

RESOLUTION NO. 51
(Series of 1996)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASPEN, COLORADO, SUBMITTING TO THE ELECTORATE OF THE CITY OF ASPEN A CERTAIN QUESTION AT THE NOVEMBER 5, 1996, GENERAL ELECTION, AND SETTING SUCH BALLOT TITLE.

WHEREAS, the City Council desires to place before the electorate of the City of Aspen a certain ballot question; and

WHEREAS, City Council is authorized pursuant to Section 5.7 of the Aspen City Charter to, on its own motion, submit questions to a vote of the electorate.

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

Section 1.

The following title and submission clause of the measure to be submitted to the electorate at the November 5, 1996, general election shall read as follows:

Submitted Question 2A.

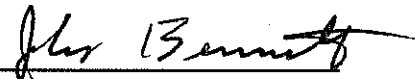
USE OF CITY OWNED PROPERTY FOR TRANSPORTATION CORRIDOR.

Shall the City Council be authorized to use or to convey to the State of Colorado, Department of Transportation, necessary rights of way across City owned property, including the Marolt Property, acquired for open space purposes, and the Thomas Property, acquired for transportation purposes, for a two lane parkway and a corridor for a light rail transit system (to be constructed when the financing is available); subject to the following?


- * The light rail transit system shall be built only after adequate financing mechanisms and final design details are identified and approved by a public vote.
- * The use of the corridor shall be contingent upon environmental and historic resource mitigation measures including, but not limited to:
 - A cut and cover tunnel of no less than 400 feet to return to public open space approximately 2 acres or more of Marolt open space.
 - The return to open space of the portion of State Highway 82 between Cemetery Lane and the Maroon Creek intersection to be abandoned by CDOT.
 - The acquisition of other deed restricted open space of equal value and equal or greater acreage to replace any net loss in open space.
 - An alignment of the transportation corridor which is designed to be as sensitive as possible to the location of the historic Holden Smelting and Milling Complex and Museum.
 - The total use of open space shall be the minimum possible, consistent with good design.
 - The design of the proposed bridge shall be sensitive to the environment and community character.
 - A landscaping plan to include plantings, berms and depressions, and other methods to mitigate environmental and neighborhood concerns along the entire EIS corridor?

YES ___
NO ___

INTRODUCED, READ AND ADOPTED by the City Council of the City of Aspen on the 3 day of September, 1996.


John S. Bennett, Mayor

I, Kathryn S. Koch, duly appointed and acting City Clerk do certify that the foregoing is a true and accurate copy of that resolution adopted by the City Council of the City of Aspen, Colorado, at a meeting held on the day hereinabove stated.


Kathryn S. Koch, City Clerk