



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
City Attorney	Nina P. Williams - City Attorney	July 19, 2022

ITEM

Ordinance 2022-11: **AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO SUBMITTING ORDINANCE No. 2022-06 TO A SPECIAL REFERENDUM ELECTION, AND CALLING A SPECIAL CITY ELECTION FOR NOVEMBER 8, 2022**

BACKGROUND

Reconsideration of Ord 2022-06

Following passage of Ordinance 2022-06, approving the development commonly known as the Salida Bottling Company (SBC) project, a referendum petition was timely filed with the City Clerk. Under C.R.S. 31-11-105, upon a determination of petition sufficiency (which occurred on Friday, July 8), the Council must “promptly” reconsider Ordinance 2022-06. That reconsideration is listed on your agenda.

Adoption of ordinance referring Ord 2022-06 to voters

The cited statute then provides that if the ordinance is not repealed, the Council shall refer the matter to City voters for their consideration at a regular or special election, to be held no sooner than 60 days after the referendum petitions are determined to be sufficient (Sept. 6, 2022) and by no later than 150 days after that date. The ordinance in your packet accomplishes compliance with a number of requirements in the election law. Specifically, it: (a) refers the question of approval of Ordinance 2022-06 to voters, as required by the referendum statutes, (b) “calls” a special City election to be held in conjunction with the coordinated election to be conducted by the County Clerk on November 8, 2022, (the 123rd day after petition sufficiency), as required by the Municipal Election Code, and (c) sets a ballot title for the referendum, also as required in the referendum statutes.

The Council must “call” a special election for November 8, 2022 because that is not a regular municipal election date. Once passed, the clerk will transmit the City’s ballot content to the County clerk under current statutory and IGA guidance.

FISCAL NOTE

There are always some costs associated with participation in a coordinated election. These costs are affected by how many issues the City refers to the ballot in November.

STAFF RECOMMENDATION

The City Attorney recommends approval of Ordinance 2022-11: **AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO SUBMITTING ORDINANCE No. 2022-06 TO A SPECIAL REFERENDUM ELECTION, AND CALLING A SPECIAL CITY ELECTION FOR NOVEMBER 8, 2022.**



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SUGGESTED MOTION

A City Council member should state, "I move to approve Ordinance 2022-11: **AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO SUBMITTING ORDINANCE No. 2022-06 TO A SPECIAL REFERENDUM ELECTION, AND CALLING A SPECIAL CITY ELECTION FOR NOVEMBER 8, 2022**
