

**RESOLUTION NO. 46-18**

**A RESOLUTION CALLING A SPECIAL ELECTION IN THE CITY OF  
GRAND JUNCTION, COLORADO CONCERNING THE POSSIBLE  
INCREASE IN THE LODGER'S TAX AND PROVIDING OTHER  
DETAILS RELATING THERETO**

WHEREAS, the City of Grand Junction, in the County of Mesa and State of Colorado (the "City"), is a home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City Charter (the "Charter"); and

WHEREAS, the members of the City Council of the City (the "Council") have been duly elected and qualified; and

WHEREAS, the Council hereby finds and determines that it is in the public interest to pose a certain question to the electors regarding an increase in lodging tax; and

WHEREAS, Article X, Section 20 of the Constitution ("TABOR") requires voter approval for a tax measure and for spending certain moneys above limits established by TABOR; and

WHEREAS, TABOR requires the City to submit ballot issues (as defined in TABOR) to the City's electors on limited election days before action can be taken on such ballot issues; and

WHEREAS, November 6, 2018, is one of the election dates at which ballot issues may be submitted to the City's electors pursuant to TABOR; and

WHEREAS, the County Clerk of Mesa County (the "County Clerk") is conducting a coordinated election on November 6, 2018, pursuant to §1-7-116, C.R.S.; and

WHEREAS, the Council is of the opinion that the City should seek voter approval for the purposes provided in this resolution and the resolution setting the ballot question; and

WHEREAS, it is necessary to set forth certain procedures concerning the conduct of the election.

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

Section 1. All actions heretofore taken (not inconsistent with the provisions of this resolution) by the City and the officers thereof, directed towards the election and the objects and purposes herein stated are hereby ratified, approved and confirmed. Unless otherwise defined herein, all terms used herein shall have the meanings defined in §1-1-104, C.R.S., and TABOR.

Section 2. Pursuant to the Uniform Election Code and all other applicable laws of the State of Colorado, the Council hereby determines that an election shall be held on November 6, 2018, at which there shall be submitted to the registered electors of the City the question set forth in Section 3. hereof. The City shall participate in the coordinated election being conducted by the County Clerk on November 6, 2018. The officers of the City are authorized to enter into an intergovernmental agreement with the County Clerk pursuant to §1-7-116 of the Uniform Election Code. Any such intergovernmental agreements heretofore entered into in connection with the Election are hereby ratified, approved and confirmed.

Section 3. The Council hereby authorizes and directs the designated election official to certify to the County Clerk, on or before September 7, 2018, the ballot issues in substantially the form of each resolution pertaining to the same.

Section 4. The Council hereby appoints the City Clerk as the designated election official for purposes of performing acts required or permitted by law in connection with the election. Pursuant to §1-1-111(2), C.R.S., all powers and authority granted to the Council may be exercised by the designated election official, including but not limited to the power to appoint election judges.

Section 5. If a majority of the votes cast on each question are in favor, then the City shall be authorized to act as provided in the question and if a majority of the votes cast on each question are opposed then the City shall not be authorized to act.

Section 6. The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 7. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no manner affect any remaining provisions of this resolution, the intent being that the same are severable.

INTRODUCED, READ, APPROVED AND ADOPTED this 18<sup>th</sup> day of July, 2018.

  
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President of the Council

ATTEST:

  
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City Clerk

