



1000 Englewood Pkwy – Community Room
Englewood, CO 80110

AGENDA

City Council Study Session
Monday, April 11, 2016 ♦ 6:00 p.m.

City Council Dinner Available at 5:30 p.m.

- I. Marijuana Social Clubs 6:00-7:00 p.m.**
- II. Retail Marijuana Sales 7:00-8:00 p.m.**
- III. Council Goal Setting 8:00-9:00 p.m.**
- IV. Council Member's Choice**
- V. City Manager's Choice**
 - a. Update on Cherokee Kivas meeting held on April 7.
 - b. City Attorney Recruitment Questions from Strategic Government Resources
- VI. City Attorney's Choice**

MEMORANDUM



To: Mayor Jefferson
City Council
City Manager's Office

From: Dugan Comer, Acting City Attorney

Date: April 7, 2016

Regarding: Marijuana Consumption Clubs - iBake

I. Background.

In April of 2015 LJM, LLC dba iBake Englewood, applied for a sales and use tax license for 3995 S. Broadway. At the time of their application, they indicated that they were in the retail business engaged in offering general merchandise, apparel and accessories, and pre-packaged food items, at no time did iBake indicate it was also going to hold itself out as a membership organization. This use was allowed under the City's current zoning code. Soon after opening, it was learned that iBake was in fact a marijuana social/consumption club, where the patrons paid a membership fee to join the club, where the members could freely consume marijuana that the members bring with them to the club.

Thereafter, the City passed a moratorium preventing additional clubs and to allow the City time to draft regulations governing these types of membership establishments.

A membership organization is defined as an organization and its premises catering exclusively to members and guests for social, intellectual, recreational, or athletic purposes that are conducted for profit. Current examples of these types of uses are the Elks, VFW and Eagles clubs here in the City. These uses are allowed in the M-2, MO-2, MUB-1, MUB-2 and the I-1 and I-2 districts.

II. Closing iBake.

The City could avail itself of the following code provision to close iBake.

Under Title 5-1-4 the City could allege that iBake procured its sales and use tax by not disclosing the use as a membership organization for the purpose of allowing individuals to smoke marijuana in a club setting. Specifically 5-1-4(D) (1) (2) and (4), provides for the following:

- (D) The licensing officer has the authority to deny any applications or renewal of any existing license or to suspend or revoke an existing license under the following conditions:

- (1) The license was obtained by fraud, misrepresentation, or false statement.
- (2) The licensed activity is a public nuisance, as defined by the ordinance or statute.
- (4) Upon grounds provided by any other city application requirement, ordinance, State Statute, Federal Law or regulation of the City, State or Federal Government.

III. Consequences.

It is likely that if the City moves to close iBake, that the owners would bring a civil suit and/or injunction in an attempt to stop the City's enforcement. Possible claims would include a §1983 claim that the City's actions deprive iBake of a federal right, namely free speech, right to assembly and right to association, in addition to a claim for attorney's fees.

42 U.S.C. § 1983 provides that every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State . . . subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party in an action at law, suit in equity, or other proper proceeding for redress.

Section §1983 provides a procedure to seek relief for violation of certain federal constitutional and statutory provisions, thus, because the rights enforceable under section 1983 are only those recognized either by the federal constitution or by a federal statute, section 1983 cannot be used to enforce purely state rights.

It should be noted that recent decisions by the Colorado Court of Appeals have held that because federal law criminalizes possession of marijuana, an aggrieved party cannot seek relief under §1983 because the action taken by the government does not impair a federal right. Although, on their face these decisions are favorable to the City, they in no way guarantee that the City would prevail in litigation.

IV. Options.

The City has several options at its disposal in dealing with iBake. As stated earlier the City could close iBake by revoking its sales and use license, and it is highly likely that the City would be involved in litigation, which would entail a cost even if the City was ultimately successful.

The City can also move forward with its proposed licensing regulations, with which iBake would have to comply. This option could do one of two things. First, the City could ban all new consumption clubs, while grandfathering iBake, or the City can lift the moratorium, pass regulations, and allow other consumption clubs.

Memorandum

TO: Mayor Jefferson and City Council Members

FROM: Stephanie Carlile, Deputy City Clerk
July 7, 2016

SUBJECT: Marijuana Consumption Establishments

In April of 2015, iBake Englewood opened for business as a marijuana consumption club. The City was unaware of this because this was not disclosed on the application for a sales tax license. On July 6, 2015 an Emergency Ordinance for a moratorium on the establishment of new marijuana consumption establishments was passed. At that time, City Council directed staff to develop appropriate recommendations. An ad hoc committee was established to study the issue and create rules and regulations, a licensing procedure and zoning regulations. The committee worked closely with the Liquor and Medical Marijuana Licensing Authority. On December 7, 2015 the ad hoc committee and Community Development department requested an extension of the moratorium. On March 21, 2016 a draft Ordinance was presented at a Study Session.

There are three potential options regarding Marijuana Consumption Establishments:

1. Ban ALL Marijuana Consumption Clubs including the existing club iBake Englewood.
 - Please see Acting City Attorney Comer's memo.
2. Ban Marijuana Consumption Clubs – Grandfather in iBake Englewood and license them. iBake would need to apply for the license and comply with rules and regulations.
 - Adopt Rules and Regulations
 - Adopt Licensing Process
 - Set Fees
3. Allow Marijuana Consumption Clubs
 - Adopt Rules and Regulations
 - Adopt Licensing Process
 - Set Fees
 - Create Distancing or guidelines on the number of Clubs allowed.
 - Establish Zoning

Staff is requesting direction from Council. The moratorium expires on July 17, 2016.



