

The following Ordinance placing a proposed Charter amendment on the April 6, 2021 Regular City Election ballot was adopted by the Council on final reading on January 19, 2021. Proposed amendments to the current language in the Charter are shown on the next page. Text with a line through the middle indicates language that will be deleted if the amendment is approved by the voters. Text that is highlighted in yellow indicates new language that will be added to the Charter if the amendment is approved by the voters.

ORDINANCE NO. 012, 2021
OF THE COUNCIL OF THE CITY OF FORT COLLINS
SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF FORT
COLLINS A PROPOSED AMENDMENT TO SECTION 8 OF ARTICLE VIII OF THE CITY
CHARTER PERTAINING TO RESTRICTIONS ON CAMPAIGN CONTRIBUTIONS

WHEREAS, Article IV, Section 8 of the Charter of the City of Fort Collins (“Charter”) provides that the Charter may be amended as provided by the laws of the State of Colorado; and

WHEREAS, Section 31-2-210, Colorado Revised Statutes, provides that Charter amendments may be initiated by the adoption of an ordinance by the City Council submitting a proposed amendment to a vote of the registered electors of the City of Fort Collins; and

WHEREAS, Article VIII, Section 8 of the Charter (“Section 8”) currently charges the Council by ordinance with establishing a limit on the amount that any person or entity may contribute in support of a candidate for Council on the ballot at any City election; and

WHEREAS, Section 8 further prohibits certain persons from directly or indirectly contributing or expending any money or other valuable thing to assist in the election or defeat of any candidate; and

WHEREAS, from time to time the decisions of the United States Supreme Court, the Colorado Supreme Court and other federal and state courts with jurisdiction over city matters consider and decide cases affecting the extent to which the City may restrict political speech in the form of campaign expenditures and contributions; and

WHEREAS, the Council has acted to establish extensive restrictions on and requirements for campaign activities, including campaign contributions and expenditures, in Chapter 7 of the City Code; and

WHEREAS, in order to consolidate the restrictions on, and requirements for, campaign contributions and expenditures and allow the Council to adjust them to reflect the evolution of the law as it applies to political speech, the Council desires to amend Section 8 to charge the Council with establishing prohibitions and limitations on, and requirements for, campaign contributions and expenditures in support of or opposition to candidates and matters on the ballot at any city election.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the following proposed changes to Section 8 of Article VIII of the City Charter shall be submitted to the registered electors of the City as “Proposed Charter Amendment No. 2” at the regular municipal election to be held on Tuesday, April 6, 2021:

**ARTICLE VIII.
ELECTIONS**

Section 8. - Campaign contributions.

The Council shall act by ordinance to prohibit such campaign contributions and expenditures as it determines reasonably appropriate, to establish a limit on the amount that any person or entity may contribute in support of a candidate for Council on the ballot at any city election and to require disclosures and reporting of campaign contributions and expenditures.

~~No political party or city employee, directly or indirectly, and no public service corporation, nor any other person, firm or corporation, owning, interested in, or intending to apply for any franchise or contract with the city shall contribute or expend any money or other valuable thing, directly or indirectly, to assist in the election or defeat of any candidate.~~

Section 3. That the following ballot title and submission clause are hereby adopted for submitting Proposed Charter Amendment No. 2 to the voters at said election:

**CITY-INITIATED
PROPOSED CHARTER AMENDMENT NO. 2**

Shall Section 8 of Article VIII of the Charter of the City of Fort Collins, pertaining to campaign contributions for city elections, be amended to remove the stated prohibition on campaign contributions and expenditures and instead provide that Council shall by ordinance establish prohibitions on, and requirements for, campaign contributions and expenditures for city elections, in addition to limits on contributions to support or oppose candidates for Council?

_____ Yes/For
_____ No/Against

Introduced, considered favorably on first reading, and ordered published this 5th day of January, A.D. 2021, and to be presented for final passage on the 19th day of January, A.D. 2021.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 19th day of January, A.D. 2021.

Mayor

ATTEST:

City Clerk