

**SUBJECT: RESOLUTION NO. 54, SERIES 2025 – A RESOLUTION
APPOINTING A HEARING OFFICER TO CONDUCT PROTEST
HEARINGS FOR INITIATIVE PETITIONS**

DATE: AUGUST 5, 2025

PREPARED BY: MELINDA CULLEY, DEPUTY CITY ATTORNEY

PRESENTED BY: KATHLEEN KELLY, CITY ATTORNEY

SUMMARY:

The proposed Resolution would appoint Karen Goldman, a recognized expert in elections, to serve as a hearing officer if a protest is filed against the initiative petitions recently filed with the City.

BACKGROUND / PRIOR DISCUSSIONS:

On July 2, 2025, the Interim City Clerk received signed initiative petitions for the following two initiated ordinances:

- **Impact Fee Petition:** The proposed initiated ordinance would amend Chapter 3.18 of the Louisville Municipal Code regarding the impact fees imposed on impact-generating development in the City.
- **No Rezoning Petition:** The proposed initiated ordinance would amend Section 17.16.360 of the Louisville Municipal Code to prohibit certain properties from being rezoned for residential use (collectively, the “Initiative Petitions”).

On July 24, 2025, the Interim City Clerk found that both Initiative Petitions were timely filed and contained a sufficient number of valid signatures, and she issued Initial Statements of Petition Sufficiency.

C.R.S. § 31-11-110 provides for a protest period that must run before City Council may act on an initiative petition. A protest may be filed by any registered elector who resides in the City within 40 days after the initiative petition is filed, and a hearing on the protest must be held within five to ten days after notice of the hearing is mailed. C.R.S. § 31-11-110 further provides: “Every hearing shall be held before the clerk with whom such protest is filed. The clerk shall serve as the hearing officer unless some other person is designated by the legislative body to serve as hearing officer.”

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PAGE 2 OF 2

DEVELOPMENT PROPOSAL:

N/A

ANALYSIS:

Given the contentious nature of and time commitment involved with protest hearings, we recommend that City Council authorize the City Manager to appoint a hearing officer to conduct the protest hearing, should the City receive a protest. Karen Goldman is a recognized expert in elections law and has indicated she may be able to serve as a hearing officer for the City. The proposed resolution authorizes the City Manager to designate another person to serve as hearing officer if, for example, Ms. Goldman is unavailable or the protest poses legal questions that should be decided by an attorney.

2025 COUNCIL WORK PLAN:

Appointment of a hearing officer supports the Council's priority of providing core services.

FISCAL IMPACT:

Budgeted?: Yes

Ms. Goldman's hourly rate is \$100 per hour. Based on her previous experience, it is estimated that the cost will not exceed \$1000.00 for the hearing. There are sufficient funds budgeted for elections to cover the cost of the hearing officer.

ALTERNATIVE(S):

If City Council does not appoint a hearing officer, the Interim City Clerk would conduct the hearing.

RECOMMENDATION:

City staff recommends that Council approve Resolution No. 54, Series 2025 – A Resolution Appointing a Hearing Officer to Conduct Protest Hearings on Initiative Petitions

ATTACHMENT(S):

1. Resolution No. 54, Series 2025

**RESOLUTION NO. 54
SERIES 2025**

**A RESOLUTION APPOINTING A HEARING OFFICER TO CONDUCT PROTEST
HEARINGS FOR INITIATIVE PETITIONS**

WHEREAS, on July 2, 2025, signed petition sections for two initiated ordinances (the “Initiative Petitions”) were filed with the Interim City Clerk; and

WHEREAS, on July 24, 2025, the Interim City Clerk issued Initial Statements of Petition Sufficiency for the Initiative Petitions; and

WHEREAS, C.R.S. § 31-11-110 provides that a protest to an initiative petition may be filed by any registered elector who resides in the City within 40 days after the initiative petition is filed and provides that a hearing on the protest shall be held not less than five or more than ten days after notice is mailed; and

WHEREAS, C.R.S. § 31-11-110 further provides that the City Council may designate a hearing officer to conduct the protest hearing;

WHEREAS, the City Council finds it is in the best interests of the City, its residents, and its electors to authorize the City Manager to appoint a hearing officer should the City receive a protest on the Initiative Petitions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. The City Council hereby authorizes the City Manager to appoint Karen Goldman, or such other person designated by the City Manager, to serve as a hearing officer to conduct protest hearings on the Initiative Petitions, should the City receive any such protest. In performing such services for the City, the hearing officer shall serve as an independent contractor.

Section 2. The City Manager and Interim City Clerk are hereby authorized to execute an engagement letter or agreement for the hearing officer’s services on behalf of the City.

PASSED AND ADOPTED this 5th day of August, 2025.

Christopher M. Leh, Mayor

ATTEST:

Genny Kline, Interim City Clerk