

**CITY OF GREELEY, COLORADO
RESOLUTION NO. _____, 2021**

**A RESOLUTION SETTING THE BALLOT TITLES FOR
INITIATED AMENDMENTS TO THE GREELEY HOME RULE CHARTER
AND SUBMITTING SUCH INITIATED MEASURES TO THE REGISTERED ELECTORS OF THE
CITY OF GREELEY, AT THE COORDINATED
ELECTION TO BE HELD ON NOVEMBER 2, 2021.**

WHEREAS, Article XX, § 9 of the Colorado Constitution grants registered electors of the City of Greeley the power to amend the City's Home Rule Charter; and

WHEREAS, on August 2, 2021, two petitions were submitted to the City Clerk proposing two amendments to the City of Greeley Home Rule Charter; and

WHEREAS, the first petition seeks to add a new section 17-9 to the City's Home Rule Charter, while the second petition seeks to add a new section 17-10; and

WHEREAS, on August 23, 2021 the City Clerk certified to the City Council that both petitions were sufficient; and

WHEREAS, pursuant to Section 31-2-210 of the Colorado Revised Statutes, the City Council is required to set the ballot title for any petition deemed sufficient by the City Clerk; and

WHEREAS, the City Council has reviewed the ballot titles and find that they fairly and accurately represent the true intent of the two petitions to amend the Greeley Home Rule Charter; and

WHEREAS, it is the intent of the City to comply with Article X, Section 20 of the Colorado Constitution in submitting the two initiated amendments to the City's Home Rule Charter to the registered electors of the City.

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

Section 1. The City Clerk is hereby authorized and directed to take all action necessary or appropriate to submit the following question to the registered electors of the City as a ballot issue at the November 2, 2021 coordinated election, the ballot title for which shall be in substantially the following form:

Shall the Greeley Home Rule Charter be amended to further restrict the City's power to sell or lease excess water or infrastructure, including limiting the normal practice of temporary leasing to agricultural or industrial users, and likely increasing water costs and affecting the quality of service, by requiring an outside engineering study for such action, then voter approval by a majority of all registered electors, regardless of turnout, in a special election?

YES _____ NO _____

Section 2. The City Clerk is hereby authorized and directed to take all action necessary or appropriate to submit the following question to the registered electors of the City as a ballot issue at the November 2, 2021 coordinated election, the ballot title for which shall be in substantially the following form:

Shall the Greeley Home Rule Charter be amended to restrict the City's acquisition and use of water and its responses to drought and other emergencies, likely increasing water costs and affecting the quality of service, by requiring that the purchase, lease or use of critical portions of Greeley's existing and future water supply be subject to additional outside engineering analysis and then voter approval by a majority of all registered voters, regardless of turnout, in a special election?

YES _____ NO _____

Section 3. The Council hereby authorizes and directs the City Clerk to certify such ballot measures to the Weld County Clerk and Recorder and hereby sets and fixes the foregoing as the ballot titles by which each ballot issue is to be submitted. Any protests or contests concerning the ballot title set forth above shall be initiated and conducted in the time and manner set forth in Section 31-2-223, Colorado Revised Statutes. The City Clerk, or the Council by resolution, may make such changes in the ballot title set forth above as may be necessary or appropriate to conform to applicable law. Notice of the election, including submission of the ballot issues, shall be given, and the election shall be held and conducted and the results thereof shall be determined, in conformity with the Uniform Election Code of 1992, the Charter and ordinances of the City, and other applicable provisions of the Constitution (including, without limitation, Article X, Section 20 thereof) and the laws of the State of Colorado. N

Section 4. The City hereby exercises its power as a home rule municipality, pursuant to Article XX of the Colorado Constitution, to supersede any and all laws of the State of Colorado which may be in conflict herewith.

Section 5. The invalidity or unenforceability of any provision of this resolution shall in no way affect the validity or enforceability of the remainder of this resolution.

PASSED AND ADOPTED, SIGNED AND APPROVED this ____ day of August, 2021.

ATTEST:

CITY OF GREELEY, COLORADO

BY: _____
City Clerk

BY: _____
Mayor