

RESOLUTION NO. 5521

RESOLUTION NO. 5521, PLACING A QUESTION ON THE NOVEMBER, 2010 GENERAL ELECTION BALLOT (PURSUANT TO SECTION 143.1 OF THE BOULDER CITY CHARTER) ASKING VOTER APPROVAL TO EXPEND UP TO \$500,000 FROM THE CAPITAL IMPROVEMENT FUND, AS SUCH FUNDS BECOME AVAILABLE, FOR THE PURCHASE OF FIRE AND POLICE VEHICLES, AND OTHER MATTERS PROPERLY PERTAINING THERETO.

WHEREAS, Article II, Section 19 of the Boulder City Charter, in pertinent part, grants to the City Council the power to make and pass resolutions, not repugnant to the Constitution of the United States or of the State of Nevada or to the provisions of the Boulder City Charter, necessary for the municipal government and the management of the city affairs, for the execution of all powers vested in the City and for making effective the provisions of the Boulder City Charter; and

WHEREAS, the City Council may, by resolution, place certain matters before the voters of Boulder City for consideration and approval; and

WHEREAS, the City Council has determined a need exists to use money from the Capital Improvement Fund to purchase fire and police vehicles in the interest of public safety in Boulder City; and

NOW, THEREFORE, BE IT RESOLVED that a question shall be placed on the November, 2010 General Election Ballot asking voter approval to expend up to \$500,000 from the Capital Improvement Fund, as such funds become available, for the purchase of fire and police vehicles, as more fully set forth on Exhibit A attached hereto.

DATED and APPROVED this 26th day of January, 2010.



Roger Tobler, Mayor

ATTEST:



Lorene Krumm, Acting City Clerk
(Seal)

BALLOT QUESTION _____
City of Boulder City
An Advisory Question

Shall the City expend up to \$500,000 from the Capital Improvement Fund, as such funds become available, for the purchase of fire and police vehicles?

Yes []
No []

EXPLANATION

Section 143 of the Boulder City Charter governs expenditures from Boulder City’s Capital Improvement Fund. Pursuant to that Section, all expenditures from the Capital Improvement Fund must be approved by a simple majority of the votes cast by the registered voters of the City. The purchase of fire and police vehicles constitutes a “capital purchase” and is therefore subject to the requirements of Section 143.

This is an Advisory Question. The result of the voting on this question does not place any legal requirement on the City Council, any individual member of the Boulder City Council, or any officer of the City of Boulder City.

A “YES” vote would allow the City to expend up to \$500,000 from the Capital Improvement Fund for the purchase of fire and police vehicles, but only as such funds became available for such a purpose.

A “NO” vote would not allow Capital Improvement Fund money to be used for the purchase of fire and police vehicles.

ARGUMENTS FOR PASAGE
(to be developed by committee)

ARGUMENTS AGAINST PASSAGE
(to be developed by committee)

FISCAL NOTE

Expenditures from the Capital Improvement Fund for the purchase of fire and police vehicles could only be made if such funds were available and not earmarked for other purposes.