Memorandum

TO: Mayor Jefferson and City Council Members
FROM: Stephanie Carlile, Deputy City Clerk
DATE: April 7, 2016
SUBJECT: Recreational Marijuana

Three current Medical Marijuana licensees have expressed a strong interest in allowing Recreational Marijuana. The licensees would like to work with the City vs. filing an initiative. Mr. Keck and I have met with CRL Associates, a group representing our current licensees. Our current establishments would like the opportunity to generate more income and fill a need in the community by providing recreational marijuana to the citizens.

In November 2013 an advisory ballot question indicated our citizens would be in favor of recreational marijuana. An article written by the Englewood High School newspaper expressed the desire for our public schools to receive tax dollars generated from the sale of recreational marijuana. Allowing Recreational Marijuana would also generate more revenue for the City to put towards Capital Improvements and Infrastructure.

There are several factors to consider, potential challenges and opportunities for our City. I have outlined potential policy choices below:

- 1. Continue the Ban on Recreational Marijuana.**
 - No action is necessary, however the City may be subject to unwieldy and potentially undesirable requirements if an Initiative is filed and approved.

- 2. Lift the Ban and allow current licensees the opportunity to sell Recreational Marijuana.**
 - Keep the current four locations, distancing requirements, zoning and land use requirements.
 - Allow a Dual License (Medical/Recreational). They would need a physical separation unless they only service 21 years of age or older for both licenses.
 - They are already established in the community and have been responsible operators.
 - This option would provide the City with three retail stores.

- 3. Lift the Ban and allow Recreational Marijuana. Open the door to more licenses.**
 - You would need to reduce the distancing buffers to allow more opportunities.
 - We would need to go back to Planning and Zoning Commission for zoning, land use, and distancing recommendations.
 - You will need to establish which license types you will allow. (Store, Product Manufacturing, Cultivation, Testing Facility.)

This is a policy issue that should be managed proactively. The City will have greater local control over this matter through the establishment of an Ordinance with agreed upon regulations set by Council. This would allow City Council to do this in a responsible way to insure public health and safety and to make this a benefit to the City and its citizens.

Attachments:

Contact list of current establishments, current distancing map, Ballot Question 2B 2013 results, State list of local authorities allowing Retail Marijuana Facilities, Memo regarding 2016 ballot issue deadlines, CML taxation report, State Sales Tax report, and Englewood High School newspaper article.

City of Englewood Medical Marijuana Establishments

Nature's Kiss – Center and Grow

4332 S. Broadway

Owner: Bruce Carter

ADG Herbal Medicine dba Frosted Leaf – Center

11 W. Hampden Ave L100, 102, 200

frostedleaf.com

Owner: Kiri Humphrey

720-737-8989

Attorney: John Goutell

Buddies Wellness LLC dba La Bodega – Grow

4695 S. Windermere Units A & B

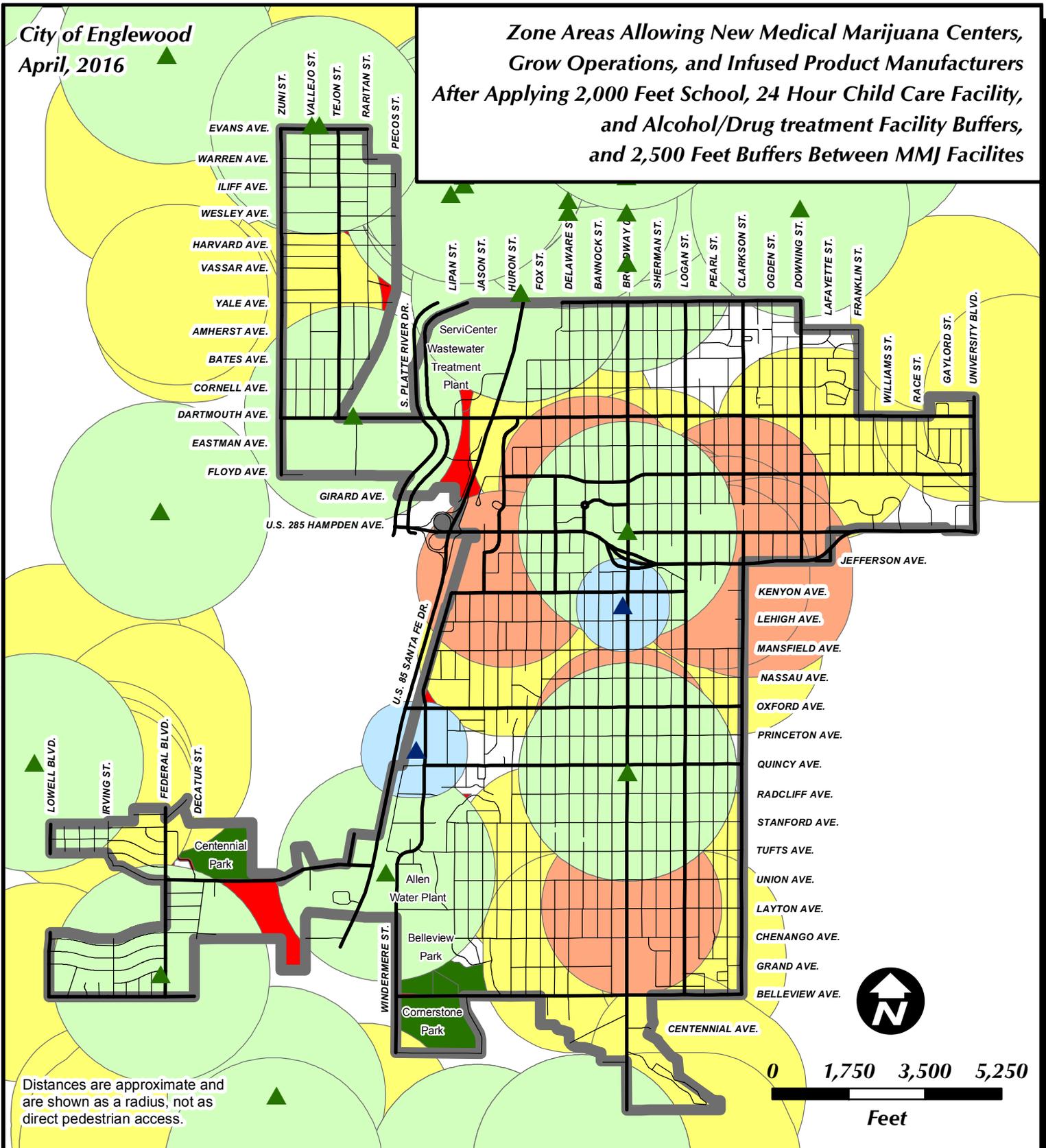
Owner: Romulo Sandoval (son/manager Gabriel Sandoval)

