



Legislation Details (With Text)

File #: 19-399 **Version:** 3 **Name:**
Type: Ordinance **Status:** Second Reading
File created: 7/15/2019 **In control:** City Council
On agenda: 8/27/2019 **Final action:** 8/27/2019

Title: Ordinance No. 19-54 submitting a Charter amendment to the registered qualified electors of the City of Colorado Springs, Colorado at the special municipal election to be held at the coordinated election conducted by mail ballot to be held on November 5, 2019, adding a new section 11-80 of the City Charter relating to conveyances of City-owned parkland, 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.

Presenter:
 Marc Smith, Corporate Division Chief, City Attorney's Office
 Karen Palus, Parks, Recreation and Cultural Services Director

Sponsors:

Indexes:

Code sections:

Attachments: 1. Charter-Amendment-ParklandConveyances-2019-08-20-Option1-Clean, 2. Exhibit A-Parkland Designation List 07312019, 3. Charter-Amendment-ParklandConveyances-2019-08-20-Option1-Redline, 4. Signed Ordinance 19-54.pdf

Date	Ver.	Action By	Action	Result
8/27/2019	1	City Council	denied	Fail
8/13/2019	1	City Council	approved on first reading	Pass
8/13/2019	1	City Council	approved on first reading	Pass
8/12/2019	1	City Council Work Session	referred	
7/22/2019	1	City Council Work Session	referred	

Ordinance No. 19-54 submitting a Charter amendment to the registered qualified electors of the City of Colorado Springs, Colorado at the special municipal election to be held at the coordinated election conducted by mail ballot to be held on November 5, 2019, adding a new section 11-80 of the City Charter relating to conveyances of City-owned parkland, 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.

Presenter:

Marc Smith, Corporate Division Chief, City Attorney's Office
 Karen Palus, Parks, Recreation and Cultural Services Director

Summary:

If referred by the Council and passed by the electors, this proposed Charter amendment would approve a Parkland Designation List. Any conveyance of parkland contained on the list that does not fall within the specified listed exceptions would be subject to a vote of the electors of the City. The

Council would have the authority to add future parks to the list by ordinance.

Background:

At the August 13, 2019 regular meeting, City Council had a great deal of discussion regarding this ordinance and its companion proposals. At the end of the item, the attached ordinance was referred to the ballot on first reading with a 5-4 vote.

The original version of the ordinance, which was known as "Option 1," contemplated Council passing an ordinance adopting the Parkland Designation List following passage and implementation of the new Charter section 11-80. Upon the motion for approval, the list of parkland submitted by the Parks, Recreation and Cultural Services Department on July 31, 2019 was added to the proposed Charter section.

Upon a successful vote of the electors, this proposal would approve a Parkland Designation List, which is attached as Exhibit A. The Parkland Designation List would then be set out in an appendix within the Charter.

As with several other proposals that have been discussed by the Council, any conveyance of parkland contained on the list that does not fall within the specified listed exceptions would be subject to a vote of the electors of the City. The Council would have the authority to add future parks to the list by ordinance.

Previous Council Action:

City Council has reviewed this concept several times at Council work sessions and regular meetings. At its August 13, 2019 regular meeting, the Council voted 5-4 on first reading to refer the attached version of this Charter amendment to the voters.

Financial Implications:

Costs associated with referring a Charter amendment to the ballot and any subsequent conveyance to the voters requesting permission to convey City-owned parkland.

City Council Appointed Board/Commission/Committee Recommendation:

The Parks, Recreation and Cultural Services Advisory Board reviewed an earlier version of the Charter amendment and did not recommend referral of this option to the voters.

Stakeholder Process:

This item was discussed at the Parks, Recreation and Cultural Services Advisory Board meetings on June 13 and July 11, 2019 and at the City Council meetings on July 22, August 12 and 13, 2019. Public comment was permitted at multiple meetings.

Alternatives:

Council could choose not to refer this Charter amendment on second reading; Council could refer a different Charter amendment related to the conveyance of City-owned parkland; or, Council could choose not to refer any Charter amendment regarding conveyance of City-owned parkland and continue to conduct all parks related property transactions consistent with the guidelines set forth in The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests.

Proposed Motion:

Move to approve an ordinance submitting a Charter amendment to the registered qualified electors of the City of Colorado Springs, Colorado at the special municipal election to be held at the coordinated election conducted by mail ballot to be held on November 5, 2019, adding a new section 11-80 of the City Charter relating to conveyances of City-owned parkland, 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.

An ordinance referring to the registered qualified electors a Charter amendment adding a new section 11-80 to the City Charter relating to the conveyance of City-owned parkland.