

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO,
CALLING AN ELECTION ON APRIL 1, 2014, FOR THE PURPOSE OF A REFERENDUM TO
DETERMINE IF THE HOME RULE CHARTER SHALL BE AMENDED TO SPECIFY TERM
LIMITS FOR THE OFFICES OF MAYOR AND TOWN COUNCIL; SETTING THE BALLOT
ISSUE; AND PROVIDING OTHER MATTERS RELATING THERETO.**

**Town of Basalt, Colorado
Resolution No. 08
Series of 2014**

RECITALS

1. The Town of Basalt, Colorado (the "Town") is a home rule municipality and political subdivision of the State of Colorado, duly organized and operating under the Colorado Constitution (the "Constitution") and the Home Rule Charter for the Town of Basalt, Colorado (the "Charter").

2. Section 14.4 of the Charter provides that it may be amended at any time in the manner provided by the Constitution.

3. Article XX, Section 5 of the Constitution provides that the Town Council, on its own initiative, may submit a charter amendment at any general or special state or municipal election held not less than 30 days after the effective date of the ordinance or resolution submitting such question to the voters.

4. A general municipal election is to be held on April 1, 2014.

5. Article 18, Section 11(1) of the Constitution provides that no nonjudicial elected official of a political subdivision shall serve more than two consecutive terms in office.

6. Article 18, Section 11(2) provides that the voters of any political subdivision may lengthen, shorten, or eliminate the limitations on terms of office imposed by Section 11(1).

7. The Basalt Home Rule Charter does not now address term limits for the offices of Mayor and Town Council.

8. The Town Council has determined that the Town electors should determine at the April 1, 2014, election whether to change the limitations of Article 18, Section 11(2), and to address how term limits should apply.

9. Pursuant to the criteria for ballot titles set forth in C.R.S. 31-11-111, in fixing this ballot title the Town Council finds that the title set forth in Appendix A is not misleading, clearly identifies the effect of a "yes" or "no" vote, does not conflict with the title of any other measure that will appear on the ballot, and correctly and fairly expresses the true intent and meaning of the measure.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF
BASALT, COLORADO, AS FOLLOWS:**

1. At the general municipal election to be held on Tuesday, April 1, 2014, there shall be submitted to the eligible electors of the Town a ballot issue to determine if the Basalt Home Rule Charter should be amended to provide for term limits for the offices of Mayor and Town Council, which ballot issue shall be in substantially the form attached hereto as Appendix A. Appendix A is hereby incorporated into this Resolution as if set forth in full herein.

2. For purposes of Section 1-11-203.5, C.R.S. and Section 31-11-111, C.R.S., this Resolution shall serve to set the title and content for the ballot issue set forth herein and the ballot title for such ballot issue shall be the text of the ballot issue itself. Pursuant to Section 1-11-203.5, C.R.S., any contest by a person of the form or content of a ballot title must be filed within five days of the Council's final action concerning the ballot title.

3. The Town Clerk, as well as the appropriate officers and employees of the Town, are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution. Among other matters, the Town Clerk shall certify the order of the ballot and ballot content, arrange for the required notices of election, and direct that all other appropriate actions be accomplished.

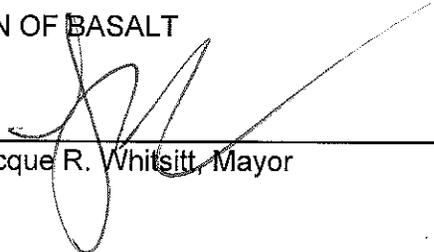
4. If any section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution, it being the intention that the various parts hereof are severable.

5. This Resolution shall take effect immediately upon its passage.

READ AND ADOPTED on a vote of 5 to 2 this 25th day of February, 2014



TOWN OF BASALT

By 
Jacques R. Whitsitt, Mayor

ATTEST:

By 
Pam Schilling, Town Clerk

APPENDIX A
FORM OF BALLOT QUESTION

BALLOT QUESTION

SHALL THE TOWN OF BASALT, COLORADO, HOME RULE CHARTER BE AMENDED BY ADDING A NEW SECTION TO ARTICLE III REGARDING TERM LIMITS FOR THE OFFICES OF MAYOR AND TOWN COUNCILOR TO READ IN ITS ENTIRETY AS FOLLOWS:

SECTION 3.12 TERM LIMITS

- (A) NO PERSON SHALL SERVE MORE THAN 2 CONSECUTIVE TERMS IN THE SAME, THAT IS, THE OFFICE OF MAYOR OR THE OFFICE OF TOWN COUNCILOR.
- (B) FOR THE PURPOSES OF THIS SECTION, THE OFFICE OF MAYOR AND THE OFFICE OF TOWN COUNCILOR ARE TO BE CONSIDERED SEPARATE AND DISTINCT OFFICES.
- (C) FOR THE PURPOSES OF THIS SECTION, TERMS ARE CONSIDERED CONSECUTIVE UNLESS THEY ARE AT LEAST FOUR YEARS APART.
- (D) A PERSON IS DEEMED TO HAVE COMPLETED A FULL TERM OF OFFICE IF SUCH PERSON RESIGNS PRIOR TO EXPIRATION OF THE TERM.
- (E) WHEN A PERSON IS APPOINTED OR ELECTED TO FILL A VACANCY, SUCH PARTIAL TERM SHALL NOT BE COUNTED TOWARD THE LIMITATION OF SUBSECTION (A) OR (D).

YES _____

NO _____