TDM, LLC dba Trees – Center

5005 S. Federal Blvd

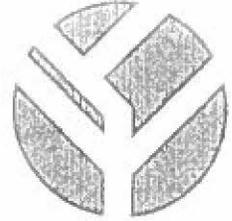
Owner: Michael Rasser

**Zone Areas Allowing New Medical Marijuana Centers,
 Grow Operations, and Infused Product Manufacturers
 After Applying 2,000 Feet School, 24 Hour Child Care Facility,
 and Alcohol/Drug treatment Facility Buffers,
 and 2,500 Feet Buffers Between MMJ Facilities**



Distances are approximate and are shown as a radius, not as direct pedestrian access.

- | | |
|---|--|
| Existing MMJ Locations | Areas Zoned for MMJ Facilities (I, B, M) |
| Existing MMJ Location 2,500 Feet Buffer | Areas Not Zoned for MMJ Facilities |
| Denied MMJ Locations | Parks and Open Space |
| Denied MMJ Locations 1,000 Feet Buffer | Arterial and Collector Streets |
| Alcohol and Drug Treatment Facility 2,000 Feet Buffer | Local Streets |
| School and Childcare Property 2,000 Feet Buffer | City Boundary |



MEMORANDUM

TO: Mayor Penn and City Council Members
FROM: Loucrishia A. Ellis, City Clerk
DATE: 2013
SUBJECT: Ballot Question 2B County Precinct Breakdown
General Municipal Election November 5, 2013

Referred
Question No. 2B

Shall the Englewood Municipal Code of the City of Englewood, Colorado ban the retail sale of recreational marijuana, ban recreational marijuana cultivation facilities, ban recreational marijuana manufacturing facilities, and ban recreational marijuana testing facilities; while not restricting personal use and growth of marijuana as allowed under the Colorado Constitution, nor shall it affect Englewood's currently licensed medical marijuana businesses, primary care-givers, patients and Code provisions relating thereto?

3593 Yes

3862 No

Attached you will find a map showing the breakdown of votes cast for Referred Ballot Question 2B.

This map was prepared by Long Range Planner II John Voboril.

Unfortunately, the breakdown is by Arapahoe County Election Precincts and County Precinct 115 is split between Englewood City Council Districts 1 and 3. The County was unable to breakdown the count between those two City Districts.

Also, please note that County Precinct 113 is split, with a portion of the Precinct outside of the City of Englewood.

