

RESOLUTION NO. 19

Series 2019

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH SUMMIT COUNTY, COLORADO AND THE TOWN'S OF BLUE RIVER, DILLON, FRISCO, MONTEZUMA, AND SILVERTHORNE CONCERNING THE IMPLEMENTATION OF A SPECIAL SALES TAX UPON THE SALE OF CIGARETTES, TOBACCO PRODUCTS AND NICOTINE PRODUCTS WITHIN THE UNINCORPORATED AND INCORPORATED AREAS OF SUMMIT COUNTY

WHEREAS, pursuant to title 29, article 1, part 2, Colorado Revised Statutes, as amended (the "Intergovernmental Relations Statute"), and Article XIV, Section 18 of the State Constitution, governments may contract with one another to provide any function, service or facility lawfully authorized to each of the contracting units and any such contract may provide for the joint exercise of the function, service or facility; and

WHEREAS, House Bill No. 19-1033 (the "Act"), authorizes a county to levy, collect, enforce and administer a county-wide special sales tax upon all sales of cigarettes, tobacco products, or nicotine products within the unincorporated and incorporated areas of the county and further authorizes a county and the home rule or statutory towns within such county to contract and collaborate with each other in levying, collecting, enforcing and administering the special sales tax within the corporate limits of the contracting municipalities as provided in the Act; and

WHEREAS, tobacco and nicotine use is the leading cause of preventable death in Colorado and in the United States generally; and

WHEREAS, after decades of effective anti-smoking campaigns and decreasing smoking rates in the U.S., there has been a surprising upturn in youth tobacco use as well as children's use of nicotine via electronic smoking devices ("vaping"); and

WHEREAS, based on a comprehensive review of evidence, the Surgeon General declared the use of e-cigarettes and vaping products by youth to be an epidemic and has called raising prices on cigarettes "one of the most effective tobacco control interventions" because increasing the price of these products is proven to reduce smoking and vaping, especially among teens; and

WHEREAS, studies have shown that for every 10% increase in pricing, the consumption of cigarettes, tobacco products, and nicotine products is reduced up to 15% in those persons under 18 and up to 7% in those 18 or older; and

WHEREAS, tobacco and nicotine products are unique among consumer goods because they kill a significant percentage of all regular users when used as intended and the Surgeon General has projected that without further action, 5.6 million youth who are 0-17 years old today will die prematurely from tobacco and nicotine use; and

WHEREAS, studies in Colorado and in Summit County have indicated that the percentage of high school students in Colorado who are vaping is twice the national average and that in Summit County the percentage of students who use vaping products is estimated to be 50% higher than the State average; and

WHEREAS, studies have shown that approximately 96% of smokers began smoking before the age of 21 with most beginning before the age of 16, due in part to the fact that youth brains are in a stage of development that makes it easier to become dependent on nicotine; and

WHEREAS, the Town, Summit County government, and the towns of Blue River, Dillon, Frisco, Montezuma, and Silverthorne desire to collaborate on the imposition of a special County-wide sales tax on cigarettes, nicotine products and tobacco products and utilize the revenues from the special sales tax to promote the public health and welfare; and

WHEREAS, the Town, Summit County government, and the towns of Blue River, Dillon, Frisco, Montezuma, and Silverthorne desire to enter into an intergovernmental agreement in accordance with the Act in order to promote the imposition of a special sales tax on the sales of cigarettes, tobacco products, and nicotine products throughout Summit County; and

WHEREAS, a proposed Intergovernmental Agreement between the Town, Summit County government, and the towns of Blue River, Dillon, Frisco, Montezuma, and Silverthorne has been prepared, a copy of which is marked Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, the Town Council has reviewed the proposed Intergovernmental Agreement, and finds and determines that it would be in the best interest of the Town to enter into such agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. The Intergovernmental Agreement with Summit County, Colorado and the Towns of Blue River, Dillon, Frisco, Montezuma, and Silverthorne" (Exhibit "A" hereto) is approved, and the Mayor is authorized, empowered, and directed to execute such agreement for and on behalf of the Town of Breckenridge.

Section 2. This resolution is effective upon adoption.

RESOLUTION APPROVED AND ADOPTED this 13<sup>th</sup> day of August, 2019.

TOWN OF BRECKENRIDGE

By: \_\_\_\_\_/s/\_\_\_\_\_  
Eric S. Mamula, Mayor

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
Helen Cospolich, CMC, Town Clerk

APPROVED IN FORM

\_\_\_\_\_/s/\_\_\_\_\_  
Town Attorney                      Date