

SPONSORED BY: MAYOR NOVAK

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-141  
Series of 2008

\_\_\_\_\_  
Series of 2008

A RESOLUTION APPROVING PLAIN TEXT VERSIONS OF THE CITY'S BALLOT QUESTIONS AND RATIFYING THE ACTION OF THE CITY CLERK IN SUBMITTING PLAIN TEXT VERSIONS OF THE BALLOT QUESTIONS TO THE COUNTY CLERKS OF ADAMS AND WELD COUNTIES FOR USE IN THE CITY'S NOVEMBER 4, 2008, SPECIAL ELECTION

WHEREAS, according to Article II, Section 7, of the intergovernmental agreement signed between the City and Adams County (the "Adams County IGA"), no "extraordinary formatting" is permitted in the ballot content that the City certifies to Adams County for use on the ballot;

WHEREAS, the Adams County Clerk informed the City on September 4, 2008, that the County interprets "extraordinary formatting" to include any and all text formatting that is not plain text, which includes bold, italics, and capitalized text;

WHEREAS, Article II, Section 7, of the Adams County IGA required the City Clerk to certify ballot content to the Adams County Clerk by 3:00 p.m. on Friday, September 5, 2008, and thus the City Clerk, as the City's designated election official, was required to develop plain text versions of the ballot questions that in no way altered the actual proposed Charter language and submitted the same to the Adams and Weld County Clerks; and

WHEREAS, the City Council now wishes to ratify the plain text versions of the ballot questions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The ballot questions previously approved by the City Council for consideration by the registered electors of the City of Northglenn at the November 4, 2008 election are hereby approved in the plain text form that is attached hereto as **Exhibit A**, and is incorporated herein by this reference.

Section 2. The action of the City Clerk as the City's designated election official in eliminating the extraordinary formatting as interpreted by Adams County and developing the plain text versions of the ballot questions is hereby ratified.

DATED at Northglenn, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2008.

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SHERI L. PAIZ  
Mayor Pro Tem

ATTEST:

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JOHANNA SMALL, CMC  
Acting City Clerk

APPROVED AS TO FORM:

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COREY Y. HOFFMANN  
City Attorney

CITY OF NORTHGLENN SPECIAL MUNICIPAL ELECTION  
NOVEMBER 4, 2008

QUESTIONS OR ISSUES ON THE BALLOT:

Question 1.

Ballot Question 2A: (Terms of Office)

Shall the City of Northglenn Home Rule Charter, Section 3.4, be repealed and reenacted to read as follows so that Council terms commence at the first regular meeting following certification of election results, rather than at the first regular meeting in January next following the election?

Section 3.4 – Terms of Office:

At the November 5, 1985 Regular Election, two (2) City Council members shall be elected from each of the four districts and the Mayor shall be elected at large. The candidate for Councilman in each district receiving the highest number of votes shall be elected for a four (4) year term and the candidate for Councilman in each district receiving the next highest number of votes shall be elected for a two (2) year term. The Mayor shall be elected, at the November 5, 1985 election and every four (4) years thereafter, for a four (4) year term. At the next subsequent Regular Election and at each Regular Election thereafter, one Councilman from each district shall be elected to serve a four (4) year term. Commencing with the November 2011 regular election, elected officials shall assume office at the first meeting of the City Council following certification of election results.

Yes \_\_\_\_

No \_\_\_\_

Question 2.

Ballot Question 2B: (Regular Meetings)

Shall the City of Northglenn Home Rule Charter, Section 4.1, be repealed and reenacted as follows to set the organizational meeting of the Council at the first meeting following certification of election results, rather than at the first meeting in January next following the election?

Section 4.1 – Regular Meetings:

The City Council shall meet in regular council sessions for business at least twice each month at a day and hour to be fixed by the rules of Council. The Council shall determine the rules of procedure governing meetings. Commencing with the November 2011 regular election, the first meeting following certification of election results of the regular election shall be the organizational meeting of the Council, and the Council may also consider any other business at the organizational meeting.

Yes \_\_\_\_

No \_\_\_\_

Question 3.

Ballot Question 2C: (City Manager Residency)

Shall the City of Northglenn Home Rule Charter, Section 6.1(a), be amended to read as follows by the addition of a residency requirement to be established by ordinance for the City Manager?

Section 6.1 – City Manager – Qualifications and Appointment:

(a) The City Manager shall be the chief administrative officer of the City. As such, he shall possess, have and exercise all the administrative powers vested in the City. He shall be chosen by the City Council solely on the basis of his administrative qualifications. The choice need not be limited to the inhabitants of the City or State. The City Council shall by ordinance establish residency requirements for the City Manager.

Yes \_\_\_\_

No \_\_\_\_

Question 4.

Ballot Question 2D: (City Clerk's Staff)

Shall the City of Northglenn Home Rule Charter, Section 6.4, be amended by the addition of a new subsection (b), which shall read as follows?

Section 6.4 – City Clerk:

(a) The City Council shall appoint a City Clerk who shall be custodian of the City Seal and who shall keep a journal of Council proceedings and record in full all ordinances, motions and resolutions. The City Clerk shall have the power to administer oaths and take acknowledgements under Seal of the City and shall perform such other duties as required by this Charter or Ordinance. All records shall be made available for public inspection when and if requested, subject to the Colorado Open Records Law.

(b) The City Clerk may employ such deputies and other employees of the City Clerk's Office as the City Clerk deems necessary and appropriate, and such employees shall be employees of the City of Northglenn, but subject to the direction of the City Clerk.

Yes \_\_\_\_

No \_\_\_\_

Question 5.

Ballot Question 2E: (SALES TAX EXTENSION)

WITHOUT RAISING ADDITIONAL TAXES, SHALL THE CITY OF NORTHGLENN'S EXISTING ONE-HALF PERCENT (1/2%) SALES AND USE TAX BE EXTENDED FROM ITS CURRENT EXPIRATION OF DECEMBER 31, 2009, UNTIL DECEMBER 31, 2015, THE PROCEEDS OF SUCH ONE-HALF PERCENT (1/2%) SALES AND USE TAX TO BE USED EXCLUSIVELY TO ENHANCE OR INCREASE THE CITY'S WATER SUPPLY; PROVIDED THAT SUCH SALES AND USE TAX SHALL CONTINUE NOT TO APPLY TO SALES OF FOOD FOR HOME CONSUMPTION?

Yes \_\_\_\_

No \_\_\_\_