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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

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.