

Election — November 8, 2016

**City of Boulder  
Ballot Issues**



**League of Women Voters®  
of Boulder County**

*The League of Women Voters is not responsible for the accuracy or fairness of the arguments of either side.*

**BALLOT ISSUE 2H  
SUGAR SWEETENED  
BEVERAGE PRODUCT**

SHALL CITY OF BOULDER TAXES BE INCREASED \$3.8 MILLION (FIRST FULL FISCAL YEAR INCREASE) ANNUALLY BY IMPOSING AN EXCISE TAX OF 2 CENTS PER OUNCE ON THE FIRST DISTRIBUTOR IN ANY CHAIN OF DISTRIBUTION OF DRINKS WITH ADDED SUGAR, AND SWEETENERS USED TO PRODUCE SUCH DRINKS, EXEMPTING: (1) SWEETENERS SOLD SEPARATELY TO THE CONSUMER AT A GROCERY STORE; (2) MILK PRODUCTS; (3) BABY FORMULA; (4) ALCOHOL; AND (5) DRINKS TAKEN FOR MEDICAL REASONS; AND IN CONNECTION THEREWITH, SHALL ALL OF THE REVENUES COLLECTED BE USED TO FUND: THE ADMINISTRATIVE COST OF THE TAX, AND THEREAFTER FOR HEALTH PROMOTION, GENERAL WELLNESS PROGRAMS AND CHRONIC DISEASE PREVENTION IN THE CITY OF BOULDER THAT IMPROVE HEALTH EQUITY, SUCH AS ACCESS TO SAFE AND CLEAN DRINKING WATER, HEALTHY

FOODS, NUTRITION AND FOOD EDUCATION, PHYSICAL ACTIVITY, OTHER HEALTH PROGRAMS ESPECIALLY FOR RESIDENTS WITH LOW INCOME AND THOSE MOST AFFECTED BY CHRONIC DISEASE LINKED TO SUGARY DRINK CONSUMPTION, ALL EFFECTIVE JULY 1, 2017, AND IN CONNECTION THEREWITH, SHALL THE FULL PROCEEDS OF SUCH TAXES AT SUCH RATES AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE CITY OF BOULDER UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

**Major Provisions**

An excise tax of two cents per fluid ounce would be levied on sugar-sweetened beverages at the first point of distribution in the City of Boulder, not at the point of the retail sale to an individual customer.

The tax will not apply to (a) sweeteners sold separately, (b) granulated sugar, honey, agave or similar products, (c) any milk product, (d) infant formula, (e) alcohol, and (f) drinks for medicinal use.

Revenue from the tax, estimated at \$3.8M the first full fiscal year, will be used for administration of the tax and thereafter for health promotion, general wellness programs and chronic disease prevention.

**Background**

Ballot Issue 2H is an initiative proposition brought by a citizens' coalition. The coalition cites the high rate of childhood obesity and of diabetes, especially in the Latino community, as a reason to discourage consumption of sugary drinks. They cite figures that show consumption of sugar-sweetened beverages fell following the imposition of a tax on such drinks in Berkeley, California. The beverage industry disputes the validity of such studies.

**Those IN FAVOR say:**

1. One in two Latino children will get diabetes. This tax is a key step in fighting the epidemic of childhood obesity.
2. Latino children are targeted with twice as many soda industry ads telling them that Coke brings wealth and happiness.
3. Society has an interest in battling obesity and diabetes, just as it has an interest in battling the various health risks associated with smoking.

**Those OPPOSED say:**

1. Governments and politicians need to quit muddling in peoples' life style choices. It is starting to feel like Big Brother really is watching!
2. Particularly galling is the paternalistic tone of the advocates' suggestion that low-wage earners and people of color are somehow victims of their own ignorance, and that tax revenues are needed to help educate them about a healthy diet.
3. The tax will hurt restaurants and grocers in Boulder.

**BOULDER QUESTION 2I  
CLARIFY AND AMEND BLUE LINE,  
WATER NOT SUPPLIED  
WEST OF LINE**

Shall the boundary described in Boulder Home Rule Charter section 128A and approved by the voters in 1959 that provides that the City of Boulder shall not supply water for domestic, commercial, or industrial uses to land lying on the westward side of the line be amended to clarify the location of the boundary and to allow the provision of water service to existing developed properties as described in Ordinance No. 8133, and further shall the standards in Charter section 128A be amended to clarify the conditions and eligibility for water service as described in Ordinance No. 8133?

**Major Provisions**

The proposal amends section 128A of the City Charter to define clearly where the Blue Line is. The Charter will include a definitive map (as in Ordinance 8133) of the City's western side that shows the original Blue Line boundaries and the revisions. The clarified Blue Line divides developed property from the open space and mountain backdrop protected by the 1959 adoption of the Blue Line. Its location determines which properties are eligible to receive city water. (Additional steps are required before it is annexed or receives water from the city.) The proposed amendment does not eliminate water service for any property currently receiving city water, and does not change the terms of the exceptions.

**Background**

The Blue Line is a north-south boundary on the city's west side, at roughly 5700 feet of elevation that, since 1959, has determined the

elevation above which Boulder does not provide water service. Exceptions have been made by popular vote over the years, most notably to NCAR and the Flagstaff House restaurant. The Blue Line's location, originally paced out by two CU professors, has never been clear for individual properties near the boundary. A version of the map appeared in the Daily Camera, August 7, 2016.

**Those IN FAVOR say:**

It's a somewhat overdue cleaning up of one of Boulder's best ideas. We've got this line that we regulate on, and we don't know where it is in a number of places. The time has finally come to straighten this out.

**Those OPPOSED say:**

There is a fundamental distrust of anything that seeks to change something as sacred and as consequential as the Blue Line.

**BALLOT QUESTION 2J  
PROVIDE INSURANCE  
BENEFITS FOR COUNCIL**

Shall Section 7, "Compensation," of the Boulder Home Rule Charter be amended pursuant to Ordinance No. 8132 to allow council members serving on January 1, 2020 and after to be eligible to receive benefits under the same terms and conditions that are available to full-time city employees including without limitation participation in city health, vision, dental and life insurance plans?

**Major provisions**

Approval of Ballot Question 2J would amend the city charter to allow city council members, as of January 1, 2020, to be covered by the City of Boulder health, vision, dental and life group benefit plans under the same terms and conditions as full-time city officers and employees. Ordinance 8132 which led to Ballot Question 2J, specifies that before January 1, 2020, council members could elect to pay for such coverage.

**Background**

A ballot question in November 2015 would have substantially raised the pay for council members and enabled them to buy into city group health benefit plans. It was defeated at the polls. Ballot Question 2J returns only the health insurance issue to the voters in 2016.

**Those IN FAVOR say:**

Eligibility for city employee benefits, especially health insurance, would be important to some council candidates.

**Those OPPOSED say:**

No organized opposition has been identified.

**BALLOT QUESTION 302  
QUALIFICATIONS OF  
COUNCIL MEMBERS**

Shall section 4 of the Boulder Home Rule Charter be amended by adding a new paragraph to restrict council members to three terms in the person's lifetime, which requirement shall apply to any candidate for council after November 8, 2016?

**Major provisions**

Passage of ballot question 302 would limit council members to no more than three terms on city council in a lifetime.

**Background**

Members of a citizens' political group circulated a petition supporting a lifetime limit of three terms per city council member. They achieved the required number of signatures to have the issue placed on the ballot by City Council. A study by the Daily Camera found that, in recent times, very few council members have served more than three terms.

**Those IN FAVOR say:**

1. Term limits create open seats that are predictable, making a non-incumbent victory easier and encouraging citizens to offer their names for public service.
2. New Council members bring new ideas and different life experiences to the job, breaking through policy paralysis and moving the community forward.
3. Three terms (up to 12 years) are enough for Council members to learn how to make change, while short enough to maintain a reasonable amount of turnover in the position.

**Those OPPOSED say:**

1. Historically, most council members have served three terms or less and term limits are unnecessary.
2. The voters should judge the abilities and qualifications of council members without time limits.
3. This measure would deprive voters of their right to retain council members they support.