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## 2022 Election Recommendations of Macon Cowles and Matt Appelbaum

Dear friends:

Each year, preparing a summary of the issues for or against which we will be voting becomes more difficult as the ballot grows longer. The issues deserve a studied approach, with the outcome determined by informed elected officials who have the time and responsibility to balance conflicting values and impacts and make a sensible choice.

But the ballot grows longer because it is easy for a special interest with money to place an issue on the state ballot; and it is VERY easy to place an initiative on the ballot in the City of Boulder. We did this to ourselves, by voting in a past election to permit gathering the required number of signatures for initiatives to be done online.

The authors of these recommendations have been colleagues on the Boulder City Council and collaborators, and sometimes opponents, on a variety of City issues. We speak with different voices which is very apparent. In writing these recommendations, Matt wrote about the state ballot measures and Macon about the County, City and BVSD ballot issues. Joni Teter wrote the substantive section on the Library District.

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### FEDERAL AND STATE OFFICES

For the last ten years, the Republicans in the Colorado legislature and statewide Republican leadership have acted out their belief that state government should be limited to paying for police, prisons and roads. Period. And federal Republicans, with rare exceptions, have encouraged and participated in insurrection, have packed the Supreme Court with extremists, have tried repeatedly to strip people of health care, have refused to give the government the tools to reduce drug prices, have stripped women of the right to abortion, have suppressed voting rights, and denied climate change. **For these reasons, and more, it is important to vote for Democrats at every level of federal and state offices. In a Republican wave year, every Democrat is vulnerable.**

US Senator .....	Michael Bennet
2 <sup>nd</sup> Congressional District.....	Joe Neguse
Governor.....	Jared Polis
Secretary of State.....	Jena Griswold
Attorney General .....	Phil Weiser
State Treasurer.....	Dave Young
State Board of Education .....	Kathy Plomer
State Senator Dist. 10.....	Junie Joseph
State Senator Dist. 11.....	Karen McCormick
State Senator Dist. 12.....	Tracey Bennett
State Senator Dist. 15.....	Janice Marchman
State Representative Dist. 49 .....	Judy Amabile
RTD Dist. Director Dist. O.....	Lynn Guissinger
Boulder County Commissioner .....	Ashley Stolzmann
Boulder County Clerk & Recorder.....	Molly Fitzpatrick
Boulder County Treasurer.....	Paul Weissman
Boulder County Assessor .....	Cynthia Braddock
Boulder County Sheriff.....	Curtis Johnson
Boulder County Surveyor .....	Lee Stadele
Boulder County Coroner.....	Emma Hall

Matt’s thoughts on a few of the candidates:

- **I can't resist at least a short comment about Polis.** Yes, he's the obvious choice given that his opponent is another delusional and scary Republican who chose a wacko election denier as

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her running mate. And Polis has done some fine work while in his progressive-Dem persona, even if he then makes us grimace when he goes into his anti-tax, libertarian tech-bro mode. Still, his positives vastly outweigh his negatives, and his crazy opponent seals the deal if there is any doubt.

- **I think it's worth saying something about Jena Griswold for Secretary of State**, especially since the Denver Post endorsed Pam Anderson. In a more rational world, Anderson might indeed be seriously considered, and she quite likely would do as good a job with the technical components of the Secretary of State. And Anderson, remember, beat the crazy county clerk Tina Peters in the primary, which was a good thing. But -- and it's really big BUT -- Anderson almost certainly would not have gone after Peters, and forced her removal, the way Griswold did, and we can be sure there will be more crazy county clerks out there. Anderson has also campaigned with election deniers, and it's not entirely clear if she would have moved as aggressively as Griswold to increase access to voting. **Griswold** is the clear choice here.
- **RTD** races tend to get ignored, but they are important, and **Lynn Guissinger** does have an opponent. Lynn has done a good job in her first term on the RTD Board, even if RTD is an entity we all love to hate. She has risen in Board leadership and will be an important voice in RTD's critical efforts to reshape itself, which will be essential if it is to survive.

Macon's thoughts about **Phil Weiser, a terrific Attorney General**:

- Contrary to what the Republican running for Attorney General claims, the Attorney General cannot have much impact on crime within the state. That is because criminal matters are left to the County District Attorneys, who have a significant impact on crime within their jurisdictions. Rather the Attorney General is the people's lawyer, protecting individuals against the predations of corporations, insurance companies, scammers and fraudsters. It is really important to reelect him. Phil is a highly effective AG for our state and he is hard working, principled and decent. Here are a few highlights from his tenure, so far...
- Phil has fought for equality and defended access to healthcare under the Affordable Care Act.
- Phil prevailed in the historic decision, Colorado Department of State v. Baca, ensuring that faithless electors cannot thwart the will of Colorado voters.
- Under Phil's leadership, the AG's office is putting people first and leading with empathy. Phil has protected Colorado's air, water, and land and is addressing the opioid epidemic, holding wrongdoers like Purdue Pharma accountable and bringing hundreds of millions of dollars to Colorado for treatment, recovery, and education/prevention programs.
- Phil has revitalized the AG's consumer protection efforts, rooting out illegal price-fixing by generic drug companies and addressing anti-competitive health care consolidation.
- Phil has worked hard to improve our criminal justice system and protect public safety. He has led on gun violence prevention and worked to build trust in law enforcement through training, accountability, and transparency.

