

2024-59

A RESOLUTION

CALLING A SPECIAL MUNICIPAL ELECTION TO BE HELD ON {INSERT DATE}, TO SUBMIT TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF LAKEWOOD A CITIZEN-INITIATED ORDINANCE REGARDING PARK AND OPEN SPACE DEDICATION

WHEREAS, the Lakewood City Clerk's Office received an initiative petition on September 20, 2024, which the City Clerk determined to contain a sufficient number of signatures from registered electors;

WHEREAS, in accordance with the Lakewood Home Rule Charter (the "Charter"), Section 13.1(c), upon a finding of sufficiency, the City Clerk shall present the petition to the City Council at its first regular or special meeting held more than thirty days after the date the petition is filed, and the City Clerk did comply by presenting the initiated ordinance to the City Council on October 21, 2024;

WHEREAS, pursuant to Section 13.1(d) of the Charter, the City Council shall either: (1) adopt the initiated ordinance by a majority vote of all members of the City Council without any change to the initiated ordinance; or (2) submit the initiated ordinance to a vote of the registered electors of the City at a special election to be held within ninety (90) days of the date of presentation, which was October 21, 2024;

WHEREAS, C.R.S. 31-10-108 mandates that all municipal special elections be held on a Tuesday and that no special election may be held within the thirty-two days before or after the date of a primary, general, or congressional vacancy election;

WHEREAS, the State of Colorado has designated November 5, 2024, as the date of a general election;

WHEREAS, the window for holding a special election in accordance with both Charter §13.1 and C.R.S. 31-10-108 includes those Tuesdays that are on or between the dates of December 10, 2024, and January 14, 2025;

WHEREAS, the City Council hereby finds and determines that submitting the initiated ordinance to a vote of the registered electors of the City is and shall be in the best interest of the residents of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood:

SECTION 1. The City Council hereby calls and sets a special municipal election to be held on {DATE}, which shall be a mail ballot election.

SECTION 2. It is the intention of the City Council to comply with the election timelines, laws and procedures to conduct the most efficient election possible. If the Jefferson County Clerk and Recorder agrees, this special election shall be conducted by

the Jefferson County Clerk and Recorder. If the Jefferson County Clerk and Recorder is not available to conduct this special election on behalf of the City, the City Council, in accordance with applicable local and State law, hereby recognizes that the City Clerk is the Designated Election Official who will conduct the special municipal election, appoint election judges, and perform all other duties and responsibilities relating to such election pursuant to C.R.S. 31-10-401.

SECTION 3. The City Clerk shall take all actions necessary for such ballot question to be presented to the registered electors of the City of Lakewood at the special municipal election to be held on the date set forth in Section 1 of this Resolution.

SECTION 4. The ballot title for the ballot question is hereby set in accordance with L.M.C. 2.54.060 (1)(a)(I)(B) and C.R.S. 31-11-111.

SECTION 5. The ballot title for the ballot question shall be as follows:

“Shall the City of Lakewood Municipal Code Chapter 14.16 PARK AND OPEN SPACE DEDICATION be repealed and replaced to eliminate the option for developers of each development containing residential land uses to pay a fee in lieu of parkland dedication and to require the City to accept open space and land dedications for current and future developments containing residential uses?

_____ YES (FOR THE ORDINANCE)

_____ NO (AGAINST THE ORDINANCE)

SECTION 6. This Resolution shall take effect immediately upon its adoption.

INTRODUCED, READ AND ADOPTED by a vote of ___ for and ___ against at a hybrid special meeting of the City Council on November 4, 2024, at 7 o'clock p.m., at the Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney