CITY OF LAFAYETTE

NOTICE OF ELECTION

NOTICE IS HEREBY GIVEN that a municipal election will be held on Tuesday, the 5th day of November 2013, between the hours of 7:00 a.m. and 7:00 p.m. Said election will be coordinated with Boulder County and will be conducted as a countywide mail ballot election. Ballots will be mailed to all registered voters at their current address of record beginning on October 15, 2013. Any registered elector who has moved since last November without completing an address change, will not receive a ballot through the mail. Ballots will not be forwarded. Voters who do not receive a ballot should call Boulder County Elections Division at 303-413-7740 for instructions.

Ballots that are sent by return mail must be received before 7:00 P.M. on November 5, 2013. Post marks are not acceptable. Ballots may be hand-delivered at any of the drop-off locations at any of the following Boulder County Offices: 1376 Miners Dr., Lafayette; 529 Coffman St. Longmont; or 1750 33rd St., Boulder from 8:30 a.m. to 4:30 p.m. Monday through Friday. Voters may register to vote, update registration information; replace lost or defaced ballots, drop off voted mail ballots, or participate in early polling place voting at any of the Boulder County Voter Service Centers, which are located at the previously listed Boulder County Offices. Days and hours Voter Service Centers are open: Monday, October 28- Saturday, November 4 from 8:00 am to 6:00 pm and 7:00 am – 7:00 pm on Election Day.

At said election, there will be submitted to the registered electors of the City the following City ballot questions:

City of Lafayette Council Candidates
Vote for not more than Four (4)

Tom Dowling
Clifton E. Smedley
Brad Wiesley
Gustavo Reyna
Merrily Mazza
Steve Kracha

City of Lafayette Question No. 2A
Xcel Franchise Renewal

Shall the City of Lafayette enter into a non-exclusive franchise agreement with the Public Service Company of Colorado, d/b/a Xcel Energy, to permit the use of City rights-of-way to provide electric and gas utilities, which agreement shall be for 20 years and shall provide for a franchise fee of 3% of Public Service Company's gross revenues from the sale of gas and electric utilities within the city?

YES ____ NO ____

CITY OF LAFAYETTE ISSUE NO. 301
UTILITY OCCUPATION TAX

SHALL CITY OF LAFAYETTE TAXES BE INCREASED (UP TO $720,000 IN THE FIRST YEAR) ANNUALLY AND BY SUCH AMOUNTS AS MAY BE COLLECTED THEREAFTER, BY

AMENDMENT OF THE CITY HOMERULE CHARTER TO IMPOSE A "UTILITY OCCUPATION TAX" UPON PUBLIC UTILITY COMPANIES WHO USE CITY RIGHTS-OF-WAY TO PROVIDE

ELECTRIC AND GAS UTILITIES AT THE RATE OF $720,000 PER UTILITY COMPANY, AS AN
ALTERNATIVE TO THE CURRENT THREE PERCENT FRANCHISE FEE IF A FRANCHISE FEE OR LICENSE FEE IS NO LONGER COLLECTED, AND SHALL THAT REVENUE BE DEDICATED TO PROJECTS AND PURPOSES THAT REDUCE ENERGY CONSUMPTION THROUGH ENERGY EFFICIENCY AND/OR INCREASE USE OF RENEWABLE ENERGY BY THE GOVERNMENT, RESIDENTS AND BUSINESSES OF LAFAYETTE, AND SHALL THE FULL PROCEEDS OF THIS TAX AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE CITY OF LAFAYETTE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

YES ___ NO ___

City of Lafayette Question No. 300
Gas and Oil Charter Amendment

Shall Chapter II of the Lafayette Home Rule Charter be amended to add a new section 2.3 entitled Community Bill of Rights and Obligations to (i) prohibit corporations, or persons using corporations, from extracting gas and oil within the city limits, except through currently active wells; (ii) prohibit corporations, or persons using corporations, from depositing, storing or transporting within city limits any water, brine, chemical or by-products used in or that result from the extraction of gas or oil; (iii) prohibit corporations, or persons using corporations, from engaging in the creation of fossil fuel and nuclear energy production or to create delivery infrastructure that facilitates activities related to the extraction of gas and oil; (iv) prohibit corporations, or persons using corporations, from extracting water from sources in the city for use in the extraction of gas and oil; (v) impose liability on corporations, or persons using corporations, that engage in the extraction of gas or oil extraction outside of the city limits for harm caused within the city; (vi) interpret the definition of "persons" who are entitled to certain rights and privileges of the United States and Colorado Constitutions; (vii) limit the rights of corporations, or persons using corporations, that engage in gas and oil extraction to enforce state or federal law, or to challenge municipal or charter provisions; and (viii) invalidate permits, licenses, privileges or charters issued by state or federal agencies, boards or commissions that would violate the charter prohibitions?

YES ____ NO ____

IN WITNESS WHEREOF, the City Council of the City of Lafayette, Boulder County, Colorado, has caused this Notice to be given.

CITY OF LAFAYETTE,
BOULDER COUNTY, COLORADO

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Susan Koster, CMC, Lafayette City Clerk