

CITY OF EDGEWATER
ORDINANCE NO. 2016 - 17
SERIES OF 2016

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF EDGEWATER, AT A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, THE QUESTION OF WHETHER THE CITY SHALL BE AUTHORIZED TO USE A PORTION OF WALKER-BRANCH PARK PROPERTY TO CONSTRUCT A NEW CIVIC CENTER AND, IN CONNECTION THEREWITH, TO LEASE SUCH PROPERTY TO A THIRD PARTY, FOR A PERIOD NOT TO EXCEED THIRTY-FIVE (35) YEARS, AS COLLATERAL FOR THE LEASE-PURCHASE FINANCING OF THE CIVIC CENTER IN THE AMOUNT OF APPROXIMATELY 9.9 MILLION DOLLARS; AND SETTING THE BALLOT TITLES FOR SUCH QUESTIONS.

WHEREAS, pursuant to section 4.7 of the City of Edgewater Home Rule Charter, and by Resolution 2016-10, the City Council has called a special election to be held on November 8, 2016; and

WHEREAS, the City Council desires to set the ballot title for the question to be decided at the special election.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWATER, COLORADO THAT:

Section 1. At a special municipal election of the City of Edgewater, to be held on Tuesday, November 8, 2016, there shall be submitted to the vote of the registered electors of the City of Edgewater the following question:

WITHOUT RAISING TAX RATES OR IMPOSING NEW TAXES, SHALL THE CITY OF EDGEWATER BE AUTHORIZED TO ACQUIRE AND CONSTRUCT A NEW CIVIC CENTER, WHICH MAY INCLUDE A LIBRARY, FITNESS CENTER, CITY OFFICES AND POLICE STATION, AND IN CONNECTION THEREWITH SHALL THE CITY BE AUTHORIZED TO:

LOCATE THE NEW CIVIC CENTER ON A PORTION OF THE WALKER-BRANCH PARK OWNED BY THE CITY AND USE IT FOR OTHER THAN PARK PURPOSES;

FINANCE THE NEW CIVIC CENTER THROUGH A LEASE-PURCHASE AGREEMENT (NOT TO EXCEED 9.9 MILLION DOLLARS); AND

LEASE THE PROPERTY ON WHICH THE NEW CIVIC CENTER WILL BE LOCATED TO A TRUSTEE OR OTHER THIRD PARTY, FOR A PERIOD NOT TO EXCEED 35 YEARS, AS PART OF THE COLLATERAL TO SECURE THE LEASE-PURCHASE FINANCING OF THE CIVIC CENTER?

Section 2. Protest of Ballot Title. Any person who is a registered elector of the City of Edgewater may protest the ballot title fixed by this Ordinance by filing a protest in writing, under oath, setting forth with particularity the grounds of such protest. Such written protest must be filed with the City Clerk no later than the close of business on September 2, 2016. In such event, the City Clerk shall as soon as practicable notify the protestant of the time and place for hearing the protest. Such protest shall be heard as soon as practicable, but no later than September 8, 2016. Such protest shall be heard by the City Clerk. The decision rendered by the City Clerk shall be a final decision.

Section 3. Notice. The City Clerk shall cause public notice of the election on such question to be given in accordance with Section 1-5-205, Colorado Revised Statutes.

Section 4. Necessary Actions. The officers of the City are authorized to take all action necessary or appropriate to effectuate the provisions of this Ordinance.

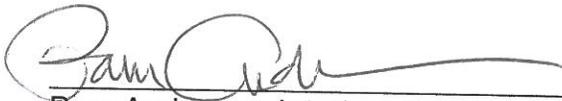
Section 5. Effective Date. This Ordinance shall take effect pursuant to the Home Rule Charter of the City of Edgewater, Colorado.

INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED PUBLISHED this 4th day of August, 2016.



Kris Teegardin, Mayor
Todd Riddle, Mayor Pro Tem

ATTEST:



Pam Anderson, Interim City Clerk

PASSED AND ADOPTED ON SECOND READING AND ORDERED PUBLISHED this 1st day of September, 2016.



Kris Teegardin, Mayor
Todd Riddle, Mayor Pro Tem

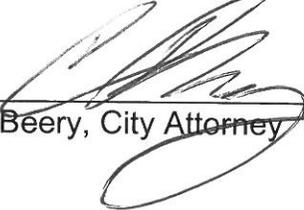
ATTEST:



Pam Anderson, Interim City Clerk



APPROVED AS TO FORM:


Carmen Beery, City Attorney