Phil is in for a tough re-election campaign. 2022 is going to be a difficult year for Democrats, including in Colorado. Just consider last year's Virginia election, where the Democratic incumbent Attorney General Mark Herring—who won by a bigger margin in 2017 than Phil did in 2018—lost his race.

## JUDICIAL RETENTION QUESTIONS

Many states—but not Colorado—have politicized the act of judging, by forcing them to mount campaigns for election and re-election as judges. This has required judges to solicit money for election campaigns from the lawyers who practice before them, with the predictable result that

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judges in those states have become more friendly to corporate and big money interests and less open to the pleas of individuals in cases that put them at odds with rich defendants.

In Colorado, our constitution requires judges to be nominated by a judicial nominating commission and then appointed by the Governor. Thereafter, judges must periodically go before voters in retention elections if they wish to serve additional five-year terms. That is why on your ballot, there appear the questions as to whether certain Court of Appeals, District and County judges should be retained in office. Each judge's performance has been ranked by the Office of Judicial Performance Evaluation of the State of Colorado, based on surveys, a review of their decisions, observations and interviews. Information is available about each judge's evaluation here:

<https://judicialperformance.colorado.gov/2022-judicial-performance-evaluations>

All judges up for retention on the Colorado Court of Appeals have been found to meet expected performance standards. Boulder County is in the 20<sup>th</sup> Judicial District. All Boulder district and county court judges on the ballot have likewise been found to meet expected performance standards. **It is important, and a vote of confidence, to retain all of the judges on the ballot.**

### **STATE BALLOT MEASURES**

Some of these measures are opaque, even to people who are normally well informed and closely follow state issues.

#### **Amendment D—New 23<sup>rd</sup> Judicial District Judges**

Vote YES. This is an odd item, caused by a previous vote to add a new judicial district, which now could use some judges. This would allow the governor to essentially move some judges from the existing district, which is being split into two districts, into the new one, which seems rather reasonable even if it sidesteps requirements that such judges must be approved by voters in their district (which, of course, they effectively were in the original district).

#### **Amendment E—Extend Homestead Exemption to Gold Star Spouses**

Probably need to vote YES, even if the concept of the Homestead Exemption is terribly flawed. The Exemption gives us old folks and some others a nice reduction in property taxes, which the state then backfills. And as a certified old person, I hate these types of discounts that are based solely on age, ignore income and wealth, and help only those lucky/rich enough to own a house, since renters get no benefit at all. But since we're no doubt stuck with the Exemption, I suppose extending it as specified is appropriate.

#### **Amendment F—Changes to Charitable Gaming Operations**

Yeah, sure, vote YES, I suppose. Charitable organizations can make quite a bit of money from gaming operations – think bingo – but currently must have existed for five years, and they can't pay volunteers to run the games, and so hire companies at considerable cost. This would reduce the five-year requirement to three, and allow payments to volunteers. Gaming at charities has been declining, probably due to on-line betting I would guess, so this might not matter very much. Hard to get excited either way.

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### **Proposition FF—Healthy School Meals for All**

Vote YES for the outcome, even if the funding, as usual in Colorado, is wacky. This would ensure that all kids get free meals at school, and raise the salaries of those doing the feeding. While obviously not all kids need this, too many who do currently don't get help, so it's still hard to argue against. The funding comes from reducing state tax deductions for those earning over \$300,000, which will, surprisingly, raise \$100M yearly. I'm generally not in favor of yet more dedicated funding sources, but we seem to love them, statewide and locally, even as they reduce governmental flexibility. And while it's quite fine to effectively raise the income tax rate for the wealthy, a vastly better approach would be to finally make Colorado's income tax progressive, instead of having a flat rate. But we take what we can get in this weirdly mostly-progressive but anti-tax state.

### **Proposition GG—Add Tax Information Table to Petitions and Ballots**

Yeah, sure, vote YES, although it probably won't matter. Currently, a table showing the tax implications of a ballot issue is included in the state's Blue Book, which is mailed to everyone. This would require that a similar table be part of petitions and ballots. No doubt there would be some controversy over the calculations, but, yes, this could be helpful. Still, I doubt most petition signers would bother to read the table, given that few if any read the petition language but simply sign because a clever petition carrier has convinced them to do so (often with some considerable exaggeration or misrepresentation), or because, as we see in Boulder, people just want to vote on everything. And putting the table on the actual ballot will make our crazy-long ballots even longer, although it might be somewhat eye-catching, for better or worse.

### **Proposition 121—State Income Tax Reduction**

Vote NO! Yet another attempt in a never-ending effort to squeeze government so much that it can't pay for all those awful "socialist" things like...well, health care, transportation, schools.... Sadly, these issues seem to pass, even if the vast majority of the tax reduction goes to the very wealthiest, given our flat tax system. Again, we probably could reduce the tax rate for most people if we switched to a progressive tax system, and hopefully some day that will get on the ballot. For now, giving yet more tax breaks to people who least need it is nuts.

Macon: I will add and emphasize that the decrease in state income tax proposed in Proposition 121 is a *very bad* idea. State income tax pays for a third of the state budget and half of the general fund. So much of the state revenues have been squeezed, pushed, limited, and dedicated by prior ballot measures that it is exceedingly difficult for the legislature to address the State's needs.