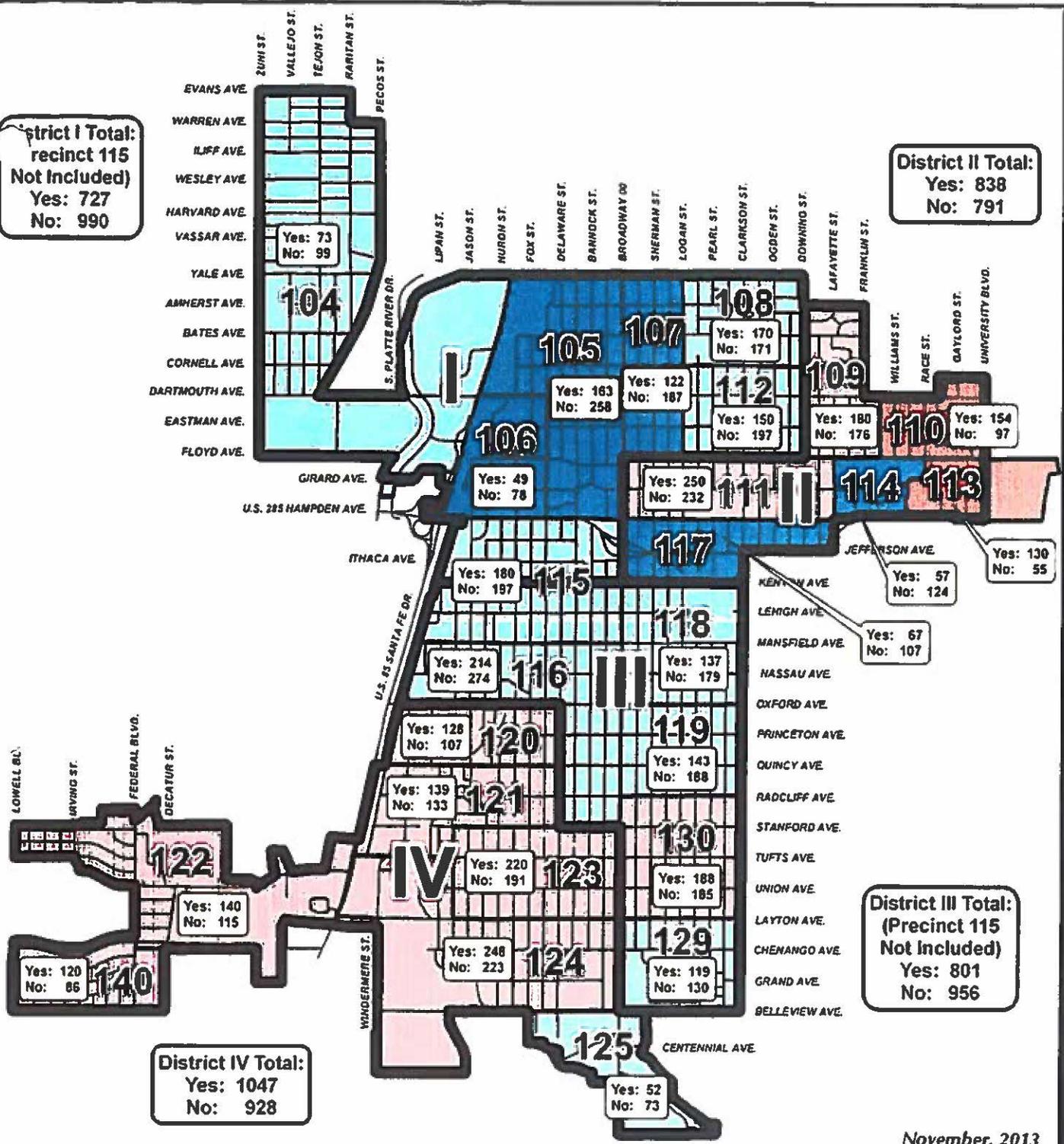
cc: Gary Sears, City Manager
Dan Brotzman, City Attorney
Mike Flaherty, Deputy City Manager
Frank Gryglewicz, Director of Finance and Administrative Services

