

RESOLUTION NO. 2017-90

A Resolution of the Board of County Commissioners of Boulder County referring to the November 7, 2017 election ballot the question of extending the term limits for the office of the Boulder County Sheriff.

Recitals:

A. The voters statewide adopted an amendment to the state constitution in 1994 which imposed term limits on every state and local elected office (Article XVIII, Section 11, Colorado Constitution).

B. Although the amendment failed in Boulder County, it is applicable to countywide elected offices in Boulder County as well as statewide.

C. By the terms of subsection 2 of that constitutional amendment itself, the voters of a county can vote to eliminate or modify the state-imposed term limits in a November election by a majority vote approving such a question referred to the ballot by the board of county commissioners of that county.

D. In November 2005, the Board referred to the voters of the County, and a majority of the voters approved, the modification of state-imposed term limits applicable to the office of Boulder County Sheriff, to enable a person elected to such office to be nominated for and elected to such office for a maximum of three consecutive terms, as set forth in Resolution 2005-88.

E. In November 2011, the Board referred to the voters of the County, and a majority of the voters approved, the modification of state-imposed term limits applicable to the office of Boulder County Sheriff, to enable a person elected to such office to be nominated for and elected to such office for a maximum of four consecutive terms, as set forth in Resolution 2011-97.

F. Chief David Hayes of the Louisville Police Department, along with the Chiefs of the Boulder, Lafayette, Longmont, Louisville, Nederland, the University of Colorado, and Ward Police Departments, have initiated a request that this Board consider placing a question on the November 2017 election ballot seeking to modify term limits applicable to the office of Boulder County Sheriff, to enable a person elected to such office to be nominated for and elected to such office for a maximum of five consecutive terms.

G. This Board finds that, through the term limits provided in Article XVIII, Section 11, Colorado Constitution, the voters of the state have imposed upon the voters of Boulder County a restriction on their right to vote for the candidate of their choice in each county election, a restriction which the majority of voters of Boulder County did not favor.

H. Pursuant to the provisions of Article XVIII, Section 11(2), this Board desires to refer to the November election the question of the modification of term limits for the Boulder County elected office of the Boulder County Sheriff, extending said limitation to five consecutive terms.

Therefore, the Board resolves:

1. There shall be referred to the November 7, 2017 election ballot the question of the modification of term limits for the Boulder County elected office of the Boulder County Sheriff to enable a person elected to such office to be nominated for and elected to such office for a maximum of five consecutive terms.

2. The Board shall take further action by resolution to set a ballot title for the proposal described herein. For purposes of Section 1-11-203.5, C.R.S., as amended, such resolution shall serve to set the ballot title for such proposal.

A motion to this effect was made by Commissioner _____, seconded by Commissioner _____, and passed by a ____ vote.

[Signature page follows]

ADOPTED on this ____ day of _____, 2017.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:**

Deb Gardner, Chair

Cindy Domenico, Vice Chair

Elise Jones, Commissioner

ATTEST:

Clerk to the Board