

# MBSS

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## MEMORANDUM

**TO:** Mayor Karspeck and Town of Berthoud Board of Trustees  
Chris Kirk, Town Administrator

**FROM:** Erin M. Smith

**RE:** Ordinance No. 1364

**DATE:** January 8, 2026

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### **SUMMARY:**

#### **Referendum Petition – Ordinance 1364**

The Board of Trustees adopted Ordinance No. 1364, an ordinance approving a lease of a portion of the property located at 270 Mountain Avenue, Berthoud, Colorado, on October 14, 2025. Final publication of the Ordinance was on October 23, 2025 and the Ordinance would have become effective as of November 22, 2025. However, the citizen referendum petition process has suspended the effectiveness of the ordinance. Unless a majority of voters vote to make Ordinance No. 1364 effective, it will never become effective.

Please see the attached email memorandum dated 12/4/2025 informing the Town of the House and Neighborly Services Board of Directors decision to discontinue “our efforts for the Berthoud Sonoco/Life Center Project at this time.”

Below is a quick summary of important petition dates, as also previously reported by Clerk Samora:

Action	Date
Ordinance 1364 Adopted by the BOT	October 14, 2025
Publication of Ordinance 1364	October 23, 2025
Form of Petition Filed with Town	November 10, 2025
Petition form Approved	November 13, 2025

Completed Petition Submitted to Town	November 24, 2025
Petition Deemed Sufficient	December 24, 2025

**ACTION ALTERNATIVES:**

State statute gives the Trustees 20 days to reconsider the adopted ordinance. This matter is on the agenda for January 13, 2026 regular meeting. The Trustees may reconsider and rescind Ordinance No.1364 or refer the measure to the electors of the Town.

If the Trustees choose to rescind Ordinance 1364, they may do so with the following Motion:

“I move to reconsider and rescind Ordinance No. 1364 and direct the Town Clerk to record the rescission in the Book of Ordinances”

If the Trustees choose to refer to the voters the question of whether Ordinance 1364 shall become effective, the enclosed resolution will meet the 20-day deadline and the question of whether Ordinance 1364 shall become effective will be presented to the electors as part of the Town’s regular April 7, 2026 election. If a majority of electors vote yes on the measure, then Ordinance 1364 shall become effective.