District I Total:
precinct 115
Not Included)
Yes: 727
No: 990

District II Total:
Yes: 838
No: 791

District III Total:
(Precinct 115
Not Included)
Yes: 801
No: 956

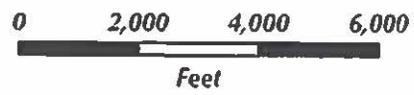
District IV Total:
Yes: 1047
No: 928

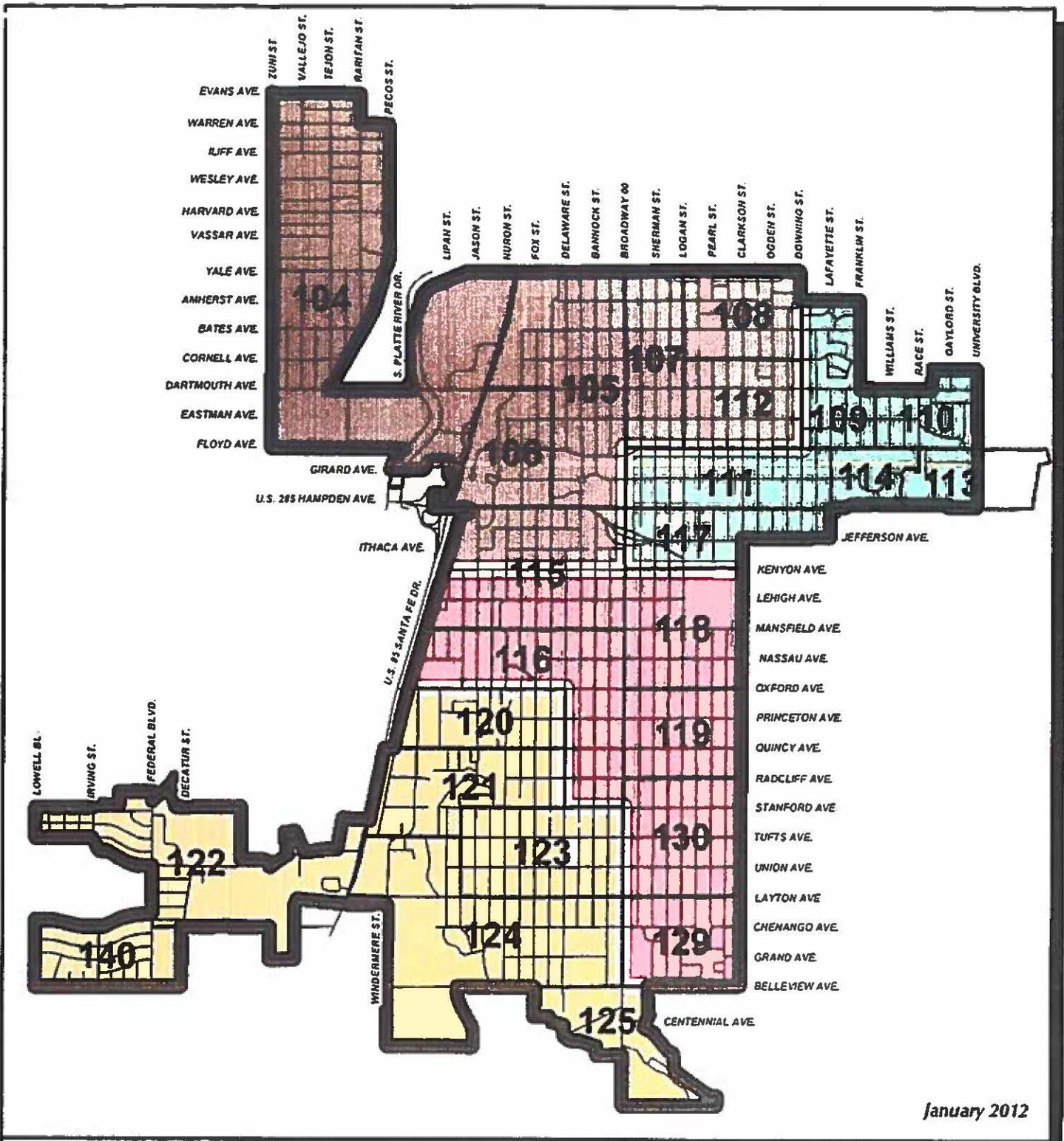


November, 2013

Englewood Question 2B Support for Banning Recreational Marijuana Sales

Less Than 40% Support	50 to 60% Support	City Council District Boundaries
40 to 50% Support	Over 60% Support	Street Centerlines





January 2012

City of Englewood, Colorado: City Council District and Voter Precinct Boundaries

- District I
- District II
- District III
- District IV

City Council District Boundary Lines

2012 Arapahoe County Voting Precincts

— Street Centerlines

Englewood City Limits



0 2,000 4,000 6,000 Feet



Local Authorities Allowing Retail Marijuana Facilities

Municipalities

Counties

ALMA
 ANTONITO
 ASPEN
 AURORA
 BASALT
 BLACK HAWK
 BOULDER (City of)
 BRECKENRIDGE
 CARBONDALE
 CENTRAL CITY
 COMMERCE CITY
 CORTEZ
 CRESTED BUTTE
 DEBEQUE
 DENVER (City and County of)
 DILLON
 DURANGO
 EAGLE (Town of)
 EDGEWATER
 EMPIRE
 FORT COLLINS
 FRASER
 FRISCO
 GARDEN CITY
 GEORGETOWN
 GLENDALE
 GLENWOOD SPRINGS
 GUNNISON (City of)
 IDAHO SPRINGS
 LA VETA
 LAFAYETTE
 LEADVILLE
 LOG LANE VILLAGE
 LOUISVILLE
 LYONS
 MANCOS
 MANITOU SPRINGS
 MOFFAT
 MOUNTAIN VIEW
 NEDERLAND
 NORTHGLENN
 OAK CREEK
 OPHIR
 PAGOSA SPRINGS
 PALMER LAKE
 PARACHUTE
 PUEBLO (City of)
 RED CLIFF
 RIDGWAY
 RIFLE
 SALIDA
 SAN LUIS
 SEDGWICK TOWN OF
 SILT
 SILVER PLUME
 SILVERTHORNE
 SILVERTON
 STEAMBOAT SPRINGS
 TELLURIDE
 TRINIDAD
 WALSENBURG
 WHEAT RIDGE

ADAMS
 ARCHULETA
 BOULDER
 CHAFFEE
 CLEAR CREEK
 COSTILLA
 DENVER (City and County of)
 EAGLE
 GILPIN
 GRAND
 GUNNISON (County of)
 HUERFANO
 LA PLATA
 LAKE
 LARIMER
 OURAY
 PITKIN
 PUEBLO
 SAGUACHE (County of)
 SAN JUAN
 SAN MIGUEL
 SUMMIT

Updated 02/17/2016



MEMORANDUM

TO: Eric Keck, City Manager
FROM: Loucrishia A. Ellis, City
DATE: 2016
SUBJECT: IGA AND BALLOT QUESTIONS/ISSUES DEADLINES
NOVEMBER 8, 2016 ELECTION

I have established these tentative deadlines, which would apply if Englewood elects to submit ballot questions/issues to the County for the November 8, 2016 election.

- July 5, 2016 First reading of ordinance approving IGA with Arapahoe County and first reading of council bills calling for ballot questions/issues
[regular meeting schedule; no amendments]
- July 18, 2016 Final reading of ordinance approving IGA and final reading of ordinances calling for ballot questions/issues
[regular meeting schedule; no amendments]

I am required to notify the County of our participation by July 29, 2016, thus the IGA must be signed and to the County by that date. As I must certify the ballot to Arapahoe County by September 9, 2016, Council could consider submission of ballot questions/issues at the August Council meetings.

This schedule does not address rescheduled meetings, special meetings or emergency ordinances.

As you are aware, **Charter** questions/issues have additional Statutory restrictions.

- July 5, 2016 This would be the earliest date Council should consider a Charter ballot question/issue on first reading. This creates a tight timeframe during which I must comply with various Statutory deadlines. [CRS § 31-2-210 (4)].

