

ORDINANCE NO.1062

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
FIRESTONE, COLORADO, CALLING A SPECIAL ELECTION ON July
1, 2025, AND SUBMITTING TO THE QUALIFIED ELECTORS WITHIN
THE BOUNDARIES OF THE PROPOSED FIRESTONE DOWNTOWN
DEVELOPMENT AUTHORITY IN THE TOWN OF FIRESTONE THE
QUESTION OF CREATING THE FIRESTONE DOWNTOWN
DEVELOPMENT AUTHORITY**

WHEREAS, the Town of Firestone (the "Town") is a municipal corporation and body politic, organized under the laws of the State of Colorado and possessing the maximum powers, authority, and privileges to which it is entitled under Colorado law;

WHEREAS, pursuant to Part 8, Article 25, Title 31, C.R.S. ("DDA Act"), the Town is authorized to establish a downtown development authority ("DDA") to provide for the development and redevelopment of the Town's downtown; and

WHEREAS, the Town Board of Trustees (the "Board") finds and determines that the establishment of a DDA is necessary to develop and redevelop the Town's central business district and will serve a public purpose; will promote the public health, safety, prosperity, security, and general welfare of the inhabitants thereof and of the people of the State of Colorado; will halt or prevent deterioration of property values or structures within the Town's central business district, will halt or prevent the growth of blighted areas within the central business district, and will assist the Town in the development and redevelopment of the central business district and in the overall planning to restore or provide for the continuance of the health thereof; and will be of special benefit to the properties within the DDA; and

WHEREAS, pursuant to Section 31-25-804, C.R.S., the Board has determined that it is necessary and appropriate to refer to the qualified electors of the area described herein in the Town at a special election to be held on July 1, 2025, the question concerning the establishment of a DDA; and

WHEREAS, qualified electors of the area within which the DDA is to exercise its powers shall be as defined in the DDA Act (the "Qualified Electors"); and

WHEREAS, pursuant to Section 31-25-804, C.R.S., all questions referred to the Qualified Electors concerning the formation of a DDA must be submitted by ordinance; and

WHEREAS, under Colorado statutes applicable to statutory towns with only one reading of an ordinance, the effective date of an ordinance depends on the date of publication, which date in turn, establishes the various deadlines that the Town's designation election official must meet to conduct the special election; as a result, there is potential for confusion concerning compliance with election deadlines; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

Section 1. Establishment of Central Business District and Downtown. The area within the boundaries of the proposed DDA, as depicted in Exhibit A, attached hereto and incorporated herein by this reference, is and traditionally has been the location of the principal business, commercial, financial, service, and governmental center of the Town, and is and has been zoned and used accordingly. Such area is established as being within the “Central Business District” and “Downtown” area of the Town, as such terms are defined and used by the DDA Act.

Section 2. Election Call. A special election of Qualified Electors within the boundaries of the proposed DDA established in Section 1 of this Ordinance shall be conducted on July 1, 2025, for the purposes set forth in this Ordinance. The election shall be conducted pursuant to the DDA Act, applicable provisions of Title 31, Article 10, Parts 1 through 15, C.R.S. (the “Colorado Municipal Election Code”) and all other applicable laws of Colorado, except as otherwise provided in the ordinances of the Town, all as impliedly modified by relevant judicial decision, including without limitation all acts required or permitted thereby with respect to voting by early voters’ ballots, absentee ballots, and emergency absentee ballots.

Section 3. Question Submitted and Ballot Title Fixed. The following ballot question and ballot title shall be submitted to the Qualified Electors of the proposed DDA in the independent mail ballot election on July 1, 2025:

A. Ballot Question:

“SHALL THE FIRESTONE DOWNTOWN DEVELOPMENT AUTHORITY BE ORGANIZED PURSUANT TO PART 8, ARTICLE 25, TITLE 31, COLORADO REVISED STATUTES, TO EXERCISE ALL POWERS AUTHORIZED THEREIN WITHIN THE BOUNDARIES OF THE AREA DEPICTED IN ORDINANCE NO.1062, OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, WITH A MAP OF THE AUTHORITY’S BOUNDARIES AVAILABLE AT THE TOWN CLERK’S OFFICE AND AVAILABLE FOR REVIEW?”

___ YES

___ NO

B. Ballot Title:

A REFERRED ORDINANCE FOR THE CREATION OF THE FIRESTONE DOWNTOWN DEVELOPMENT AUTHORITY TO EXERCISE ALL POWERS AUTHORIZED IN PART 8, ARTICLE 25, TITLE 31 OF THE COLORADO REVISED STATUTES.

Section 4. Bond Ordinance or Resolution. If a majority of Qualified Electors voting on the question set forth in Section 3 of this Ordinance approve of the question submitted, the DDA to be known as the Firestone Downtown Development Authority shall be created and established pursuant to the DDA Act, and any ordinance or resolution by which bonds are issued pursuant to the DDA Act shall specify the maximum net effective interest rate of such bonds.

Section 5. Designated Election Official. The Town Clerk is hereby directed to take all necessary and proper compliance actions to place the ballot question and ballot title before the Qualified Electors within the boundaries of the proposed Firestone Downtown Development Authority for the July 1, 2025, special election. The Town Clerk is hereby appointed and shall serve as the Designated Election Official to conduct the special election on behalf of the Town. The Designated Election Official is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Ordinance, the Colorado Municipal Election Code, the DDA Act, and all other applicable laws.

Section 6. Actions by Town Officers and Employees. Any and all actions previously taken by the Designated Election Official or any other Town officer or employee in furtherance of the directions and authorizations of this Ordinance are hereby ratified and confirmed.

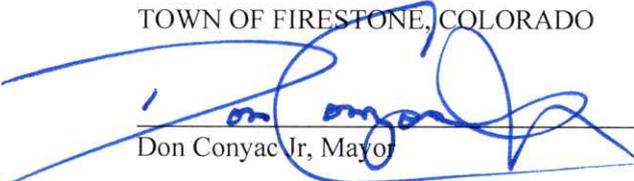
Section 7. Severability. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts was declared unconstitutional or invalid.

Section 8. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

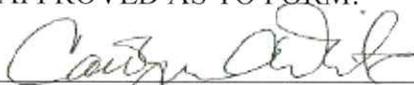
INTRODUCED, READ, ADOPTED, AND APPROVED ORDERED PUBLISHED
BY TITLE this 24 day of March, 2025.



TOWN OF FIRESTONE, COLORADO


Don Conyac Jr, Mayor

APPROVED AS TO FORM:


Carolyn White, Town Special Counsel

ATTEST:


Miriam Granados Luna, CMC, Town Clerk

