

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Delynn Coldiron, City Clerk  
Carrie Daggett, City Attorney

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## SUBJECT

**Resolution 2025-078 Submitting to a Vote of the Registered Electors of the City a Citizen-Initiated Ordinance to Continue the City's Existing Open Space Sales and Use Tax.**

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## EXECUTIVE SUMMARY

The purpose of this item is to submit to a vote of the registered electors, at the City's Regular Election on November 4, 2025, a ballot issue question that approves a citizen-initiated ordinance that proposes the extension of the  $\frac{1}{4}$  of one percent Natural Areas sales and use tax, without expiration, to continue to protect natural areas and open spaces; offer appropriate recreation; provide revenue for responsible restoration and management of protected lands; and partner with Larimer County, COGO, and others to make funding go further. The ordinance makes several modifications to Citizen-Initiated Ordinance No. 1, 2002 (Open Space, Yes!) related to Land Conservation, Operations, and Maintenance Activities to ensure that long-term operations and maintenance needs can be met within the parameters of the initiative language.

A protest hearing regarding the ballot title may be required before consideration of the Resolution. Under Section 7-156 of the City Code, any registered elector desiring to protest a proposed ballot title or submission clause for any initiated measure must file such a protest with the City Clerk, no later than noon on Monday, August 18, 2025. If a protest is filed, a hearing on the protest will be added to the agenda item and must take place before the Council adopts the Resolution setting the ballot title and submission clause.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

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## BACKGROUND / DISCUSSION

A citizen-initiated measure to continue the City's Open Space Sales and Use Tax for a period of 25 years was approved by the registered electors of Fort Collins at a special City election on November 5, 2002.

The City Clerk's Office received an initiative petition amending the terms of the 2002 Initiative on July 8, 2025, which the Clerk has determined to contain a sufficient number of signatures to place the initiated measure before the registered electors of the City at the November 4, 2025, regular election. The petition met the requirement that it be signed by registered electors of the City equal to at least ten percent (10%) of the total ballots cast in the last regular City election, which is 5,070. It was determined that the petition contained 6,205 valid signatures (of the signatures verified) and the City Clerk certified the petition as sufficient on July 22, 2025. No protests were filed.

Upon certification, the City Clerk is required to present the certified petition to Council at its next regularly scheduled meeting or at a special meeting called for that purpose. Under Article X, Section 3(a) of the City Charter, for a tax measure requiring voter approval under the Colorado Constitution, upon presentation of an initiative petition certified as to sufficiency by the City Clerk, the City Council must submit said citizen-initiated ordinance, in the form petitioned for, to the registered electors of the City. Council does not have the option of adopting the citizen ordinance as is the case with other citizen-initiated items that are not tax measures.

This Resolution adopts the ballot title and submission clause for the measure. Under Article X, Section 10(b) of the City Charter, the ballot title shall contain information identifying the measure as a city-initiated or citizen-initiated measure. The submission clause shall be brief, shall not conflict with the submission clause for any petition previously filed for the same election, and shall unambiguously state the principle and provision. Both the title and submission clause are printed on the ballot, along with the words “Yes/For” and “No/Against”.

Under Section 7-156 of the City Code, any registered elector desiring to protest a proposed ballot title or submission clause for any initiated measure must file such a protest with the City Clerk, no later than noon on Monday, August 18, 2025. If a protest is filed, a hearing on the protest will be added to the agenda item and must take place before the Council adopts the Resolution setting the ballot title and submission clause.

### **CITY FINANCIAL IMPACTS**

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None. The item adds no election-related costs since this is a regular election for the City.

### **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

### **PUBLIC OUTREACH**

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None.

### **ATTACHMENTS**

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1. Certification of Sufficient Petition
2. Presentation
3. Resolution 2025-078
4. Resolution 2025-078 – August 18, 2025 Strikeout Version
5. Resolution 2025-078 – August 18, 2025 Version