To comply with various deadlines, I would ask that the ordinance approving the IGA and the ordinances setting all ballot questions/issues be prepared so that they go before Council at their regular City Council meeting on July 5, 2016.

cc: Kathleen RInkel, Director of Finance and Administrative Services
Murphy Robinson, Assistant City Manager
Dugan Comer, Acting City Attorney

Municipal Retail Marijuana Status

Prohibit (Moratorium if thru date)

Permit (Tax rate, if any)

Recreational Marijuana Prohibition, Licensing and Taxation thru April 2015

Akron	
Alamosa	
Alma	
Arriba	
Arvada	
Aspen	
Ault	
Aurora (5%; up to 10%)	
Avon	
Basalt (5%)	
Bayfield	
Bennett	
Berthoud	
Bethune	
Black Hawk (5%)	
Blanca	
Blue River	
Boulder (3.5%)	
Breckenridge (5%)	
Brighton	
Brookside	
Broomfield	
Brush (thru 7/1/2016)	
Buena Vista	
Burlington	
Calhan	
Cañon City	
Carbondale (5%)	
Castle Pines	
Castle Rock	
Cedaredge	
Centennial	
Central City	
Cherry Hills Village	
Coal Creek	
Cokedale	
Collbran (thru 7/15/2015)	
Colorado Springs	
Columbine Valley	
Commerce City (5% excise)	
Cortez	
Craig	
Crawford	
Creede	
Crested Butte	
Crestone (thru 2/11/2016)	
Cripple Creek	
Crowley	
Dacono	
De Beque (5%)	
Del Norte	
Delta	

Municipal Retail Marijuana Status

Prohibit (Moratorium if thru date)

Permit (Tax rate, if any)

Recreational Marijuana Prohibition, Licensing and Taxation thru April 2015

Denver (3.5%; up to 15% authorized)

Dillon

Dinosaur

Dove Creek

Durango

Eads

Eagle (\$5 / transaction)

Eaton

Eckley

Edgewater

Elizabeth

Empire (\$5 / transaction)

Englewood

Erie

Estes Park

Evans

Fairplay

Federal Heights

Firestone

Fleming (thru 1/1/2015)

Florence (permanent)

Fort Collins

Fort Lupton

Fort Morgan

Fountain

Fowler

Foxfield

Fraser (5%)

Frederick

Frisco (5%)

Fruita

Garden City

Georgetown (\$5/transaction)

Gilcrest

Glendale

Glenwood Springs (Thru 8/25/15)

Golden

Granada

Granby

Grand Junction

Grand Lake

Greeley

Green Mountain Falls

Greenwood Village

Gunnison (5%)

Gypsum

Haxtun

Hayden (7.5% excise tax)

Hillrose

Holly

Holyoke

Hooper

Municipal Retail Marijuana Status

Prohibit (Moratorium if thru date)

Permit (Tax rate, if any)

Recreational Marijuana Prohibition, Licensing and Taxation thru April 2015

Hot Sulphur Springs

Hotchkiss

Hudson

Hugo

Idaho Springs

Ignacio

Iliff

Jamestown (permanent)

Johnstown

Julesburg

Keenesburg

Kersey

Kim

Kiowa

Kremmling

La Jara

La Junta

La Salle

La Veta

Lafayette (5%; up to 10%)

Lake City

Lakewood

Lamar

Larkspur

Las Animas

Leadville (5% excise tax; up to 10%)

Limon

Littleton

Lochbuie

Log Lane Village (1.5% excise tax)

Lone Tree

Longmont

Louisville

Loveland

Lyons (3.5%; 5% excise tax; up to 10%)

Mancos (up to \$10 / transaction)

Manitou Springs (5%)

Manzanola

Mead

Meeker

Milliken

Minturn

Monte Vista

Montrose

Monument

Morrison

Mountain View (5%)

Mountain Village

Mt. Crested Butte

Naturita (thru 12/31/2014)

Nederland

New Castle

Municipal Retail Marijuana Status

Prohibit (Moratorium if thru date)

Permit (Tax rate, if any)

Recreational Marijuana Prohibition, Licensing and Taxation: thru April 2015

Northglenn (2%)

Norwood

Nucla

Nunn

Oak Creek

Olathe

Olney Springs

Orchard City

Ordway (thru 6/29/2017)

Otis

Ouray

Ovid

Pagosa Springs

Palisade

Palmer Lake

Paonia

Parachute (5% excise tax)

Parker

Peetz

Pierce

Poncha Springs

Pritchett

Pueblo (8% excise tax up to 15%)

Ramah

Rangley

Raymer

Red Cliff (up to 5% retail; up to 15% wholesale)

Rico

Ridgway

Rifle (5%)

Rockvale

Rocky Ford

Romeo

Rye

Saguache

Salida

Sanford

Sedgwick (\$5 retail; \$100 wholesale)

Seibert

Severance

Sheridan

Silt

Silver Cliff

Silver Plume (no greater than 8%)

Silverthorne (5%)

Silverton (1% retail; 3% wholesale)

Simla

Municipal Retail Marijuana Status

Prohibit (Moratorium if thru date)

Permit (Tax rate, if any)

Recreational Marijuana Prohibition, Licensing and Taxation thru April 2015

Snowmass Village (thru 3/15/2017)
South Fork
Springfield
Steamboat Springs
Sterling
Stratton
Sugar City
Superior
Swink
Telluride
Thornton
Timnath
Trinidad (5%)
Vail
Victor
Vona
Walden
Walsenburg
Walsh
Wellington
Westcliffe
Westminster
Wheat Ridge
Wiggins
Williamsburg
Windsor
Winter Park
Woodland Park
Wray
Yampa
Yuma