### **Proposition 122—Access to Natural Psychedelic Substances**

Another probably YES, I suppose. Not an issue that grabs me. No, we almost certainly shouldn't be arresting people for having small quantities of stuff that probably isn't overly dangerous. And, yes, this stuff might have some useful effects, and should be more thoroughly studied. While this Proposition would allow only for "supervised" use...well, what we discovered when we initially legalized medical marijuana was that the cohort most in pain and thus "legally" prescribed MJ was...men in their 20s...who knew?

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### **Proposition 123—Dedicate Revenue for Affordable Housing Programs**

Once again, **vote YES for the outcome** even though the funding here might be worse than for school meals. I'm going to assume that it is blatantly obvious to everyone, especially in Boulder, that we need vastly more affordable housing (well, I suppose that's not at all obvious to the legions of no-growthers...). But it's not just Boulder, but everywhere in Colorado, even more rural areas. And at least some communities do want to create more such housing – even Boulder, I would hope – but just can't afford to do so.

While details would need to be worked out, it does look as if the money raised here would indeed be used for affordable housing. Communities wanting funding would be required to keep increasing their affordable housing supply. Somewhat unfortunately, there seems to be a requirement that development reviews be completed within 90 days; while it's certainly true that such reviews often take vastly too long and thus can effectively kill projects by increasing costs, 90 days is not enough even to handle useful concepts like good design and transportation access, at least some neighborhood outreach, review by appropriate city boards, etc. Presumably, much of that can be “pre-approved” in some way before the 90-day clock starts ticking, or else Boulder will certainly have a hard time complying.

The funding, in good years, would come from the TABOR refund – which is a fabulous source since we shouldn't have such a refund anyway (and why the anti-tax folks hate this). But in tight years when there would be no TABOR refund, the state still must fund this (although perhaps with some leeway), and thus, inevitably, cut something else, which usually turns out to be schools (which is why even some progressive Dems don't like this issue). And note that if Prop 121 passes, it's likely every year will have a tight budget. But housing is such a dire need that this is worth the chance of potentially troubling side-effects, and some day we just need to force the issue of having sufficient state funding.

### **Proposition 124—Increase Allowable Liquor Store Locations**

**Probably vote NO.** There are three issues relating to the sale of alcoholic beverages on the ballot this year, all brought to us by companies that want to make lots more money, which, some may reasonably think, makes them all very suspect. The battle, as always, is whether we should allow big companies to gobble up the small liquor stores, and/or if grocery stores should be able to sell wine. In either case, the concern is that the small stores will vanish, and no doubt some, perhaps many, will not be able to compete. But, I have to ask, why exactly do we feel this need to protect this one type of small business when we don't give such protection to any other small businesses, and have, obviously, watched many get destroyed by the likes of Target and WalMart and the big grocers, just to name a few? And in states that do allow grocers to sell wine, and even hard liquor, or allow for one company to own multiple liquor stores...well, the world hasn't come to an end, presumably. But, here we are, this particular issue is being massively funded by a large chain that clearly wants to control the field, and for now I suppose it would be best to go very slowly in making big changes to our weird system.

### **Proposition 125—Allow Grocery and Convenience Stores to Sell Wine**

**A very weak YES, maybe?** Following from Proposition 124, this would also, quite obviously, make it harder to small liquor stores to compete, just as has been the case since we allowed grocery stores

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to sell beer. And yet, the small stores are still here, aren't they? They survive because they have a much larger selection, and that would be even more true with wine. Actually, for me, given how little I drink of any of this stuff, my main concern is that grocery stores, as they did with beer, would turn over lots more space to wine and thus even less to, well, food and useful products. Anyway, if you're concerned about potentially killing off small liquor stores then vote no, but if you think that won't happen or that competition, even by the nasty big stores that are funding this initiative, will help reduce prices, then you might just support this issue. And you might also note that current law will allow, over the next decade or so, for most big grocery stores to start selling wine anyway.

### **Proposition 126—Third-Party Delivery of Alcohol Beverages**

**I'm voting NO**, but then I may not be a good guide to issues regarding alcoholic beverages since I barely drink them and don't think we need to make it even easier to do so, particularly by letting anyone order anything and then having it delivered (no doubt with an absurd mark-up) by some gig delivery driver who doesn't care where it's going. Somewhat oddly, this issue would also make permanent the ability of restaurants and bars to have delivery and takeout of alcoholic beverages, something that clearly helped them during COVID when the prohibition was lifted (but will take effect again in a few years). Yes, that would no doubt help those, typically smaller, businesses, but with an awful lot more alcohol sloshing around out there. Probably nothing will make all that much difference regarding alcohol (mis)use, but we maybe don't need to actively make things worse.

### **BOULDER COUNTY TAX MEASURES**

**The frame of reference about tax issues this year.** I will address below a number of issues that call for an increase in taxes, allocating the money to important projects. I have urged support for the passage of nearly every such tax initiative in the past. But I approach this year's crop of tax measures proposed by Boulder County and the Boulder Valley School District (BVSD) with deep skepticism. Property taxes on Boulder County homes have increased nearly 70% in the last six years, and taxes on business property (because of the Gallagher Amendment) have risen much more sharply than that. 55% of property taxes are allocated to BVSD, 26% to the County, 11% to municipalities and the County receives 45% of its revenue from property taxes, 13% of its revenue from sales tax. See [https://assets.bouldercounty.gov/wp-content/uploads/2021/08/2021\\_Budget\\_Book\\_Final\\_report.pdf](https://assets.bouldercounty.gov/wp-content/uploads/2021/08/2021_Budget_Book_Final_report.pdf), p. 105.

