

# **AGENDA ITEM SUMMARY**

## **FORT COLLINS CITY COUNCIL**

**ITEM NUMBER: 30**

**DATE: August 15, 2006**

**STAFF: Darin Atteberry**

### **SUBJECT**

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Resolution 2006-084 Designating the City Manager as Representative of the Municipal Corporation for the Purpose of Casting the Ballot of the City with Regard to a Downtown Development Authority Ballot Measure.

### **RECOMMENDATION**

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Staff recommends adoption of the Resolution.

### **EXECUTIVE SUMMARY**

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This Resolution designates City Manager Darin Atteberry as the City's representative for the purpose of casting the City's ballot with regard to the Downtown Development Authority question on the November 7, 2006 ballot.

### **BACKGROUND**

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At its July 6, 2006 meeting, the Downtown Development Authority adopted a resolution calling a special election on November 7, 2006 for the purpose of submitting to the qualified electors of the Downtown Development Authority (DDA) a ballot question authorizing the issuance of bonds by the City of Fort Collins to finance development projects pursuant to the DDA's Plan of Development.

Pursuant to C.R.S. 31-25-807(3)(b), the City Council has, this same date, approved the election and submitted the question to the qualified electors of the DDA.

The City of Fort Collins is a qualified elector because it owns land within the DDA boundaries. Because the municipal corporation is not a natural person, a vote may be cast by the City only if the City designates a representative to cast its ballot. This Resolution designates City Manager Darin Atteberry as the City's representative and authorizes and directs the City Manager to cast a ballot in favor of the DDA question on November 7, 2006.

RESOLUTION 2006-084  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
DESIGNATING THE CITY MANAGER AS REPRESENTATIVE OF THE  
MUNICIPAL CORPORATION FOR THE PURPOSE OF CASTING THE BALLOT  
OF THE CITY WITH REGARD  
TO A DOWNTOWN DEVELOPMENT AUTHORITY BALLOT MEASURE

WHEREAS, a special election regarding the issuance of bonds for the Downtown Development Authority (the "DDA") will be held on November 7, 2006; and

WHEREAS, a landowner within the boundaries of the Downtown Development Authority District (the "District") is entitled to cast a ballot at said election under the provisions of Title 31, Article 25, Part 8 of the Colorado Revised Statutes; and

WHEREAS, the City of Fort Collins is a municipal corporation and is qualified as a landowner within the District to cast a ballot at said election; and

WHEREAS, a corporate landowner may vote in said election only if the governing body takes official action to designate a representative to cast the corporation's ballot at said election; and

WHEREAS, the City Council wishes to designate a voting representative to cast the City's ballot at said election; and

WHEREAS, the City believes it to be in the best interests of the City to support the issuance of additional bonds for the DDA as stated in the DDA ballot measure.

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

Section 1. That Darin Atteberry, City Manager, is hereby designated as the City's representative for the purpose of casting the City's ballot on behalf of the municipal corporation with regard to the ballot measure.

Section 2. That the City Manager is hereby authorized and directed by the City Council to cast the City's vote in favor of said measure.

Section 3. That the City Manager is further hereby authorized and directed to execute and file an official Designation Form in compliance with the provisions of this Ordinance and the laws of the State of Colorado.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 15th day of August, A.D. 2006.

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Mayor

ATTEST:

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City Clerk