TOTALS

Total Opt out: 169	72.22% prohibit
Moratoria: 9	3.85% have moratoria
Licensing: 56	23.93% allow
Taxes: 34	14.53% tax

Total Action Taken: 234

86.35% of Colorado municipalities have taken action to address retail marijuana establishments in their community

State of Colorado
Retail Marijuana Special Sales Tax (10%)
Actual Revenue for January 2016 Sales, Remitted in February 2016

Distributed to Local Jurisdictions		
Local Jurisdiction	15% of Total Special Sales Tax	Percent
Aspen	\$10,791	1.39%
Aurora	68,542	8.80%
Boulder	42,169	5.41%
Boulder County	14,276	1.83%
Breckenridge	10,492	1.35%
Carbondale	1,570	0.20%
Central City	1,056	0.14%
Cortez	6,993	0.90%
Crested Butte	4,038	0.52%
Denver	273,924	35.17%
Durango	16,859	2.16%
Eagle County	16,475	2.12%
Edgewater	18,908	2.43%
Fort Collins	29,497	3.79%
Garden City	26,903	3.45%
Glendale	15,414	1.98%
Glenwood Springs	4,233	0.54%
Gunnison	2,515	0.32%
Idaho Springs	5,108	0.66%
Northglenn	6,646	0.85%
Salida	5,113	0.66%
Pueblo County	24,521	3.15%
Steamboat Springs	11,446	1.47%
Telluride	4,148	0.53%
Trinidad	13,289	1.71%
Wheat Ridge	9,396	1.21%
Combined Local Governments 1/	134,494	17.27%
Total *	\$778,816	100.00%

1 Combined Local Governments include

Alma, Antonito, Basalt, Black Hawk, Commerce City, De Beque, Dillon, Eagle, Empire,
 Fraser, Frisco, Georgetown, Lafayette, Leadville, Log Lane Village, Louisville, Lyons,
 Mancos, Manitou Springs, Moffat, Mountain View, Nederland, Oak Creek,
 Pagosa Springs, Parachute, Ridgway, San Luis, Sedgwick, Silt, Silverthorne, Walsenberg,
 Adams County, Archuleta County, Clear Creek County, Costilla County, Grand County,
 Larimer County and Park County

Total Distributed to Local Jurisdictions	\$778,816
Total Retained by the State	4,413,310
Unallocated	21,237
Total Retail Special Sales Tax (10%) Collections	\$5,213,363

* May not sum to total due to rounding

Per §39-21-113(4), C.R.S., data from these local governments must be combined in order to protect the confidentiality of the individual taxpayers. It is the Department's practice to release aggregated data only when there are at least three taxpayers in a given category and none of them represents more than 80% of the total.

Retained by the State	
County	85% of Total Special Sales Tax
Adams	\$98,584
Arapahoe	448,027
Archuleta	33,961
Boulder	408,297
Chaffee	28,975
Clear Creek	38,747
Denver	1,552,241
Eagle	103,245
Garfield	61,645
Gilpin	7,721
Grand	24,464
Gunnison	37,134
Jefferson	201,038
La Plata	95,537
Larimer	234,676
Las Animas	75,303
Montezuma	45,285
Park	15,896
Pitkin	64,551
Pueblo	138,955
Routt	67,355
San Miguel	23,504
Summit	165,578
Weld	152,451
Remainder of State 2/	290,139
Totals*	\$4,413,310

2 Remainder of State is comprised of the following counties

Conejos, Costilla, El Paso, Huerfano, Lake, Mesa, Morgan, Ouray,
 Saguache and Sedgwick

Where's our pot money?

Sophia Vamvakias, Editor-in-Chief
November 30, 2015
Filed under [Local](#), [News](#), [School](#)

As smoke curls to the ceiling from the lit marijuana blunt of an Englewood citizen, across town a high school student's feet fly over a brand new turf field, avidly invested in the gym class soccer game. Those two scenarios may seem completely unrelated, but they are, in fact, connected through one thing: money.

In 2012, Colorado passed Amendment 64, legalizing the use of recreational marijuana. The amendment declared that part of the profit from the newly legalized marijuana trade must go to funding public schools in Colorado. Because of this, public school districts across the state had, and still have, the opportunity to start receiving money from the \$40 million (from taxed marijuana sales) set aside specifically for schools.

"Marijuana sales help fund school construction through the marijuana 15% state retail marijuana excise tax that is deposited into the Public School Construction Fund. The excise tax is applied when marijuana is transferred or sold from a marijuana grower to a marijuana store," Tommy Moore, Communications Specialist for Marijuana Enforcement & Taxation for the Colorado Department of Revenue said.

However, not every school district across Colorado is reaping the benefits from Amendment 64. Englewood is one such school district that receives no money from the taxation of the marijuana trade.

"We have not [used those taxes]. We have not applied for funding for improvements, and I'm not even sure we would qualify," Jon Qvale, Director of Budget and Finances for the Englewood School district said.

This lack of funding from marijuana sales to the Englewood School District stems from the fact that Englewood doesn't even have recreational marijuana stores to take taxes from.

"15% is distributed back to local governments that pay into it. Englewood does not have licensed retail marijuana stores, so there is no 10% special state retail marijuana sales tax collected from the city, thus they do not receive a portion of that distribution," Moore explains.