**The County is asking for a 0.1% increase in sales tax on three separate items.** That totals a 0.3% sales tax increase, increasing sales tax within the City of Boulder to 9.245%. Each of the tax proposals allocate money to important projects: Countywide Wildfire Mitigation (1A), Rural Emergency Services (1B) and transportation (1C). But County revenues have risen 27% from 2019 to 2022. The Commissioners have not explained why the actions and infrastructure proposed in these three ballot measures cannot be paid for from the \$117,000,000 in increased revenues going to the County this year that were not available in 2019.

Matt: Important note: all 3 of these taxes will be **permanent**, with no termination, ever!

### **Boulder County Ballot Issue 1A—Wildfire Mitigation Tax**

The County proposes an additional sales and use tax of 0.10% for Countywide Wildfire Mitigation.

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**I am voting NO on Ballot Issue 1A**, for the reasons stated above. Fire mitigation is important, and should be done. But the Commissioners have not explained why it cannot be paid for out of the \$117,000,000 in increased revenues that the County is receiving, compared to 2019.

Matt: While I assume this will win in a landslide – who (besides Macon and me) will question money for wildfire mitigation? – I lean against this issue for two additional reasons. First, as is typical with county issues, the City of Boulder will provide about half the revenue and get little to nothing in return, as I'm certain that the large majority of mitigation funding will go to lands in unincorporated areas even though our city also needs significant mitigation in our Open Space (which we pay for). Second, at a minimum, mitigation funding should be contingent on much stricter building and re-building regulations, at the county and local levels so that we stop making matters even worse.

### **Boulder County Ballot Issue 1B—Rural Emergency Services Tax**

The County proposes an additional sales and use tax of 0.10% for Emergency Services in rural areas. **I am voting NO on Ballot Issue 1B**, for the reasons stated above. Emergency services are important, But the Commissioners have not explained why residents of the City of Boulder should pay for rural services, nor why such services cannot be paid for out of the \$117,000,000 in increased revenues that the County is receiving, compared to 2019. It does not make sense for city dwellers to subsidize the increased cost of services provided to people living in the mountains.

Matt: Yep, another tax issue where pretty much all of the money will go to the unincorporated areas, even those with residents who are quite wealthy. How about paying for ambulance services in the cities as well; after all, while city-folk do indeed use such services in the rural areas, the opposite is equally true (and, although it's often a shock to the Commissioners, we city folk are actually also in the county!). Here in Boulder we are going to spend lots of our money to eventually move to a city-funded ambulance service; in the unincorporated areas they should create a taxing district to do the same, not make all of us pay.

One more consideration that was unfortunately left out in our previous versions of this letter. For the first 5 years of this tax, the theory is that most of it will go toward a search and rescue facility, which is certainly needed, even if the county really should be able to fund it without a new tax. Then the tax drops to 0.05%, mostly for, supposedly, rural ambulance services, and extends indefinitely. But there is no guarantee of fully funding the search and rescue facility, and the ballot language is extremely broad, including everything from trailhead parking to rural fire departments (but, of course, not municipal ones). I'd have no trouble supporting a small tax for capital expenditures for search and rescue, but this tax is too much for too long and too inequitably.

### **Boulder County Ballot Issue 1C—Transportation Tax**

Additional sales and use tax of 0.10% for transportation, including transportation safety improvements, commuter and recreational bike paths and trails, transit capital improvements and equipment, transit operations and maintenance, transportation demand management, and community mobility programs.

**I am voting YES on Ballot Issue 1C**, because this tax increase will go to very specifically listed projects that support bike, ped and transit facilities throughout the County. Too many cyclists are

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continuing to die in Boulder County, and Ballot Issue 1C will fund 15 multimodal safety & resiliency projects, 5 regional corridor projects (3 commuter bikeways), 10 regional trails & bikeway projects, 8 local transit services & support projects and 3 community mobility programs. All of these are listed in the TABOR booklet mailed to you, and which you can find here:

<https://assets.bouldercounty.gov/wp-content/uploads/2022/10/Boulder-County-TABOR-Notice-2022.pdf>. See pp. 17-18.

## **CITY OF BOULDER BALLOT ISSUES**

### **City of Boulder Ballot Issue 2A—Climate Tax**

City of Boulder Ballot Issue 2A proposes a climate tax that would be imposed on the sale of electricity and gas.

**I am voting YES on City of Boulder Ballot Issue 2A**, because our planet is burning up. We need this program of incentives including “residential and business incentives to reduce energy use; accelerate building weatherization and electrification; local renewable energy generation and storage; microgrids and district systems that lead to increased system reliability and resilience; equitable investments in high performing, healthy buildings; services to support zero emissions; mobility options with an emphasis on solutions for currently underserved segments of the community; zero-waste efforts including reuse, repair and recycling; natural climate solutions to enhance ecosystems, improve air quality and buffer extreme heat events; incentives for community-based climate and resilience actions; wildfire resilience strategies such as wildfire home risk assessments, wildfire mitigation planning and implementation; outreach and education; residential and business incentives for the acceleration of undergrounding utility lines; financial assistance for low-income utility customers; matching funds or other leverage to access public or private funding sources and cost-sharing agreements to accelerate meeting the city’s climate goals.”

