

ORDINANCE NO. 21-08

AN ORDINANCE SUBMITTING A CHARTER AMENDMENT TO THE REGISTERED QUALIFIED ELECTORS OF THE CITY OF COLORADO SPRINGS, COLORADO AT THE GENERAL MUNICIPAL ELECTION CONDUCTED BY MAIL BALLOT TO BE HELD ON APRIL 6, 2021, AMENDING SECTION 7-90 (C) OF THE CITY CHARTER ELIMINATING A THIRTY (30) WORD LIMITATION ON BALLOT TITLES FOR TAX OR BONDED DEBT INCREASES, PROVIDING FOR THE FORM OF THE BALLOT TITLE, PROVIDING FOR CERTAIN MATTERS WITH RESPECT TO THE ELECTION, AND PROVIDING THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Council hereby submits and refers to the vote of the registered qualified electors of the City to be held at the Election (as defined in Section 2), a proposed amendment to Section 7-90 (c) of the Charter of the City of Colorado Springs to read as follows:

7-90. The Taxpayer Bill of Rights.

* * *

(c) Election Provisions.

(1) Any City ballot issue shall be decided by a majority of those voting on it in the State general election, the biennial City election, or on the first Tuesday in November of odd-numbered years. The Council may consolidate unpetitioned ballot issues on the ballot. Except for bonded debt, Charter amendments, or petitions, voters may approve a delay in voting on ballot issues for up to four (4) years, but acts during a delay shall not last beyond the delay.

(2) The City shall mail at the lowest cost one (1) notice or one (1) set of notices titled, as appropriate, "NOTICE OF ELECTION TO INCREASE TAXES/TO INCREASE DEBT/ON A CITIZEN PETITION/ON A REFERRED MEASURE" addressed to "All Registered Voters" at each mailing address of one (1) or more registered electors IN ACCORDANCE WITH THE TIME REQUIREMENTS SET FORTH IN COLORADO CONSTITUTION ARTICLE X, SECTION 20(3)(b) AS AMENDED. The first accurate title of these four (4) shall be printed next to the mailing address and the first accurate title for each notice printed at the top of each, all in thirty (30) point or larger bold type. Except by voter approval, the notice shall include only:

(i) The election date, hours, polling place, ballot title, text, and election office address and telephone number;

(ii) For tax or debt increases, the estimated or actual total of fiscal year spending plus federal funds for the current and each of the past four (4) years, and the overall percentage and dollar change;

(iii) For the first full fiscal year of each Council-proposed tax increase, Council estimates of the dollar amount of each increase and of fiscal year spending plus federal funds without the increase;

(iv) The principal amount and maximum annual and total repayment cost of any proposed City bonded debt, and the balance and annual and remaining total repayment cost of total current City bonded debt;

(v) Two summaries, up to five hundred (500) words each, one (1) for and one (1) against the proposal, of written comments filed with the City Clerk by thirty (30) days before the election. No summary shall mention names of persons or private groups, nor any endorsements of or resolutions against the proposal. Representatives obeying these rules shall write this summary for their petition. The City Clerk shall maintain and accurately summarize all other written comments.

If increases or spending totals exceed any estimate in (iii) for the same fiscal year, an approved tax increase is reduced up to one hundred percent (100%) in proportion to the greater dollar excess, and its excess revenue refunded with ten percent (10%) annual simple interest. City bonded debt approved hereafter shall not issue on terms that could exceed its proportion of the maximum repayment costs in (iv). Ballot titles for tax or bonded debt increases ~~shall not exceed thirty (30) words, and~~ shall begin, "SHALL CITY TAXES BE INCREASED (first, or if phased in, final, full fiscal year dollar increase) ANNUALLY...?" or "SHALL CITY DEBT BE INCREASED (principal amount), WITH A REPAYMENT COST OF (maximum total dollar amount),...?"

Section 2. The Election shall be a General Municipal Election conducted by mail ballot on April 6, 2021, pursuant to the Charter of the City of Colorado Springs and applicable Colorado statutes, except as otherwise provided in the Charter or ordinances of the City, all as impliedly modified by relevant judicial decisions. The City Clerk shall be the designated election official for all matters.

Section 3. The question of amending the City Charter for this stated purpose shall be submitted to the registered qualified electors of the City in substantially the following form:

Shall Section 7-90 (c) of the Charter of the City of Colorado Springs be amended to allow ballot titles for tax or bonded debt increases to exceed thirty (30) words?

_____ Yes

_____ No

Section 4. The City Clerk and officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance. The City Clerk shall conduct the General Municipal Election.

Section 5. All actions heretofore taken by the Council and officers of the City, not inconsistent with the provisions of this ordinance and toward the general election, are hereby ratified, approved and confirmed.

Section 6. If any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 7. All ordinances, resolutions, bylaws and regulations of the City in conflict with this ordinance, are hereby repealed to the extent of any conflict. This repealer shall not be construed to revive any ordinance, resolution, bylaw or regulation, in whole or in part, previously repealed.

Section 8. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Charter.

Section 9. Within thirty (30) days of the effective date of this ordinance, the City Clerk shall publish notice of the Election upon the amendment, which notice shall contain the full text of the amendment as set forth in this ordinance.

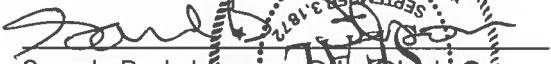

Introduced, read, passed on first reading and ordered published this 12th day of January, 2021.

Finally passed: January 26th 2021



Council President

ATTEST:


Sarah B. Johnson, City Clerk


I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE SUBMITTING A CHARTER AMENDMENT TO THE REGISTERED QUALIFIED ELECTORS OF THE CITY OF COLORADO SPRINGS, COLORADO AT THE GENERAL MUNICIPAL ELECTION CONDUCTED BY MAIL BALLOT TO BE HELD ON APRIL 6, 2021, AMENDING SECTION 7-90 (C) OF THE CITY CHARTER ELIMINATING A THIRTY (30) WORD LIMITATION ON BALLOT TITLES FOR TAX OR BONDED DEBT INCREASES, PROVIDING FOR THE FORM OF THE BALLOT TITLE, PROVIDING FOR CERTAIN MATTERS WITH RESPECT TO THE ELECTION, AND PROVIDING THE EFFECTIVE DATE OF THIS ORDINANCE” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on January 12th, 2021; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 26th day of January 2021, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 26th day of January 2021.


Sarah B. Johnson, City Clerk



1st Publication Date: January 15th, 2021

2nd Publication Date: January 26th, 2021

Effective Date: February 3rd, 2021

Initial: SBJ
City Clerk