

CITY OF WHEAT RIDGE, COLORADO  
INTRODUCED BY COUNCIL MEMBER BERRY  
Council Bill No. 16-2008  
Ordinance No. 1420

Series of 2008

TITLE: AN ORDINANCE SUBMITTING A BALLOT ISSUE TO THE VOTERS OF THE CITY AT THE NOVEMBER 4, 2008 SPECIAL ELECTION, CONCERNING THE AUTHORIZATION OF GENERAL OBLIGATION BONDS TO FINANCE NEIGHBORHOOD FLOOD CONTROL AND STORM DRAINAGE IMPROVEMENTS

WHEREAS, the City Council ("Council") of the City of Wheat Ridge, Colorado ("City") has the authority to refer ballot issues to the electorate; and

WHEREAS, the Council wishes to refer a ballot issue concerning the issuance of general obligation bonds for the purpose of financing certain drainage and flood control improvements; and

WHEREAS, the Council wishes to set the title for the same.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

**Section 1. Ballot issue referred.**

The following ballot issue is hereby referred to the electorate of the City at the November 4, 2008 election:

SHALL THE CITY OF WHEAT RIDGE DEBT BE INCREASED \$9,255,000, WITH A REPAYMENT COST OF UP TO \$19,000,000 AND SHALL CITY TAXES BE INCREASED UP TO \$760,000 ANNUALLY FOR PURPOSE OF FINANCING

- NEIGHBORHOOD FLOOD CONTROL AND STORM DRAINAGE IMPROVEMENTS

BY THE ISSUANCE AND PAYMENT OF GENERAL OBLIGATION BONDS, WHICH BONDS SHALL MATURE, BE SUBJECT TO REDEMPTION, WITH OR WITHOUT PREMIUM, AND BE ISSUED, DATED AND SOLD AT SUCH TIME OR TIMES, AT SUCH PRICES (AT, ABOVE OR BELOW PAR) AND IN SUCH MANNER AND CONTAINING SUCH TERMS, NOT INCONSISTENT HEREWITH, AS THE CITY

COUNCIL MAY DETERMINE; SHALL AD VALOREM PROPERTY TAXES BE LEVIED IN ANY YEAR, WITHOUT LIMITATION AS TO RATE AND IN AN AMOUNT SUFFICIENT TO PAY THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON SUCH BONDS; AND SHALL ANY EARNINGS FROM THE INVESTMENT OF THE PROCEEDS OF SUCH TAXES AND BONDS (REGARDLESS OF THE AMOUNT) CONSTITUTE A VOTER APPROVED REVENUE CHANGE, AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

Yes: \_\_\_\_\_

No: \_\_\_\_\_

**Section 2. Ballot Title Set.** The ballot title for the election is hereby set as follows: the text of the ballot issue referred in Section 1 of this Ordinance.

**Section 3. Challenges to ballot title and content.** For purposes of C.R.S. § 1-11-203.5 and § 31-10-1308(2), this Ordinance shall serve to set the title and content of the ballot issue set forth herein. Any petition to contest the form or content of the ballot title must be filed with the Jefferson County District Court and a copy served on the City Clerk within five days after the title of the ballot issue is set by the City Council upon final adoption of this Ordinance on second reading.

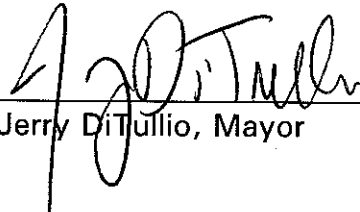
**Section 4. Safety Clause.** The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

**Section 5. Effective Date.** This Ordinance shall take effect immediately upon adoption at second reading, as permitted by the Charter.


INTRODUCED, READ, AND ADOPTED on first reading by a vote of 6-1 on this 11<sup>th</sup> day of August, 2008, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final passage set for ***August 25, 2008, at 7:00 o'clock p.m.***, in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado, and that it take effect immediately upon adoption on second reading.

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 8 to 0, this 25th day of August, 2008.

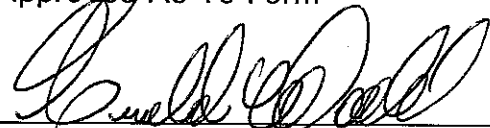
SIGNED by the Mayor on this 25th day of August, 2008.

  
\_\_\_\_\_  
Jerry DiTullio, Mayor

ATTEST:

  
\_\_\_\_\_  
Michael Snow, City Clerk

Approved As To Form

  
\_\_\_\_\_  
Gerald E. Dahl, City Attorney

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Wheat Ridge Transcript  
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