Matt: Yep, and if anything this is not enough funding, especially since a good chunk of it will go toward wildfire mitigation. Note that the tax increase for residential properties will be trivial. The current tax put a disproportionate burden on residential over commercial/industrial on the theory that most of the benefit went to residential. But now it’s clear that the causes of greenhouse gas emissions, and the benefits of the various programs to be funded, are spread across all sectors and so the tax rate will be adjusted accordingly, with the bigger increase on commercial/industrial.

### **City of Boulder Ballot Issue 2B—Issuance Of Climate Bonds**

**I am voting YES on City of Boulder Ballot Issue 2B**, because if the Climate Tax (Ballot Issue 2A) passes, Boulder Ballot Issue 2B permits the issuance of bonds to fund large climate mitigation programs to be implemented now and in the near future. The bonds will be repaid with proceeds from the climate tax.

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## **City of Boulder Ballot Question 2C— Repeal Of Library Commission And Tax If Library District Created**

**I am voting YES on City of Boulder Ballot Issue 2C**, because I support the creation of the Library District, which is discussed below. Ballot Issue 2C dispenses with the Library Commission in aid of forming a much better funded library district which, by the way, has the excellent effect of getting people outside the City of Boulder to help pay for library services that they use and which now are funded entirely by City taxpayers.

Matt: I'd just add that even if you are not in favor of the Library District you should still vote for Issue 2C, since if the District is created we certainly want our City Charter to reflect that and the current library tax to be terminated.

## **City of Boulder Ballot Question 2D — Charter Clarification Of Candidate Issues**

**I am voting YES on City of Boulder Ballot Issue 2D**, because Boulder has already voted for the direct election of its Mayor, starting next year. This measure aligns City Council terms with the direct election of Mayor.

Matt: I suppose, although I don't quite see why someone shouldn't be allowed to run for council and mayor at the same time, and let the voters sort it out. Sure, if that candidate were elected mayor, there would be a vacancy, but the same is true if a sitting councilmember whose term isn't up runs for and is elected mayor, so what's the big deal?

## **City of Boulder Ballot Question 2E—Moving Boulder City Elections To Even Years**

**I am voting YES on City of Boulder Ballot Issue 2E.** The experience and data from other cities and states that hold elections in even years make this very clear: moving local elections to even years, coinciding with national and state office elections, **DOUBLES** the number of people participating in local elections. Think of it this way: if you were setting up the election system and had to choose between odd year and even year elections, knowing that twice as many voters would participate if you chose even years, isn't the choice obvious? The State of California has been so impressed with the heavy voter participation in even years that it now requires *all municipalities* to hold their elections in even years.

Matt: YES indeed! If you had asked me about this a couple of years ago I probably would have been much more skeptical. But the research is absolutely clear, and the truly progressive states like California are indeed requiring essentially all cities to make the switch. Yes, there are some potential downsides, but most, like people not voting down-ballot when there are long ballots, have been completely debunked.

Another absurd concern also needs to be debunked: that we'll have many more voters who don't know much about who/what they are voting for, and thus will use "slates" to make their choices. Hmm...as if that's not the case today? How many voters know much, if anything, about the issues and candidates? That's not to complain, by the way; most voters don't have the time, interest, or context to really dig in on often arcane issues. And so they, quite reasonably, look at recommendations, endorsements, and, yes, slates – which at non-local levels of government are of course the political parties. Absolutely nothing wrong with that. And for decades, locally here in

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Boulder, the only widely recognized and mostly successful “slate” was created by PLAN-Boulder, generally abetted by the Sierra Club. And that, of course, was just fine! Now that there are other competing “slates” that have gained traction and success...well, we can’t have that, now can we? And so “slates” are now bad...because “we” are not getting “our” way anymore. What hypocritical nonsense! Look – surely it is obvious that the opposition here is mostly concerned that increasing turnout, especially among those who currently don’t vote much in off-year elections, will dilute the power of the landed gentry...and, heck, we can’t have that, can we?

Two other thoughts on this. First, the argument that there are other ways to increase voter turnout. Well, yes, I imagine there are, and some have been suggested. But our track record is clear: we simply won’t implement most, if any, of these; they would need to be continually maintained, which is highly unlikely; and there is simply not clear evidence that they would make much difference. The extremely simple, no-cost approach of even-year elections does the trick immediately and permanently. Second, since I agree with Macon that so-called “direct-democracy” is typically neither direct nor democratic, even-year voting would have a side-effect that I think is excellent: it would increase the number of signatures needed to place an item on the ballot, since that number is based on the voter turnout. Currently, we have a bizarre situation where it can be vastly easier in some years to collect signatures than in others, depending solely on your timing. The number of signatures should reflect our population and remain fairly consistent, something even-year voting would ensure.

### **City of Boulder Ballot Question 2F— Repeal Of Ordinance 8483, Regarding The Annexation Of Cu South**

**I am voting NO on City of Boulder Ballot Issue 2F.** We have been here before. Last year in order to derail the Boulder City Council’s consideration of an annexation agreement for CU South, the sponsors of Ballot Question 2F had us vote that ANY annexation by the City had to be approved by a vote of the electorate. That ballot measure lost by a vote of nearly 2:1. Even though the voters said “NO” last year, the sponsors want to take another shot at it. So this year, the sponsors of 2F want a second chance to derail the annexation of CU South. This is a waste of everyone’s time. Their real goal is not to get a better deal for the City, it is to stop anything at all from happening on this land, including flood protection and the attainable housing that will be built there. **Vote NO on City of Boulder Ballot Issue 2F.** To hear more about the issues related to CU South, please see Matt’s detailed discussion of this below at pp. 14-16. It is an interesting read.

