

Type of Meeting: Administrative Matters
Name of requestor: Bill Ressue, Deputy Larimer County Attorney
Department: County Attorney's Office
Preferred appearance date: 9/5/2017 Time required: 15
Date decision needed: 9/5/2017

Objective: Approve a Resolution proposing to eliminate term of office limitations for the Larimer County Assessor, Treasurer, Clerk & Recorder, Sheriff and Surveyor; calling an election on November 7, 2017; and certifying ballot title and text.

Situation:

Proposal:

Additional funds required:

Advantages:

Disadvantages:

Requested action: Approval of the attached Resolution proposing to eliminate term of office limitations for the Larimer County Assessor, Treasurer, Clerk & Recorder, Sheriff and Surveyor; calling an election on November 7, 2017 for consideration of such proposal; certifying the ballot title and ballot text for the election.

Potentially Affected Interest: Larimer County Assessor, Treasurer, Clerk & Recorder, Sheriff and Surveyor; registered voters in Larimer County

Level of Public Interest and Participations: moderate

Audio/Visual/Computer Needs:

RESOLUTION NO. _____

**A RESOLUTION PROPOSING TO ELIMINATE TERM OF OFFICE LIMITATIONS
FOR THE ASSESSOR, TREASURER, CLERK AND RECORDER, SHERIFF, AND
SURVEYOR; CALLING AN ELECTION ON NOVEMBER 7, 2017; AND
CERTIFYING BALLOT TITLE AND TEXT**

WHEREAS, the Colorado Constitution authorizes election of the Larimer County Assessor, Treasurer, Clerk and Recorder, Sheriff, and Surveyor; and

WHEREAS, Section 11 of Article XVIII of the Colorado Constitution limits certain elected officials, including Assessor, Treasurer, Clerk and Recorder, Sheriff, and Surveyor, to two consecutive terms in office; and authorizes voters to lengthen, shorten, or eliminate such limitations; and

WHEREAS, in 1999 the voters of Larimer County eliminated term limitations for the Larimer County Coroner, allowing the Coroner to serve an unlimited number of consecutive terms if so elected; and

WHEREAS, in 2005 the voters of Larimer County lengthened the number of consecutive terms in office that can be served for the County Commissioners, Assessor, Treasurer, Clerk and Recorder, Sheriff, and Surveyor, from two (2) to three (3) consecutive terms; and

WHEREAS, the Larimer County Board of County Commissioners ("Board") determines that it is in the best interests of Larimer County for registered electors of the County to have the choice to retain the elected Assessor, Treasurer, Clerk and Recorder, Sheriff, and Surveyor for more than three consecutive terms in office; and

WHEREAS, Sections 30-10-801 through 30-10-805 of the Colorado Revised Statutes, as amended, provide qualifications and duties for the County Assessor; and

WHEREAS, Sections 30-10-701 through 30-10-726 of the Colorado Revised Statutes, as amended, provide qualifications and duties for the County Treasurer; and

WHEREAS, Sections 30-10-401 through 30-10-420 of the Colorado Revised Statutes, as amended, provide qualifications and duties for the County Clerk and Recorder; and

WHEREAS, Sections 30-10-501 through 30-10-523 of the Colorado Revised Statutes, as amended, provide qualifications and duties for the County Sheriff; and

WHEREAS, Sections 30-10-901 through 30-10-907 of the Colorado Revised Statutes, as amended, provide qualifications and duties for the County Surveyor; and

WHEREAS, pursuant to Section 1-5-203(3), C.R.S., the Board must certify ballot contents to the Larimer County Clerk and Recorder for said November 7, 2017 election on or before September 8, 2017, and by this Resolution certifies the ballot contents as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LARIMER COUNTY:

Section 1. THAT an election is called and shall be held on November 7, 2017 for the purpose of submitting to the registered electors of Larimer County the question set forth hereafter.

Section 2. THAT the ballot title and ballot question to eliminate term of office limitations for the Larimer County Assessor, Treasurer, Clerk and Recorder, Sheriff, and Surveyor, shall be as follows:

Term Limits

Shall the Assessor, Treasurer, Clerk and Recorder, Sheriff, and Surveyor for Larimer County be allowed, if elected by the registered electors of Larimer County, to serve an unlimited number of consecutive terms?

Section 3. THAT the approval of this resolution shall be considered certification of Final Action for setting the ballot title and ballot question and final action for all other purposes under Section 1-11-203.5 Colorado Revised Statutes.

Section 4. THAT the cost of the election shall be paid from the general fund of the County.

Section 5. THAT the Larimer County Clerk and Recorder is hereby designated as the County's "designated election official," as defined in § 1-1-104(8), Colorado Revised Statutes, as amended, as the person responsible for running the election, and is directed and authorized to take such action as may be necessary to call, hold and canvass the election in accordance with law.

Section 6. THAT the Larimer County Clerk and Recorder shall cause to be published, at least ten days before the election and in the form and containing the information required by law, the notice required by § 1-5-205, Colorado Revised Statutes, as amended. Such notice shall also be posted as required by § 1-5-205(1.3), Colorado Revised Statutes, as amended.

Section 7. THAT the officers and employees of the County and the Larimer County Clerk and Recorder are authorized to take all action necessary to carry out this resolution pursuant to Colorado law.

ADOPTED this _____ day of _____, 2017.

**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF LARIMER**

Chair

ATTEST:

By: _____
Deputy Clerk of the Board

DATE: 9-1-17
DATE: _____
APPROVED AS TO FORM: _____
Wusker
DEPUTY COUNTY ATTORNEY