April 5, 2022, is one of the dates on which ballot issues may be submitted to the eligible electors of the Town pursuant to TABOR; and

WHEREAS, the Board hereby determines that it is necessary to submit to the electors of the Town, at the regular municipal election to be held on April 5, 2022, the question of imposing an [OCCUPATION TAX/SPECIAL SALES TAX] on the sale of [retail/medical] marijuana within the Town, and whether such sale of [retail/medical] marijuana shall be permitted within the Town; and

WHEREAS, pursuant to the Municipal Code, all elections of the Town are governed by the Colorado Municipal Election Code (defined below) unless otherwise provided in the Charter or by ordinance; and

WHEREAS, the Board now determines that it is necessary to submit to the electors of the Town, at the election on April 5, 2022, the ballot question[s] set forth below; and

WHEREAS, it is necessary to set forth certain procedures concerning the conduct of the election.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Ignacio, Colorado, as follows:

Section 1. All action heretofore taken (not inconsistent with the provisions of this resolution) by the Town and the officers thereof, directed towards the election and the objects and purposes herein stated is hereby ratified, approved and confirmed.

Section 2. Unless otherwise defined herein, all terms used herein shall have the meanings defined in the Uniform Election Code of 1992, Title 1, Articles 1 through 13, C.R.S., as amended (the "Uniform Election Code") and Title 31, Article 10, C.R.S., as amended (the "Municipal Election Code").

Section 3. Pursuant to TABOR and the Municipal Election Code, and all laws amendatory thereof and supplemental thereto, the Board hereby determines that a regular election shall be held within the Town on April 5, 2022 (the "election"), and that there shall be submitted to the eligible electors of the Town the question[s] set forth in Section 4 hereof. The election will be held as a polling place election, and the Board hereby determines that the Town Clerk shall conduct the election on behalf of the Town.

Section 4. The following ballot issue[s], certified in substantially the form set forth below, is[are] hereby referred to the registered electors of the Town and shall appear on the ballot of the Town at the election with the following ballot title which is set pursuant to Section 31-11-111, C.R.S.:

[SELECT QUESTION(S)]

RETAIL MARIJUANA (OCCUPATION TAX):

SHALL THE TOWN OF IGNACIO TAXES BE INCREASED BY \$300,000 IN 2022, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JULY 1, 2022, A NEW OCCUPATION TAX ON THE SELLING WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION, AT THE RATE OF A MAXIMUM OF \$10 PER SINGLE RETAIL TRANSACTION IMPOSED UPON THE RETAILER (WHICH MAY BE ADJUSTED FROM TIME TO TIME BY THE BOARD OF TRUSTEES BUT WHICH SHALL NOT EXCEED \$10 PER TRANSACTION WITHOUT FURTHER VOTER APPROVAL) IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE BOARD OF TRUSTEES, INCLUDING ORDINANCES RESTRICTING THE NUMBER OF SUCH FACILITIES AND OTHER RULES AND REGULATIONS DEEMED NECESSARY AND APPROPRIATE BY THE TRUSTEES; AND SHALL THE PROCEEDS OF SUCH REVENUE BE UTILIZED BY THE TOWN FOR GENERAL PURPOSES; AND SHALL THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS BY A RETAIL MARIJUANA BUSINESS BE PERMITTED WITHIN THE TOWN; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND

SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?

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RETAIL MARIJUANA (SALES TAX INCREASE):

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Section 5. The Town Clerk is hereby appointed as the designated election official of the Town for purposes of performing acts required or permitted by law in connection with the election.

Section 6. Pursuant to Section 31-10-1308(2), C.R.S. and Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

Section 7. The officers of the Town are hereby authorized and directed to take all action necessary and appropriate to effectuate the provisions of this resolution.

Section 8. 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 such section, paragraph, clause or provision shall in no manner affect any remaining provisions of this resolution.

Section 9. All resolutions or parts of resolutions inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 10. The effective date of this resolution shall be immediately upon adoption.

INTRODUCED, PASSED AND ADOPTED at a special meeting of the Board of Trustees of the Town of Ignacio, Colorado, on January 31, 2022.

TOWN OF IGNACIO, COLORADO

Stella Cox, Mayor

ATTEST:

Tuggy Dunton, Town Clerk

STATE OF COLORADO)
)
 COUNTY OF LA PLATA) SS.
)
 TOWN OF IGNACIO)

I, Tuggy Dunton, the Town Clerk of the Town of Ignacio, Colorado (the “Town”), do hereby certify:

1. The foregoing pages are a true and correct copy of a resolution (the “Resolution”) passed and adopted by the Board of Trustees of the Town (the “Board”) at a special meeting of the Board held on January 31, 2022.

2. The Resolution was duly introduced, moved and seconded, passed and adopted at the special meeting of January 31, 2022, by an affirmative vote of a majority of the members of the Board as follows:

Name	“Yes”	“No”	Absent	Abstain
Stella Cox, Mayor				
Alison deKay, Mayor Pro Tem				
Tom Atencio, Trustee				
Edward Box III, Trustee				
Sharon Craig, Trustee				
Sandra Maez, Trustee				
Dixie Melton, Trustee				

3. The members of the Board were present at the meeting and voted on the passage of such Resolution as set forth above.

4. The Resolution was approved and authenticated by the signature of the Mayor, sealed with the Town seal, attested by the Town Clerk and recorded in the minutes of the Board.

5. There are no bylaws, rules or regulations of the Board which might prohibit the adoption of said Resolution.

6. Notice of the special meeting of January 31, 2022, in the form attached hereto as Exhibit A was posted not less than twenty-four hours prior to the meeting in accordance with law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 31st day of January, 2022.

(SEAL)

 Town Clerk

EXHIBIT A
(Attach Notice of Meeting)

DRAFT