**Matt: Absolutely, vote NO NO NO!** If you’re already convinced, or if there is no convincing you because you are an absolutist no-growther, save yourself some time and just skip my long-ish comments below. But given the outrageous campaign from those leading the repeal effort (remember: a yes vote will repeal, a NO vote will affirm council’s multi-year effort on the annexation), and their purposeful exaggerations, mis/disinformation, and outright lies...I just need to respond to some of that. As Macon notes, we’ve been here before, just last year. In fact, as I looked over my election letter from last year, it became clear that I could pretty much just repeat it since the phony claims haven’t changed much, expect perhaps that the anti-growthers have decided that even more exaggeration was needed to scare people. So, my long and snarky comments are below, way at the **end** of this document.

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## BOULDER VALLEY SCHOOL DISTRICT

### Boulder Valley School District Re-2 Ballot Issue 5A—a \$350 Million bond issue

**I am voting NO on Boulder Valley School District Re-2 Ballot Issue 5a.** BVSD is asking for a \$350 million increase in taxes. Only eight years ago, voters approved a \$677 million increase. The “reasons” cited for the need by BVSD in 2022 are much the same as the reasons cited in 2014: to repair and renovate old buildings and to build new facilities in Erie. For a more details, see <https://boulderbeat.news/2022/10/14/5a-bvsgd-bonds/>. The School Board has not adequately explained why this additional ask should be approved in a school district that has, overall, declining enrollment. So I am **voting NO on Boulder Valley School District Re-2 Ballot Issue 5a.**

Matt: It’s hard to believe this will not be approved, and it’s always hard to vote against a school issue, since they do, always, need more funding. This is all complicated even more by the arcane, and inequitable in many ways, mechanisms the state uses to “equalize” school funding. But the school district is jumping the gun here, probably on purpose, since their long-term facilities plan isn’t finished yet and will no doubt be very controversial (and could lose them votes in Boulder). So before I can support yet another huge bond issue, let’s have that long-term plan, and let’s fully understand all of the claimed capital needs for the next decade at minimum. And let’s fully understand which schools will be closed. The City of Boulder already provides about 60% of the property tax for the district, but gets about 40% of the funding. And, frankly, I’m really tired of paying to build more schools in Erie as they sprawl out endlessly (and, yes, we here in Boulder really are funding their schools). This bond can wait another year or two while we get the details we need and deserve.

## CREATING A LIBRARY DISTRICT

### Boulder Public Library District Ballot Issue 6C— District Formation and Mill Levy Tax

**I am voting YES on the Library District Ballot Issue 6C.** This tax would enable our libraries to jump to a much higher level of performance and delivery of services. It would also require residents of the library district outside of the City of Boulder to contribute to library services that they already use without paying for them. The library has gotten short shrift in funding decisions by the City over the last few years. Our library is doing so much under the gifted leadership of David Farnan. With a reliable funding source, we can do so much more, including improve literacy programs, update and improve collections of books and materials, including bilingual materials and downloading of e-books, movies, and music, open a new branch library in Gunbarrel, and improve the maintenance, cleanliness, safety, and security at all library facilities. For a more detailed view of what a library district can do, go to its website here: <https://www.boulderlibrarychampions.org>.

Matt: I’m going to turn over my space to a guest star, my wife Joni, who has been leading the effort to create a library district for many years now. I’ll just note that, probably due in part to my years on a city council, I’m not thrilled with having any dedicated tax for non-capital, ongoing operational expenses, and I very much like our system where a professional city manager is responsible for, well, managing entities like libraries and their staff. But, indeed, most libraries in Colorado are within districts, and it is long, long overdue for the county-folk to chip in (Boulder County should have been chipping in all along, as many counties do, but, as usual, not ours). And there is no doubt that

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the city has been under-funding the library for many years, and that some of the leading opponents have been, well, making false claims, something we've seen on so many of our local issues this year, alas. So, here's Joni's take:

## **JONI TETER ON THE LIBRARY DISTRICT**

As many of you know, I've been working for over 5 years to secure stable and predictable funding for our library. On November 8, our community finally gets the chance to vote on a ballot measure to make that happen. **I urge you to vote yes on County 6C (the very last item on your ballot.)** Both the [Boulder Daily Camera](#) and the [Boulder Weekly](#) have endorsed this measure, and both provide excellent summaries of the pros and cons.

Our library is a beloved institution, ranking at the top of services our community values - right up there with Open Space. Our library provides so many services that community members rely on: like pre-literacy story hours; one-on-one tutoring and homework help for struggling kids; adult literacy programs; 21st century literacy programs (like coding and "making") open to all; free access to internet services; free on-line classes; small business support; materials delivery for our homebound neighbors; books, ebooks, music, films, streaming services, research databases...the list goes on

Library funding has not kept up with demand. While Boulder's population has grown 15%, and registered borrowers have grown 34%, our library's budget is stuck at 2002 levels, with 35% fewer staff. It's a cyclical problem: every time there is a city budget cut, the library budget sees the first and deepest cuts, and it's among the last department to have its budget restored. Today our library struggles to provide even basic services. Facilities like the Canyon Theater and Carnegie Library for Local History have been closed for more than 2 years, and the popular Makerspace sits locked and unused five days a week. Branch libraries have reduced hours. An annualized \$2.3 million maintenance backlog threatens both buildings and collections. And private philanthropy - already the source for most library programming - is now being tapped to cover staffing needs.

