

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

ITEM NUMBER: 16

DATE: February 5, 2008

STAFF: Wanda Krajcek

### SUBJECT

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First Reading of Ordinance No. 011, 2008, Calling a Special Municipal Election on June 10, 2008 for the Purpose of Submitting to the Registered Electors a Citizen-Initiated Charter Amendment That Would Authorize Collective Bargaining and Binding Arbitration for City Employees.

### RECOMMENDATION

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Staff recommends adoption of the Ordinance on First Reading.

### FINANCIAL IMPACT

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Staff estimates that the cost of this special election will be \$100,000.

### EXECUTIVE SUMMARY

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On January 22, 2008, the City Clerk's Office received an initiative petition to amend the City Charter relating to collective bargaining. The Clerk's Office has until February 12 to complete its review of the petition to determine if the petition contains a sufficient number of signatures to place the initiated measure on a special election ballot. Pursuant to C.R.S. 31-2-210(4), if the petition is certified as sufficient by the City Clerk, the City Clerk must publish notice of an election upon the proposed Charter amendment within 30 days of the filing of the petition, or no later than February 22, 2008. In order to meet the notice requirement, second reading of the Ordinance calling the election, as well as a resolution submitting the proposed Charter amendment to the registered electors of the City and setting the ballot language, must be considered on February 19, 2008.

If the petition is found to be insufficient upon completion of the examination, the second reading of this Ordinance, as well as the accompanying resolution setting the ballot language, may need to be postponed until the petition circulators have an opportunity to withdraw the petition and file an amended petition (which must be done no later than 15 days after the Clerk determines the petition is insufficient). If an amended petition is filed, second reading of this Ordinance and the accompanying resolution will be scheduled for the next meeting following examination of the amended petition. At that time, it may be necessary to change the date of the election to facilitate compliance with all statutory requirements for holding an election on a proposed Charter amendment.

ORDINANCE NO. 011, 2008  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
CALLING A SPECIAL MUNICIPAL ELECTION ON  
JUNE 10, 2008 FOR THE PURPOSE OF SUBMITTING TO THE  
REGISTERED ELECTORS A CITIZEN-INITIATED CHARTER AMENDMENT  
THAT WOULD AUTHORIZE COLLECTIVE BARGAINING AND BINDING  
ARBITRATION FOR CITY EMPLOYEES

WHEREAS, a group of local citizens circulated an initiative petition to amend the City Charter to authorize collective bargaining and binding arbitration for City employees; and

WHEREAS, the petition was submitted to the City Clerk on January 23, 2008; and

WHEREAS, the City Clerk has 15 working days to examine the petition to determine if the petition contains a sufficient number of signatures to require Council to place the issue on a special election ballot, which examination must be concluded on or before February 13, 2008; and

WHEREAS, if the petition is certified to contain a sufficient number of signatures, the City Clerk must publish notice of an election upon the proposed Charter amendment, which notice must be published within 30 days of the filing of the petition, or no later than February 22, 2008; and

WHEREAS, in order to meet this notice requirement, second reading of the ordinance calling the election, as well as a resolution submitting the proposed Charter amendment to the registered electors of the City and setting the ballot language, must be considered on February 19, 2008; and

WHEREAS, the City Council wishes to call a special municipal election on June 10, 2008, at which the electors of the City may consider the foregoing measure.

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, June 10, 2008.

Section 2. That the use of an electronic system to record the votes at said election is hereby authorized.

Section 3. In the event that citizen-initiated petition to amend the City Charter relating to collective bargaining is not certified as sufficient, either after the initial submission or following the period provided for submitting an amended petition 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 5th day of February, A.D. 2008, and to be presented for final passage on the 19th day of February, A.D. 2008.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 19th day of February, A.D. 2008.

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Mayor

ATTEST:

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City Clerk