

NOTICE OF HEARING

NOTICE is hereby given of a public hearing before the Board of County Commissioners of San Juan Colorado, at 7:30 P.M. of the 27th day of July 2022, at the County Commissioner's Room, San Juan County Courthouse, 1557 Greene St., Silverton, Colorado for the purpose of considering the adoption of Resolution No. 2022-06.

NOTICE is further given that all persons may appear and present oral & written testimony regarding this project prior to or at public hearing. Written comment may be sent to PO Box 466, Silverton, CO 81433 or via email to sanjuancounty@frontier.net.

RESOLUTION NO. 2022-06

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SAN JUAN STATE OF COLORADO

A RESOLUTION PROVIDING FOR THE REFERRAL TO THE REGISTERED, QUALIFIED, ELECTORS OF SAN JUAN COUNTY, INCLUDING THE TOWN OF SILVERTON, A QUESTION AUTHORIZING THE EXPANDED USE OF THE EXISTING TWO PERCENT (2%) 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

WHEREAS, the Board of County Commissioners (the "Board") recognizes the importance of economic growth through tourism, but also recognizes certain resulting impacts from that tourism; and

WHEREAS, San Juan County faces ongoing challenges resulting from the impacts of tourism, including the lack of affordable housing, daycare shortage, and the expense of necessary expanded services; and

WHEREAS, counties were formerly authorized to levy up to a two percent (2%) lodging tax on short-term rentals for the purpose of advertising and marketing only. In November of 1996, voters of San Juan County approved such a two percent (2%) tax (the "Existing Lodging Tax"); and

WHEREAS, the citizens of San Juan County would benefit from the utilization of the Existing Lodging Tax for services beyond advertising and marketing of tourism. Funding for costs directly attributable to tourism activities should be mitigated when possible by tourism income, including from lodging; and

WHEREAS, House Bill 22-1117 expanded the allowable uses for lodging tax proceeds to also include childcare and housing for the local workforce, as well as to facilitate and enhance

visitor experiences. Any such proposed expansion of use of an existing lodging tax must be referred to the registered electors of the unincorporated areas and the municipalities subject to the lodging tax at the next general election; and

WHEREAS, the Board wishes to submit to the registered, qualified electors of unincorporated San Juan County and the Town of Silverton, at the election to be held on November 8, 2022, a question authorizing the use of the Existing Lodging Tax of 2% to market and advertise tourism, provide childcare and housing for the local workforce, and to facilitate and enhance visitor experiences; and

WHEREAS, this election shall be conducted by the San Juan County Clerk and Recorder in accordance with the "Uniform Election Code of 1992," Articles 1 to 13 of Title 1, C.R.S.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SAN JUAN, STATE OF COLORADO:

Section 1. Certification of Question to Clerk and Recorder for Election. The following question is hereby certified to the San Juan County Clerk and Recorder and shall be presented at the election to be held on Tuesday, November 8, 2022. Notice required by Section 30-11-107.5(3)(e) C.R.S. (publish the text of this Resolution four separate times, a week apart, in a newspaper of general circulation within San Juan County) shall be provided by the Clerk and Recorder.

Section 2. Form of Ballot Question. At the Election there shall be submitted to a vote of the registered qualified electors of the entire County, including the Town of Silverton, the following title and question:

“San Juan County Ballot Issue - Lodging Tax Change in Use

WITHOUT RAISING TAXES, SHALL SAN JUAN COUNTY BE AUTHORIZED TO ALTER THE USE OF THE EXISTING LODGING TAX TO APPLY FIFTY PERCENT (50%) TO MARKETING AND PROMOTION OF LOCAL TOURISM; FORTY PERCENT (40%) TO ACQUIRE, CONSTRUCT, MAINTAIN, ENHANCE, RENOVATE, RELOCATE, IMPROVE, PROMOTE, SUPPORT AND FUND, HOUSING AND CHILDCARE FOR THE TOURISM-RELATED WORKFORCE, INCLUDING SEASONAL WORKFORCE, AND OTHER WORKERS IN THE COMMUNITY; AND TEN PERCENT (10%) TO ACQUIRE, CONSTRUCT, MAINTAIN, ENHANCE, RENOVATE, RELOCATE, IMPROVE, PROMOTE, SUPPORT AND FUND SIGNAGE, TRAIL AND TRAILHEAD DEVELOPMENT, ROAD AND BRIDGE PROJECTS, PARKING AND STAGING, AND THE BACKCOUNTRY RANGER POSITION, IN ORDER TO FACILITATE AND ENHANCE VISITOR EXPERIENCES, AND FOR ALL OTHER PURPOSES PERMITTED BY LAW?

_____ **YES/FOR**

_____ **NO/AGAINST"**

Section 3. Severability. 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 4. Actions. The officers and employees of San Juan County are authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution.

Section 5. Miscellaneous.

A. Election Official. The San Juan County Clerk and Recorder is designated as the County's "Designated Election Official" as defined in Section 1-1-104(8) C.R.S. as the person responsible for running the election and is directed and authorized to take such action as may be necessary to call, hold and canvass the election in accordance with law.

B. Notice to Clerk and Recorder. This Resolution Proposal shall constitute notice to the San Juan County Clerk and Recorder of the intent by the County to participate in the 2022 general election.

READ, PASSED AND ADOPTED this ___ day of July 2022 by the Board of Commissioners of San Juan County, Colorado.

Scott Fetchenhier, Chair

Austin Lashley

Ernest F. Kuhlman

Attest:

Ladonna L. Jaramillo
Clerk and Recorder