Measure 6C puts Boulder's library on stable footing for the future by creating a regional library district, similar to the 56 other library districts already operating across the state, including Lyons, Nederland, Fort Collins, Colorado Springs, and almost all Front Range cities. By state law, library districts are funded from property tax, which is predictable and stable compared to regressive sales tax revenues, which leave libraries vulnerable in economic downturns, when many community members need libraries most. The state library law also lets libraries better match their funding base to their patron base: more than 1/3 of active Boulder library patrons live outside city boundaries and these patrons don't pay full freight for library funding. The Boulder Public Library District would better align the library's tax base with its service area.

Measure 6C increases library funding by 12%, from \$16.78 million in projected city spending in 2023 to \$18.78 million. That additional \$2 million per year will provide funds to restore staffing and hours, invest in critical programs, properly care for facilities and materials, and bring a branch library to the Gunbarrel community. Funding will come from a dedicated property tax of 3.5 mills, which equates to \$23 on \$100,000 of residential "taxable value." For example, the owner of a home with a taxable value of \$500,000 would pay \$9.62 per month for the library district. The City of Boulder created an [interactive map](#) where you can see what your estimated payment will be.

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This proposal comes after years of study and input from city staff, library experts, community members, and multiple City Councils. (I had no grey hairs when this process started.) A super-majority of City Council voted to form a library district in April of this year. The proposal has been endorsed by all of the BVSD Board members and our entire State legislative delegation, over 900 community members as well as groups who focus on working families, marginalized community members and social justice—all of whom understand what libraries mean to the economically disadvantaged members of our community. .

It's unfortunate (and ironic) that the opposition campaign is rooted in misinformation. Led by Council member Bob Yates, opponents are misrepresenting the library budget, exaggerating the proposed funding increase, and sowing fear and uncertainty about how effective independent library districts have proven to be. Our campaign has rebutted these claims with sourced fact checks (we are library people, after all). You can visit the campaign's [FAQs](#) or [blog page](#) to get the facts here: <https://www.boulderlibrarychampions.org>.

Given our community's growing wealth disparity and the rise in censorship and misinformation - even in Boulder - our public library is more relevant today than ever. A yes vote on 6C will modernize library finances and governance and ensure that this critical part of our community's social infrastructure is there for today and for future generations.

### **MATT: ADDITIONAL COMMENTS ON BOULDER QUESTION 2F ON CU SOUTH**

As Macon noted, this is really about growth, or the absolute opposition to it from the leaders of the repeal campaign. Don't be fooled by the arguments about flood control or wetlands; those issues could vanish and opposition to the annexation wouldn't be affected. What is even more outrageous about this instance of no-growth-ism is that the housing that would be built is exactly, precisely, the type of housing we have been badgering CU about for several decades: for students (non-freshman!), graduate students, faculty, and staff, so they can live in Boulder and free up significant amounts of our rental stock. In fact, for me, the housing - both for CU students/faculty/staff and the very important five acres for our Housing Authority -- is every bit as important as the flood mitigation.

Regarding flood issues: No, no, no, the so-called 500-year protection is NOT better here or more desirable. We will never, ever protect all of Boulder from flood damage, and we shouldn't ever try. We've wisely settled on aiming for 100-year protection, often settling for less due to cost or environmental impacts - and yes, we have long known that climate change will very likely undermine some of the theoretical protection. Structural "solutions" should always be as small as possible, and, of course, downstream impacts are just not allowed. None of the born-again 500-year protectors have ever fought for such protection elsewhere; if we really now think 500-year is the new goal, then we should start with the most dangerous creeks (which generally isn't S. Boulder Creek)...but I can't imagine anyone supporting such an approach along Boulder Creek given the enormous cost and outrageous environmental impacts, and the same is true for CU South. Even if Boulder owned CU South, it would be stupid to implement 500-year protection. And, no matter how many times they claim it without any proof, it is not at all clear that such flood control is even feasible/legal regardless of the cost and impact. Look, the goal of flood mitigation is to reduce the frequency of serious damage (but definitely not to prevent it forever), increase warning times,

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mitigate damage if/when a bigger flood occurs, and keep key travel corridors open as much as possible. The proposed 100-year approach does all of that very well indeed, and anything more is simply unwarranted and inappropriate. And the wacko suggestion that we just pay for floodwalls around individual structures instead of creating a small dam (which, by the way, will only detain water for a few days each decade) at CU South is not only infeasible due to downstream issues and ludicrously inequitable, but also wouldn't address the most critical issues of all, namely protecting key travel arteries.

Regarding the 2013 flood: another canard that sounds plausible, unfortunately. The 2013 flood was almost certainly a 1000-year (or more) event. It is NOT the type of event that we try to mitigate for anywhere in Boulder. Most of the damage was due to street, not creek, flooding, sewer line backups, and in the east Boulder area, high water tables that surrounded and flooded basements. And that type of flooding just can't be prevented, nor would it be by even 500-year protection. While it's good that we learned from the 2013 flood and seem more willing to deal with flood issues, basing our approach to flood protection at CU South on that 2013 flood isn't just inappropriate, it's completely crazy.

