

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 14

DATE: August 19, 2003

FROM: Wanda Krajicek

SUBJECT :

Second Reading of Ordinance No. 102, 2003, Calling a Special Municipal Election to Be Held in Conjunction with the November 4, 2003 Larimer County Coordinated Election.

RECOMMENDATION:

Staff recommends adoption of the Ordinance on Second Reading.

EXECUTIVE SUMMARY:

This Ordinance, which was unanimously adopted on First Reading on July 15, 2003, calls a Special Municipal Election to be held in conjunction with the November 4, 2003 Larimer County Coordinated Election, and preserves the opportunity for Council to place initiated or referred issues on the November ballot.

ORDINANCE NO. 102, 2003
OF THE COUNCIL OF THE CITY OF FORT COLLINS
CALLING A SPECIAL MUNICIPAL ELECTION TO BE
HELD IN CONJUNCTION WITH THE NOVEMBER 4, 2003
LARIMER COUNTY COORDINATED ELECTION

WHEREAS, the Council may wish to consider placing before the voters a ballot measure changing the use of certain tax revenues to help fund transportation projects in the City, which measure would be placed before the voters in November at a special election to be held on November 4, 2003, in conjunction with the Larimer County Coordinated Election; and

WHEREAS, while the Council may, by resolution, submit any question or proposed ordinance or resolution, or submit any initiative or referendum measure, to the vote of the people at a regular or special election at any time prior to the statutory deadline to certify ballot content to the County Clerk, the decision to call a special election must be made by ordinance at an earlier date; and

WHEREAS, for the foregoing reasons, the Council wishes to call a special municipal election on November 4, 2003, to be held in conjunction with the Larimer County Coordinated Election, for the purpose of submitting to the electorate of the City any ballot issues approved by the Council prior to the deadline for certifying ballot content to the Larimer County Clerk and Recorder.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That a Special Municipal Election in the City of Fort Collins is hereby called for Tuesday, November 4, 2003, which shall be held in conjunction with the Larimer County Coordinated Election and conducted in such form as shall be determined by the Larimer County Clerk and Recorder.

Section 2. That the provisions of the Uniform Election Code of 1992 are hereby adopted with respect to the conduct of said election in lieu of the provisions of the Municipal Election Code of 1965.

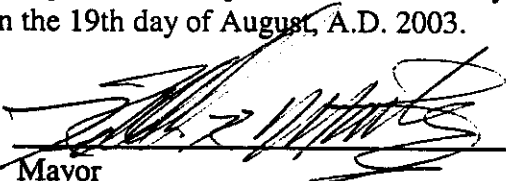
Section 3. That, notwithstanding any provision in the State Statutes to the contrary, the City Council may, by resolution, submit to the voters at said election any citizen-initiated or City-initiated measure that complies with the requirements of the City Charter, irrespective of the nature of such measure.

Section 4. That the City Clerk is hereby directed to certify the ballot content for the Special Municipal Election to the Larimer County Clerk no later than September 10, 2003.

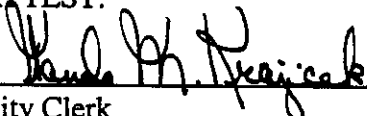
Section 5. That the City Manager is hereby authorized to enter into an intergovernmental agreement with Larimer County for conduct of the election, pursuant to Section 1-7-116(2) of the Colorado Revised Statutes.

Section 6. In the event that the Council does not take action by resolution prior to September 10, 2003 to submit any ballot measures to the voters at the November 4, 2003 Larimer County Coordinated Election, the election provided for herein shall be cancelled and the provisions of this Ordinance shall be of no further force and effect.

Introduced, considered favorably on first reading, and ordered published this 15th day of July, A.D. 2003, and to be presented for final passage on the 19th day of August, A.D. 2003.



Mayor

ATTEST:


City Clerk

Passed and adopted on final reading this 19th day of August, A.D. 2003.

Mayor

ATTEST:

City Clerk

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 16

DATE: July 15, 2003

FROM: Wanda Krajicek

SUBJECT:

First Reading of Ordinance No. 102, 2003, Calling a Special Municipal Election to Be Held in Conjunction with the November 4, 2003 Larimer County Coordinated Election.

RECOMMENDATION:

Staff recommends adoption of the Ordinance on First Reading.

EXECUTIVE SUMMARY:

This Ordinance calls a Special Municipal Election to be held in conjunction with the November 4, 2003 Larimer County Coordinated Election, and preserves the opportunity for Council to place initiated or referred issues on the November ballot.

BACKGROUND:

Article VIII, Section 2 of the City Charter requires that a special election be called by ordinance. In order to meet the statutory deadline to enter into an intergovernmental agreement with Larimer County for the conduct of the election, First Reading of this Ordinance must occur on this date with Second Reading at the next available Council meeting on August 19. (The August 5 meeting has been cancelled.)

Pending Citizen Referendum

On June 23, 2003, the City Clerk approved for circulation a referendum petition calling for the repeal of Ordinance No. 084, 2003 (relating to soil amendments). The deadline for the petition representatives to submit the circulated petition to the City Clerk is Monday, July 14. The City Clerk has five working days to examine the petition and determine if the petition contains a sufficient number of signatures (2,601) for referendum.

If the petition is submitted on Monday, July 14, it is unlikely that the examination of the petition will be completed in time to certify the results at this meeting. Therefore, the results will not be certified until the next regularly scheduled meeting, which will be August 19. The Charter provides that the presentation of a petition certified as sufficient for referendum shall automatically suspend the operation of the ordinance in question pending repeal by the Council or final determination by the electors. If the Council chooses not to repeal the ordinance but instead refers it to a vote of the registered electors, and if Council wants that vote to take place in November, then the election has to be called now to preserve that option.

Possible Transportation Funding Issues

At the July 8, 2003 Council Study Session there was consensus among the members that a ballot measure reallocating the unused Building Community Choices Community Enhancement funds for the Highway 14 Relocation and Prospect Widening projects to be used for the Harmony Road and Timberline Road projects be prepared for the November 4 election. Staff will prepare a resolution for the September 2 meeting which places a transportation ballot measure on the November Special Election ballot.

If the Council wishes to consider the placement of issues relating to transportation funding, or any other matters, before the voters in November, it may do so by resolution no later than September 10 (the statutory deadline for certifying ballot content to the County Clerk). The Council will hold a regular meeting on September 2.

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