

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 10

DATE: August 16, 2005

STAFF: Wanda Krajicek

SUBJECT

Second Reading of Ordinance No. 081, 2005, Calling a Special Municipal Election to Be Held in Conjunction with the November 1, 2005 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 19, 2005, calls a Special Municipal Election to be held in conjunction with the November 1, 2005 Larimer County Coordinated Election, and preserves the opportunity for Council to place initiated or referred issues on the November ballot.

ORDINANCE NO. 081, 2005
OF THE COUNCIL OF THE CITY OF FORT COLLINS
CALLING A SPECIAL MUNICIPAL ELECTION TO BE
HELD IN CONJUNCTION WITH THE NOVEMBER 1, 2005
LARIMER COUNTY COORDINATED ELECTION

WHEREAS, the Council may wish to consider placing two ballot measures before the voters in November at a special election to be held on November 1, 2005, 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 a 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 1, 2005, 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 1, 2005, 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.

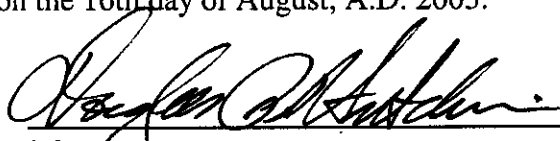
Section 3. That, notwithstanding any provision in the State Statutes to the contrary, the City Council may, by resolution, submit to the voters at said election any citizen-initiated or City-initiated measure that complies with the requirements of the City Charter, irrespective of the nature of such 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 2, 2005.

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.

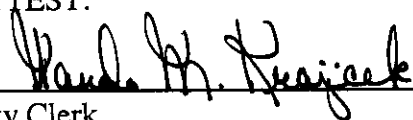
Section 6. In the event that the Council does not take action by resolution prior to September 2, 2005 to submit any ballot measures to the voters at the November 1, 2005 Larimer County Coordinated Election, the election provided for herein shall be cancelled and the provisions of this Ordinance shall be of no further force and effect.

Introduced, considered favorably on first reading, and ordered published this 19th day of July, A.D. 2005, and to be presented for final passage on the 16th day of August, A.D. 2005.



Mayor

ATTEST:



City Clerk

Passed and adopted on final reading this 16th day of August, A.D. 2005.

Mayor

ATTEST:

City Clerk

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 15

DATE: July 19, 2005

STAFF: Wanda Krajicek

SUBJECT

First Reading of Ordinance No. 081, 2005, Calling a Special Municipal Election to Be Held in Conjunction with the November 1, 2005 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 1, 2005 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 16. (The August 2 meeting has been cancelled.)

Building on Basics Capital Improvement Program

At the June 14, 2005 Council Work Session there was consensus among the members that a ballot measure to renew the City's current sales tax for capital improvements (*Building on Basics 2005*) be prepared for the November 1 election. Staff will prepare a resolution for the August 16 meeting which places the *Building on Basics* ballot measure on the November Special Election ballot.

Timberline Road Special Improvement District

On November 4, 2003, the City Council accepted a petition for the formation of a special improvement district in connection with the construction of street improvements at the intersection of Timberline Road and Prospect Road. On November 21, 2003, the City Council adopted Resolution 2003-122 beginning proceedings to establish the Timberline/Prospect Special Improvement District (the "SID") No. 94 by the acceptance of the petitions of affected property owners in the area. In Agenda Item No. 27, the Council will be considering a resolution approving

the preliminary report of the Director of Community Planning and Environmental Services for the proposed SID and will consider further proceedings regarding the formation of the SID. If the SID proceeds as proposed, the developers of certain property in the SID who advanced funds for the improvements will be reimbursed by the City using revenues generate by assessments imposed upon property owners in the SID as assessment payments are made to the City. The City's agreement to pay the assessment revenues to the developers over a period of years constitutes a multi-year financial obligation of the City within the meaning of Article XX, Section 1 of the Colorado Constitution. Such an obligation requires that an election be held among the property owners of the SID. This election will be part of the November 1, 2005 coordinated election.

If the Council wishes to consider the placement of the above described issues, or any other matters, before the voters in November, it must do so by resolution no later than September 2 (the statutory deadline for certifying ballot content to the County Clerk).

COPY

COPY