Regarding wetlands destruction: Baloney! Yes, a very small amount of wetlands will likely be harmed, but will be replaced, on the same site, with a much, much, larger amount. We did exactly the same thing when the bike lane was built on the new US36, and there was little to no opposition. And, as noted, any sort of 500-year flood protection would almost certainly destroy far more wetlands and environmentally sensitive land. And as for the environmental value of the entire property, which some have claimed is critical...all I can say is that they don't go there very often. The land that will become Open Space is indeed important. But the rest has been terribly degraded, with numerous social trails and innumerable piles of dog poop. Sure, as with any undeveloped land there is some wildlife, but, again, unlike some claims by annexation opponents, this property is adjacent to vast stretches of Open Space that run almost uninterrupted for many thousands of acres.

Regarding any development on this site: from the very first Comprehensive Plan, the western portion of the site has been designated for residential development, and that actually didn't change until the city council I was on finally revised the Comp Plan map to set the stage for the CU South annexation. Interestingly, that long-held designation would have allowed for about the same number of residential units that CU is now planning. Yes, the hope has long been that much of the rest of the site would be preserved and protected – precisely what will happen with this annexation, along with having the necessary land for flood mitigation. And, importantly, and contrary to the repeated lies, all inhabited buildings that CU will construct on the site will be not just out of the 100-year floodplain but out of the 500-year floodplain, a standard the city doesn't require others to meet.

Regarding stopping growth at “evil” CU: Look, I would have preferred that CU had grown a bit more slowly. But the simple/sad reality is that CU needs to compete, and, as I'm sure you all know, Colorado provides virtually none of CU's funding, so CU must attract out-of-state and foreign students in large numbers to stay afloat. Regardless, CU South will have no impact at all on CU's future growth, which will undoubtedly be mostly driven by demographic changes that strongly indicate that CU, and other universities, will grow far more slowly in the future, if at all. Further, CU can easily build far more non-residential space on its existing campuses, without needing to follow any city regulations, height constraints, or traffic limitations. True, building substantial student housing elsewhere wouldn't be so easy, but that just won't do anything to limit CU's student growth – it will just put more pressure on Boulder's rental market and force more students to commute. CU

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is, and has long been, the most important entity in Boulder, and it's hard to understand the dislike – even hatred – of CU that is evident in this campaign.

Regarding the non-residential space that could be constructed: while I too wish that CU had settled on something less than 750,000 square feet (they had very much wanted twice that and negotiated down), it's just not the big, scary issue that annexation opponents keep attacking via crazy exaggerations. CU does not, anywhere, build huge structures with office space that packs in the most people – and the absurd estimates of 5000 – 7500 such employees from the annexation opponents demonstrates, yet again, that they are not just willing to exaggerate wildly, but to double down when caught. Nor will it allow CU to add many thousands of new students, again using crazy math. While it would be nice if CU could be clearer about what might be built, it is clear that it will be a combination of much-needed classrooms, meeting rooms, laboratories, student/faculty-supporting spaces, etc., none of which will make much, if any, difference in CU's potential growth. And remember, the non-residential space must lag the residential space, so in order to fully build out CU will need to first complete the housing units. Finally, I need to comment on a claim that has been made in several Camera columns, which would be laughable if it weren't so obviously yet another stupid scare tactic: that the developable area of CU South is about the same as downtown Boulder...so, of course, that means the impacts will be same! Yep, same 1.5 million visitors per year, same dozens of restaurants, same middle of town location, same huge retail presence, same famous Mall...heck, indistinguishable, no? You need to be pretty desperate to start touting stuff like this, but it should make clear that annexation opponents will say pretty much anything to try to scare you.

Regarding “giving” CU the Planning Reserve instead: even ignoring the fact that this would be a much less desirable location for CU, well, you would need to be terminally naïve to believe that the folks touting this would ever really support it. The very same leaders of the CU South annexation opposition would fight the annexation of the Planning Reserve – as they have been doing for decades – insisting, at the very least, that the density be greatly reduced and such costly improvements made as to render it undevelopable. And, of course, this is standard operating procedure: oppose every development project, claim that there is a better place for it...and then fight it again when that new location is actually in play. Rinse and repeat. Forever.

Regarding the transportation impacts: Yes, any development of any kind will inevitably have transportation impacts until and unless we figure out how to better solve our mobility issues. But there simply is no better place nor type of development than CU South in terms of the amount of auto traffic created relative to the number of housing units and non-residential space to be created. CU students/staff/faculty are by far the highest users of non-auto transportation, and a huge proportion of travel from the site to CU would be via CU-provided transit and bikes. Much other travel would be as well given the location, specifically adjacent to the Table Mesa Park-and-Ride. In addition – and this is a BIG addition – auto travel is capped in the annexation agreement, the first and only time that has been done in Boulder, and the cap will ensure that such travel is way below the “normal” for such a development, and way, way below the average number of trips caused by, well, me and you and your friends who live here. Further, having more CU-affiliated folks live in town will reduce their commutes, thus reducing overall travel miles, which is what really counts from an environmental perspective, and is an important reason, along with the housing and infill development, that the local Sierra Club has endorsed a NO vote on this issue.