Compared to the local governments that do "pay into it", Englewood is missing out on receiving between \$1,700 (the amount Carbondale receives) to \$292,653 (the amount Denver receives) from marijuana taxes.

Englewood High School doesn't even receive funds from the marijuana stores on Broadway because the stores sell medical marijuana, not recreational.

"The City Council had previously entertained whether or not to allow for the retail sale of marijuana and decided against doing so. They believed that the close proximity of a number of retail sales outlets in Denver along the Broadway corridor would satisfy the market's need and demand," said Eric Keck, City Manager of Englewood.

Where's our pot money?!

Englewood is not the only school district in Colorado that has not received any money from Amendment 64. In fact, 15% of the state's marijuana tax revenue is distributed to local governments that pay into it. Englewood does not have licensed retail marijuana stores, so there is no 10% special state retail marijuana sales tax collected from the city, thus they do not receive a portion of that distribution.

Source: [The Marijuana Business](#)

Marijuana sales help fund school construction through the marijuana 15% state retail marijuana excise tax that is deposited into the Public School Construction Fund.

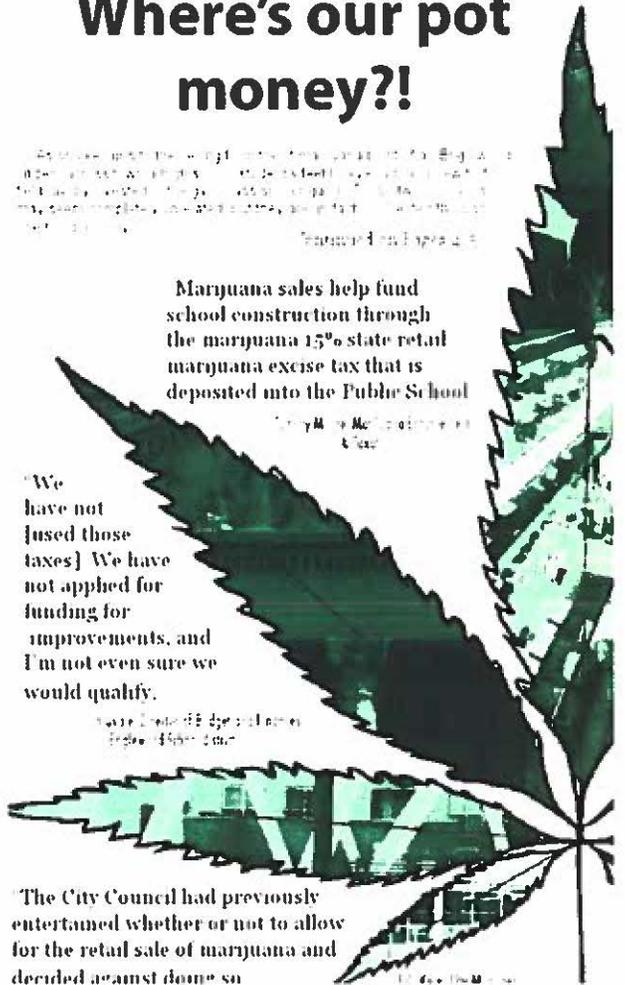
Tommy Moore, Communications Specialist for Marijuana Enforcement & Taxation for the Colorado Department of Revenue

"We have not [used those taxes]. We have not applied for funding for improvements, and I'm not even sure we would qualify."

Jon Qvale, Director of Budget and Finances for the Englewood School district

"The City Council had previously entertained whether or not to allow for the retail sale of marijuana and decided against doing so. They believed that the close proximity of a number of retail sales outlets in Denver along the Broadway corridor would satisfy the market's need and demand,"

Source: [The Marijuana Business](#)



Council Member	Thriving and Vibrant Local Economy	Good Governance
Jefferson	<ol style="list-style-type: none"> 1. Create a joint marketing plan with the Englewood School District. 2. Create a "Buy Englewood" public education program 3. Gain consensus on an economic development incentive plan 4. Partner with Chamber on an Englewood job fair 5. Create a business advocate position to assist businesses with our approval process 	<ol style="list-style-type: none"> 1. Develop Council cooperation and effectiveness 2. Create an agreed upon plan for priorities that will cover the next two years. 3. Define, prioritize and create revenue funding model for midterm capital projects 4. Create a spirit of service focusing on efficiency, transparency, quality and customer service 5. Adopt financial reserve policy 6. Create measurable goals for economic development 7. Review Study Session topics with Council 8. Establish midterm capital projects list
Olson		<ol style="list-style-type: none"> 1. Define terms and interrelationships of the many plans that exist 2. Council hold a goal setting retreat to define components of mission, vision, and values
Barrentine		<ol style="list-style-type: none"> 1. Follow State Statutes, City Charter, and City ordinances at all times 2. Bring in the Colorado Freedom of Information Coalition for Sunshine Law training.
Gillit		
Yates		Offer over the counter permits for the top 10 home improvements done by Englewood homeowners
Russell	<ol style="list-style-type: none"> 1. Focus on industrial areas and business districts 2. Develop business friendly policies 3. Stop building PUD's and start encouraging industrial, commercial and retail developments 	<ol style="list-style-type: none"> 1. Cut wasteful spending 2. Prioritize necessities 3. Return to policy based governance
Martinez		<ol style="list-style-type: none"> 1. Strengthen council dynamic and relations 2. Revisit recreational marijuana with responsible regulations