

**CITY OF LAFAYETTE**  
**RESOLUTION NO. 2009-10**

**RESOLUTION REFERRING A CHARTER AMENDMENT TO THE VOTERS OF THE  
CITY OF LAFAYETTE TO ESTABLISH A DEBT LIMITATION FOR CAPITAL  
IMPROVEMENT PROJECTS**

**WHEREAS**, Section 40 of the City Charter requires that the City may not disburse, or obligate for expenditure, funds in excess of \$1,000,000 on a capital improvement project unless such disbursement or obligation has been first approved by the voters of the City; and

**WHEREAS**, Section 40 precludes certain public improvement projects that cost more than \$1,000,000 unless an election is held, which could deprive the City of the benefits of state and federal grants; and

**WHEREAS**, the Council believes that it is in the best interests of the citizens of Lafayette to substitute a debt limit for the current expenditure limit so as to enable the City to benefit from grant funding; now, therefore,

The City Council of the City of Lafayette resolves as follows:

1. The City Council approves and proposes that Section 40 of the Lafayette City Charter be amended to read as follows:

“Section 40. Limit on Debt for Capital Improvement Projects. The City may not incur a debt in excess of One Million Dollars (\$1,000,000) for any capital improvement project unless incurring such obligation has been first approved by the voters of the City. For the purposes of this section, “Debt” shall include a general obligation bond, a revenue bond or other loan obligation, and “Capital Improvement Project” shall mean a community facility or a facility used for water supply, storage, treatment or distribution; sewage and wastewater collection, treatment or disposal; drainage and flood control; transportation; or parks and recreation.”

2. The City Council directs that the above Charter amendment be referred and submitted to the voters of the City of Lafayette at the November 3, 2009, election.

3. The City Council approves the ballot title for the above Charter amendment measure attached and incorporated as Attachment A.

**INTRODUCED AND ADOPTED** on July 9, 2009.

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Administrator

ATTACHMENT A  
Charter Amendment Measure

CAPTION:

Amends Lafayette Charter to establish capital improvement debt limitation.

9 words out of 10

QUESTION:

Should the Lafayette Charter be amended to establish a debt limitation of \$1,000,000 on capital improvement projects?

17 words out of 20

SUMMARY:

---

Lafayette City Charter Section 40 currently provides that the City may not spend in excess of One Million Dollars (\$1,000,000) for capital improvement projects unless such obligation has been approved by the voters. This proposed amendment would substitute a debt limit for the current spending limit by requiring an election before the City may incur a debt in excess of \$1,000,000 for any capital improvement project. If passed, the City could finance a capital improvement with saved or earmarked funds, federal or state grants, or "stimulus" money, without a vote of the people; but, before the City could incur in excess of \$1,000,000 of debt, it would have to have voter approval. For this amendment, "Debt" includes the dollar amount of a general obligation bond, revenue bond or other such loan to the City. Applicable projects would include City-financed community facilities such as a fire station, community center, library or City Hall, or public facilities for water supply, storage, treatment or distribution; sewage collection, treatment or disposal; drainage; transportation; or parks.

172 words out of 175