

CITY OF RIFLE, COLORADO
ORDINANCE NO. 14
SERIES OF 2017

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF RIFLE, AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON TUESDAY, SEPTEMBER 12, 2017, A QUESTION WHETHER THE CITY SHOULD ISSUE SALES AND USE TAX REVENUE BONDS OR OTHER OBLIGATIONS, WITHOUT ANY INCREASE IN TAXES, FOR THE PURPOSE OF FINANCING A NEW SWIMMING POOL COMPLEX.

WHEREAS, the City of Rifle, Colorado (the “City”) is a municipal corporation duly organized and operating as a home-rule City under the Rifle Home Rule Charter and the Constitution and laws of the State of Colorado; and

WHEREAS, pursuant to Section 2.3 of the City of Rifle Charter, Rifle’s regular municipal election will be held on Tuesday, September 12, 2017; and

WHEREAS, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires governmental entities to seek and receive approval of the qualified electors prior to incurring debt through the issuance of revenue bonds or other obligations; and

WHEREAS, the City Council finds that there is a need and public desire for a new public swimming pool complex in the City; and

WHEREAS, the City Council desires to place a question on the ballot seeking the approval of the registered voters of the City for the issuance of sales and use tax revenue bonds or other obligations in one or more issues without any increase in taxes for the purpose of financing the cost of construction of a new swimming pool complex in the City.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. Recitals. The City Council incorporates the foregoing recitals as conclusions, facts, determinations, and findings by the City Council.
2. Submission to Voters. The following question stated in Section 3 below shall be submitted to the registered voters of the City of Rifle voting at the regular municipal election which shall be held by mail ballot on Tuesday, September 12, 2017.
3. Publication and Ballot Form. The City Clerk shall cause a notice of election for the following ballot issue to be published as part of the municipal election publication in substantially the following form and add the question to the City’s 2017 Municipal Election Ballot:

SHALL CITY OF RIFLE DEBT BE INCREASED BY NOT MORE THAN \$6,000,000 PRINCIPAL AMOUNT, WITH A REPAYMENT COST OF NOT MORE THAN \$9,000,000 TOTAL PRINCIPAL AND INTEREST, WITHOUT ANY INCREASE OF ANY EXISTING TAXES OR IMPOSING ANY NEW TAXES, BY THE ISSUANCE OF SALES AND USE TAX REVENUE BONDS OR OTHER OBLIGATIONS, PAYABLE FROM EXISTING SALES AND USE TAXES NOT OTHERWISE DEDICATED, WITHOUT ANY INCREASE IN TAX RATES, FOR THE PURPOSE OF FINANCING THE COST OF CONSTRUCTING A NEW PUBLIC SWIMMING POOL COMPLEX;

SUCH BONDS OR OTHER OBLIGATIONS TO MATURE, BEAR INTEREST AND BE CALLABLE FOR REDEMPTION PRIOR TO MATURITY, WITH OR WITHOUT A PREMIUM, AS MAY LATER BE DETERMINED BY THE CITY?

YES _____

NO _____

4. TABOR Notice. At least thirty (30) days prior to the election, on or before August 7, 2015, the City Clerk shall mail at the least cost, a titled notice or set of notices addressed to "All Registered Voters" at each address of one or more active registered voters concerning the ballot issue referenced in this Ordinance No. 14, Series of 2017. The notice shall be entitled "**NOTICE OF ELECTION TO INCREASE DEBT CONCERNING THE ISSUANCE OF SALES AND USE TAX REVENUE BONDS OR OTHER OBLIGATIONS FOR THE CONSTRUCTION OF A NEW PUBLIC SWIMMING POOL COMPLEX.**" The notice shall also include all information required by Article X, Section 20 (3)(b) ("The Taxpayer's Bill of Rights").

5. Challenges to Ballot Title and Content. For the purposes of C.R.S. §1-11-203.5, this Ordinance shall serve to set the title and content of the ballot issue set forth herein and the ballot title for such ballot issue shall be the text of the ballot issue itself. Any petition to contest the form or content of the ballot title must be filed with the District Court in and for Garfield County and a copy served on the City Clerk within five days after the date of publication of this Ordinance.

6. Conduct of Election. The officers and employees of the City are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Ordinance.

7. Effect of Election Results. If a majority of the votes cast on the ballot issue submitted at the election shall be in favor of the ballot issue, the City Council shall take such action, by ordinance, to amend the Rifle Municipal Code as may be necessary.

8. Severability. If any clause or provision of this ordinance is held to be invalid or unenforceable, the invalidity or unenforceability of the clause or provisions will not affect the validity of any of the remaining clauses or provisions of this ordinance, which, upon the date that it is to take effect, will become, and remain thereafter, in full force and effect.

9. Invalidity. If this ordinance does not for any reason become effective, or is declared invalid by a court, the provisions of this ordinance will have no force or effect, and all other acts, orders, or ordinances of the City will continue to be effective as if this ordinance was never adopted.

INTRODUCED on June 7, 2017, read by title, passed on first reading, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on June 21, 2017, passed without amendments, approved, and ordered published in full as required by the Charter.

Dated this _____ day of _____, 2017.

CITY OF RIFLE, COLORADO

By _____
Mayor

ATTEST:

City Clerk