



## Agenda Item Summary

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MEETING DATE: August 26, 2024

SUBJECT: **Resolution No. 67-R-2024** – A Resolution of the Town of Mead, Colorado, Referring an Advisory Ballot Question to the Registered Electors of the Town of Mead at the November 5, 2024 Election, regarding Medical and Retail Marijuana Businesses

PRESENTED BY: Marcus McAskin, Town Attorney

Mary Strutt, Administrative Services Director / Town Clerk

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### SUMMARY

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On June 10, 2024, the Board of Trustees reviewed a draft citizens' initiative presented by Autumn Todd and David Wilczynski ("petitioners") aimed at placing a question on the November 5, 2024 ballot which would allow retail and medical marijuana in the Town of Mead. The Board discussed Mead's current prohibition of recreational and medical sales and cultivation, the initiated ordinance as drafted by the petitioners, and other potential regulations including appropriate time, place and manner restrictions. The Board directed staff to draft ballot language for referral to the residents of Mead at the November 5, 2024 coordinated election regarding allowing marijuana businesses in Mead, subject to and commencing upon the adoption of local regulations by the Board of Trustees. Based on the Board's decision to place an advisory ballot question on the November ballot, the petitioners elected to not move forward with finalizing the initiative petition or circulating same for signatures.

The full text of the advisory ballot question is set forth in Resolution No. 67-R-2024 (the "Resolution").

The Resolution refers the advisory ballot question to Mead voters at the November 5, 2024 coordinated election. If the question is approved by voters, Town staff will commence work on drafting proposed local regulations for marijuana businesses, which will establish specific time, place and manner restrictions for such businesses, and which regulations will, consistent with the specific language set forth in the ballot question, specifically:

- the regulations will prohibit the operation of marijuana businesses in the Town's historic downtown area and establish distance restrictions between marijuana businesses as authorized by state law;
- the regulations will permit the operation of marijuana businesses in a specific zoning district or geographic area to be determined, which permitted area will generally be along the I-25 corridor (for example, properties in the vicinity of the I-25 and Highway 66 interchange or similar light industrial/commercial areas); and
- the regulations will also establish licensing procedures, and application, licensing, and operating fees.

If the question is **approved** by voters, Town staff anticipates having draft regulations for the Board to review in the 1Q of 2025. Town staff's goal would be to work with the Board to finalize the regulations for adoption by the Board in the 2Q of 2025.

If the advisory question is **not approved** by voters, marijuana businesses will continue to be prohibited in Mead.

#### FINANCIAL CONSIDERATIONS

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The cost of the coordinated election is \$1.25 / registered elector (approx. \$6,000). This expenditure is included in the 2024 budget under 01-41-5230 due to the Regular Municipal Election being conducted as a coordinated election on that date. The addition of this ballot question does not increase the cost from Weld County.

#### STAFF RECOMMENDATION/ACTION REQUIRED

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Staff recommends the Board of Trustees approve the Resolution.

A motion to approve the August 26, 2024 consent agenda will approve the Resolution. If this item is pulled off the consent for further discussion or questions, Staff recommends the following motion:

Suggested Motion:

“I move to adopt Resolution No. 67-R-2024 - A Resolution of the Town of Mead, Colorado, referring an advisory ballot question to the registered electors of the Town of Mead at the November 5, 2024 election, regarding medical and retail marijuana businesses.”

#### ATTACHMENTS

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Resolution No. 67-R-2024