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City Clerk's Office, 300 LaPorte Avenue, Fort Collins, CO 80521, or email to [cityclerk@fcgov.com](mailto:cityclerk@fcgov.com)

## NOTICE OF BALLOT TITLE AND/OR SUBMISSION CLAUSE PROTEST

**Protestor Information\*:** Name, address, telephone number(s), and email address of the protestor (who must be a registered elector)

**Name:** Melissa Rosas

**Phone #:** 562 888-0487

**Address:**  
3520 Pratolina Court

**Email:**  
mrosas50375@gmail.com

**Protestor's  
Signature:** *Melissa Rosas*

**Date of Proposed  
City Council Action:** September 2, 2025

## GROUND FOR PROTEST

Protest of **Proposed Ballot Title and/or Submission Clause** (as permitted under Municipal Code Section 7-156).

Title of Ordinance or Resolution being protested:

Title and submission clause of Ordinance No. 141, 2025

The Grounds of the Protest (with particularity):

I am a registered elector of the City of Fort Collins. I object to the City's title and submission clause of Ordinance No. 141, 2025. Please see the attached document which describes the full protest and grounds for this protest.

(Attach additional sheets as necessary)

A protest of proposed ballot title and/or submission clause, in accordance with Section 7-156, must be filed with the City Clerk no later than noon on the Monday immediately preceding the date upon which the City Council will consider the ordinance on First reading, or resolution, setting the ballot title and submission clause.

**\*If more than one protestor, please provide the name, address, telephone number(s), email address, and signature of each protestor on the back of this form or on additional sheets.**

## **Protest regarding City's title and submission clause for its ballot measure related to the Hughes Stadium Site**

The City's proposed title and submission clause for its Hughes ballot measure are flawed, misleading, and contrary to Colorado election law in several ways:

- (1) **The title does not accurately summarize what is in the underlying Ordinance 141, 025 ("Ordinance").** The third bullet point of the title indicates the use and management of the Hughes site would "include the following new amenities for the Hughes Site: a City natural area, up to 60 acres; dedicated space and facilities for environmental education and wildlife conservation, to include wildlife rescue and rehabilitation, up to 30 acres; a trail system throughout the site connected to nearby City natural areas and parks; a City park with a community bike park up to 35 acres, a community gathering area and appropriate related facilities." In contrast, subsection (F)(6) of the Ordinance indicates "the City will develop and manage the remaining acreage as a park, to **include but not be limited to** the following amenities..." A plain reading of the title would lead the average voter to believe the only amenities allowed under the ballot measure would be a natural area, environmental and wildlife facilities, a trail system, a community bike park, and a community gathering area. The Ordinance states otherwise by indicating specific amenities may "include, **but not be limited to**" the amenities currently listed in the title. It is misleading to the voters for the title to specifically list amenities and not reflect the flexibility the City's Ordinance builds in for the development of other future amenities. The title should be amended to reflect the fact that the City does not necessarily intend to limit the new amenities it will build on the Hughes property to the amenities specifically listed in the title.
- (2) **The City title's reference and contrast to the Hughes citizens' initiative is unlawful advocacy.** The Hughes citizens' initiative is a separate and distinct matter already approved for the 2025 election. The City did not participate in the citizens' initiative in any way, other than placing obstacles in the way of signature gathering and rejecting the adoption of the language once enough signatures were ultimately gathered. The incorporation of a compare-and-contrast

mechanism in the City's title constitutes an inappropriate and biased attempt by the City to advocate against a citizens' initiative. The voters do not need the City's title to contrast itself with the citizens' initiative as the voters can and should figure that out for themselves. Any reference in the City's ballot measure to another ballot measure should be excluded entirely. Additionally, the underlying Ordinance contains no reference to the citizens' initiative so the City's title does not accurately summarize the Ordinance. It is misleading to the voters to include a reference to the citizens' initiative in the title when none exists in the Ordinance.

(3) **The City's title reference to the Hughes citizens' initiative is misleading for several reasons.** Even if the incorporation of the title's compare-and-contrast language was appropriate, the way it compares itself to the citizens' initiative is incorrect. The City's comparisons do not fairly or accurately summarize the impacts of the citizens' initiative, and could mislead voters into supporting the City's ballot measure while opposing the citizens' initiative. For example:

- (a) The City's title makes a false comparison by implying existing uses like disc golf and sledding would be prohibited by the passage of the citizens' initiative, when in fact they would not. The City can designate parts of Natural Areas for disc golf and sledding and would not be prohibited from doing so after the passage of the citizens' initiative.
- (b) The City's title makes a false comparison by implying the passage of the citizen's initiative would do something other than requiring the City to manage "uses over time as planning, design and funding allow, in accordance with regular City planning and review processes, and consistent with the Public Open Lands zoning." The citizens' initiative does not make any changes in how the city would conduct its regular planning and review processes, nor does it change the existing Public Open Lands zoning.
- (c) The City's title makes several references to the "multi-use" development of the Hughes property. The title's compare-and-contrast language implies the citizens' initiative would prohibit multiple uses of the Hughes property. This is also misleading because the classification of the entire Hughes property into a Natural Area, as proposed in the citizens'

initiative, would not prohibit multiple uses. The citizens' initiative would allow multiple types of light uses already authorized by City code in Natural Areas, but not the heavy and impactful uses and development the City proposes in its ballot measure.

**(4) The City's title language and submission clause are materially inconsistent.**

The title accurately reflects the Ordinance by indicating the passage of the City's ballot measure would require "multi-use development and management for the approximately 165-acre Hughes Site." However, the submission clause only indicates "shall the Council-Adopted Ordinance for multi-use of the Hughes Site be approved?" The submission clause leaves out essential language, which is whether the multi-use of the Hughes property would be accompanied by development and management of that property, as already admitted to in the title. To be consistent, and not misleading to the voters, the submission clause should read "shall the Council-Adopted Ordinance for multi-use **development and management** of the Hughes Site be approved?" It would be arbitrary for the City to accurately include an acknowledgement of necessary development and management of the Hughes Site in the title while excluding it in the submission clause.

**(5) The City's references to "expressing support for the recommendations of the civic assembly" in the title and the Ordinance are misleading.**

Subsection D of the Ordinance indicated the civic assembly recommended the development and management of the Hughes Site "for multiple uses to include a combination of bike park, open spaces, natural area, trails, and conservation/education features." In fact, the civic assembly did not specifically recommend the construction of a bike park or a conservation center. Those two recommendations failed to achieve the required vote threshold. To accurately reflect the outcome of the civic assembly process, the City should indicate the civic assembly did recommend multiple uses (multiple uses would also be consistent with a Natural Area designation, as explained above), but the City Council itself decided to include a bike park and a conservation center despite the failure of those two standalone proposals at the civic assembly. It is misleading in the Ordinance, which was then incorporated in the City's title, to

indicate the City's support for the civic assembly's recommendations included recommendations the civic assembly did not actually make.