

**Commissioner Chandler-Henry moved
adoption of the following Resolution:**

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF EAGLE, STATE OF COLORADO**

RESOLUTION NO. 2022 - 051

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE REGISTERED, QUALIFIED ELECTORS OF UNINCORPORATED EAGLE COUNTY AND THE TOWN OF GYPSUM, COLORADO, A QUESTION AUTHORIZING THE LEVY OF A LODGING TAX OF 2% 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 IN ORDER TO PROVIDE ADDITIONAL CHILDCARE AND AFFORDABLE HOUSING FOR LOCAL WORKERS, SAID QUESTION TO BE SUBMITTED AT THE ELECTION TO BE HELD NOVEMBER 8, 2022; PRESCRIBING THE FORM OF BALLOT QUESTION FOR SUBMISSION AT SAID ELECTION, AND PROVIDING FOR CERTIFICATION OF THE ELECTION QUESTION TO THE COUNTY CLERK AND RECORDER.

WHEREAS, Eagle County faces a persistent lack of quality and affordable childcare and housing for our local workforce;

WHEREAS, Counties were formerly authorized to levy a 2% lodging tax on short-term rentals for the purpose of advertising and marketing only. Eagle County has not levied such a tax;

WHEREAS, House Bill 22 – 1117 expanded the allowable uses for lodging tax proceeds to also include childcare and housing for the tourism-related workforce, including seasonal workers, and for other workers in the community;

WHEREAS, an Eagle County lodging tax would not apply within any municipality levying their own lodging tax. Currently, all but one of our municipalities have their own lodging tax, including Avon, Basalt, Eagle, Minturn, Red Cliff, and Vail;

WHEREAS, an Eagle County lodging tax would, therefore, be limited to the unincorporated areas of Eagle County and the Town of Gypsum. Accordingly, only the registered, qualified voters in unincorporated Eagle County and the Town of Gypsum will vote on the question;

WHEREAS, the expanded uses for lodging tax revenue has created an opportunity to help mitigate the impacts caused by a tourism-based economy from those using our short-term lodging;

WHEREAS, an Eagle County lodging tax will provide more equalized taxes on lodging throughout Eagle County as most municipalities already have imposed such a tax;

WHEREAS, pursuant to Sections 30-11-107(1)(d), 30-11-107.5, 29-2-114, and 29-2-115, C.R.S., the Eagle County Board of County Commissioners (hereinafter “Board”) is authorized to apportion and order the levying of taxes as provided by law;

WHEREAS, the Board wishes to submit to the registered, qualified electors of unincorporated Eagle County and the Town of Gypsum, at the election to be held on November 8, 2022, a question authorizing a lodging tax of 2% 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 in order to provide additional childcare and affordable housing opportunities for our local workforce;

WHEREAS, Article X, Section 20 of the Colorado Constitution requires voter approval for, among other things, any new tax, tax rate increase, and for collecting, retaining and expending certain moneys above established limits; and

WHEREAS, this election shall be conducted by the Eagle 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 EAGLE, STATE OF COLORADO:

Section 1. Certification of Question to Clerk and Recorder for Election. The following question is hereby certified to the Eagle County Clerk and Recorder and shall be presented at the election to be held on Tuesday, November 8, 2022. Notices required by Section 30-11-107.5(3)(e), C.R.S. and Article X, Section 20 of the Colorado Constitution 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 County the following title and question:

“Eagle County Ballot Issue 1A– Lodging Tax to Support Local Workforce

SHALL EAGLE COUNTY TAXES BE INCREASED BY \$3,000,000 ANNUALLY COMMENCING JANUARY 1, 2023, FROM A TWO PERCENT (2%) LODGING EXCISE TAX 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 EAGLE COUNTY, EXCLUDING THE MUNICIPALITIES OF AVON, BASALT, EAGLE, MINTURN, RED CLIFF AND VAIL THAT CURRENTLY HAVE THEIR OWN ADOPTED LODGING TAX, IN ORDER TO SUPPORT OUR LOCAL WORKFORCE AND QUALITY OF LIFE BY PROVIDING ADDITIONAL CHILDCARE PROGRAMS AND AFFORDABLE HOUSING OPPORTUNITIES FOR LOCAL WORKERS, WITH TEN PERCENT (10%) OF SAID REVENUE USED FOR ADVERTISING AND MARKETING LOCAL TOURISM AND THE REMAINING NINETY PERCENT (90%) USED TO SUPPORT OUR LOCAL WORKFORCE, WITH ALL SUCH OPERATING AND CAPITAL EXPENDITURES SUBJECT TO AN ANNUAL INDEPENDENT AUDIT AND SPENT IN COMPLIANCE WITH LOCAL GOVERNMENT BUDGET LAWS AND PROGRAM CRITERIA DEVELOPED AND APPROVED BY THE BOARD OF COUNTY

COMMISSIONERS IN A NOTICED AND PUBLIC MEETING, AND SHALL THE FIRST YEAR REVENUES, AND WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY LIMITATION OR CONDITION UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER PROVISION OF LAW?

_____ YES/FOR

_____ NO/AGAINST"

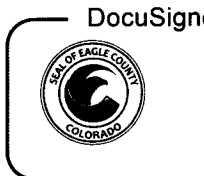
Section 3. Severability. If any part, section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Resolution, it being the intention that the various parts hereof are severable.

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

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MOVED, READ AND ADOPTED by the Board of County Commissioners of the County of Eagle, State of Colorado, at its regular meeting held the 21st day of July, 2022.

ATTEST:



DocuSigned by:

COUNTY OF EAGLE, STATE OF COLORADO, by and Through Its BOARD OF COUNTY COMMISSIONERS

DocuSigned by:
Regina O'Brien
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Clerk to the Board of
County Commissioners

By: DocuSigned by:
Jeanne McQueeney
CA4AC128FBAA47A...
Jeanne McQueeney
Chair

DocuSigned by:
Kathy Chandler-Henry
86A881FFEB8403...
Kathy Chandler-Henry
Commissioner

DocuSigned by:
Matt Scherr
84E7B2D718E0473...
Matt Scherr
Commissioner

Commissioner scherr seconded adoption of the foregoing resolution. The roll having been called, the vote was as follows:

Commissioner McQueeney Aye

Commissioner Chandler-Henry Aye

Commissioner Scherr Aye

This Resolution passed by 3/0 vote of the Board of County Commissioners of the County of Eagle, State of Colorado