



## Legislation Details (With Text)

**File #:** 20-455      **Version:** 2      **Name:**

**Type:** Ordinance      **Status:** Mayor's Office

**File created:** 8/3/2020      **In control:** City Council

**On agenda:** 8/25/2020      **Final action:** 8/25/2020

**Title:** Ordinance No. 20-54 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 3, 2020, amending section 3-70 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:**  
Wayne Williams, City Councilmember

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Charter-Amendment-ParklandConveyances-2020-07-30\_sec3-70-DRAFT.pdf, 2. 4th UPDATED Exhibit A -- Copy of ParklandInventoryList\_2020\_08042020\_Final.pdf, 3. Signed Ordinance 20-54.pdf

Date	Ver.	Action By	Action	Result
8/25/2020	1	City Council	finally passed	Pass
8/11/2020	1	City Council	withdrawn	
8/11/2020	1	City Council	approved	Pass
8/11/2020	1	City Council	approved on first reading	Pass
8/10/2020	1	Council Work Session	referred	

Ordinance No. 20-54 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 3, 2020, amending section 3-70 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:**  
Wayne Williams, City Councilmember

**Summary:**  
This version of the POPS proposal contemplates a City Charter amendment requiring general conveyances of parkland to take place only with the approval of a super-majority of seven (7) City Councilmembers.

**Background:**  
Please see staff report related to the other POPS proposal contained in this meeting packet for

details regarding the history and alternatives regarding the POPS proposal (see file # 20-281).

At the July 27, 2020 Council Work Session, five (5) Councilmembers directed City staff to place two (2) versions of the TOPS proposal on the August 11, 2020 Council Regular Meeting for a formal vote. The two (2) proposals contain similar language with one major exception: the approval process for conveyance of parkland.

The option contained in this item is an amendment to City Charter section 3-70 and would require, barring an exception set forth in the language, conveyances of parkland be approved by a super-majority of seven (7) Councilmembers and would not require a vote of the citizens. The exceptions to the super-majority requirement remain the same as the alternative option listed below, as does the parkland designation list which has been amended at the request of City Council to remove Dorchester Park and the parks in the Shooks Run neighborhood.

The other option (see file #20-281) is an addition of a City Charter section 11-80 and requires a super-majority referral of seven (7) Councilmembers to ask the voters to convey parkland that is on the parkland designation list, barring a listed exception within the Charter section itself. This version was amended from six (6) to seven (7) Councilmembers at the request of the Council President and the POPS citizen group that has been working on this item. Additionally, the attached parkland designation list was amended at the request of City Council to remove Dorchester Park and several parks in the Shooks Run neighborhood.

Both options now include information and a requirement that if both options are referred to the voters and both pass by a majority vote, the option with the most affirmative votes at the election will prevail and will be ultimately included in the Charter. The option with fewer votes, even if passed by a majority of the electors, will not be included in the Charter as it would conflict the prevailing option (see City Charter section 15-70). If Council does not refer both options, staff is prepared to remove the language related to conflicting language/most affirmative votes from the proposal that is referred to the ballot.

**Previous Council Action:**

City Council has considered the POPS proposal and its various versions several times throughout 2019 and 2020.

**Financial Implications:**

N/A

**City Council Appointed Board/Commission/Committee Recommendation:**

N/A

**Stakeholder Process:**

N/A

**Alternatives:**

Council could choose to adopt the ordinance as presented, choose another alternative, or choose not to adopt an ordinance referring the Charter amendment to the voters.

**Proposed Motion:**

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 3, 2020, amending Section 3-70 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 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 3, 2020, amending Section 3-70 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.