

**A RESOLUTION  
OF THE CITY COUNCIL  
OF THE CITY OF CHERRY HILLS VILLAGE  
SETTING THE BALLOT TITLE AND  
PLACING AN INITIATED CHARTER AMENDMENT MEASURE ON THE BALLOT  
FOR THE COORDINATED ELECTION HELD NOVEMBER 8, 2022**

**WHEREAS**, in accordance with Article XX, Section 6 of the Colorado Constitution, the City of Cherry Hills Village is a home rule municipality of the State of Colorado governed by a local charter (“Home Rule Charter”); and

**WHEREAS**, in accordance with the Home Rule Charter, the Colorado Constitution, and the Colorado Revised Statutes, a statement of intent was filed with the City Clerk on April 22, 2022, and a petition was submitted to the City Clerk on July 12, 2022, to place a Charter amendment on the ballot for the November 8, 2022 election to be coordinated by Arapahoe County; and

**WHEREAS**, the City Clerk certified the petition to be valid and sufficient on July 20, 2022; and

**WHEREAS**, C.R.S. Section 31-2-210(3) states, “If the petition is sufficient, the governing body shall set a ballot title for the proposed amendment at its next meeting”; and

**WHEREAS**, the next meeting is August 2, 2022.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO THAT:**

**Section 1.** Pursuant to the Charter, the Colorado Constitution, and C.R.S. § 31-2-210(1)(a), the following proposal shall be submitted to the electors of the City to appear on the ballot for the November 8, 2022 election coordinated by Arapahoe County.

**Section 2.** The City Council hereby refers the following ballot language to the voters at said election:

<p>Shall Section 3.9 of the City of Cherry Hills Village Home Rule Charter be amended to require voter approval for the sale, vacation, or conveyance of any City property interest in any trail or open space within the City limits (excluding 90 Meade Lane, public streets, and rights-of-way) except that voter approval shall not be required for leases or licenses of less than five years that would not materially diminish the public’s opportunity to use and enjoy the property?</p>	<p>YES _____ NO _____</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------

**Section 3.** If the question above is approved by a majority of the registered electors voting thereon at the coordinated election to be held on November 8, 2022, Section 3.9 shall be amended accordingly.

**Section 4.** For purposes of C.R.S. Section 31-11-111, this resolution shall serve to set the ballot title and content for this initiated Charter amendment and the ballot title for such question shall be the text of the question itself. In connection with the fixing of the ballot title herein, the City Council finds and determines as follows:

- A. The general understanding of the effect of a “yes” or “no” vote on the ballot question will be clear to the electors.
- B. The ballot title for the ballot question will not conflict with those titles selected for any other measure that will appear on the municipal ballot at the November 8, 2022 City election.
- C. The ballot title for the ballot question correctly and fairly expresses the true intent and meaning of the measure.

**Section 5.** The City Council hereby appoints the City Clerk as the designated election official for the purposes of the coordinated election to be held on November 8, 2022.

Section 6. The City Clerk is authorized to correct typographical errors, typeface, font, and omissions prior to certification to the County Clerk.

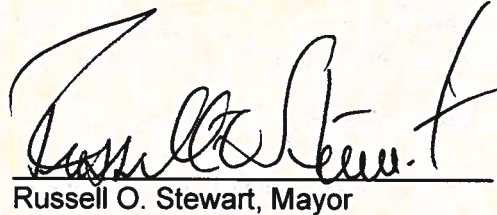
Section 7. The City Manager, City Attorney, and City Clerk are hereby authorized and directed to take all necessary and appropriate action to effectuate the provisions of this resolution including all reasonable and necessary action to cause such approved ballot question to be printed and placed on the ballot for the election.

Section 8. Severability. If any provision of this resolution should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this resolution that can be given effect without the invalid portion, provided that such remaining portions or applications of this resolution are not determined by the court to be inoperable. The City Council declares that it would have adopted this resolution and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 9. Effective Date. This resolution is effective immediately upon adoption.


Introduced, passed and adopted at the regular meeting of City Council this 2<sup>nd</sup> day of August, 2022, by a vote of 5 Yes and 0 No.

(SEAL)



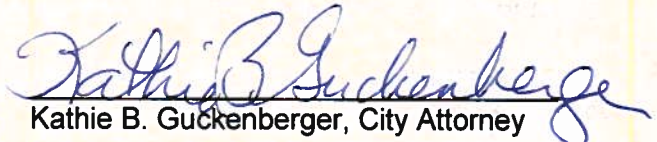
Russell O. Stewart, Mayor

ATTEST:



Laura Gillespie, City Clerk

APPROVED AS TO FORM:



Kathie B. Guckenberger, City Attorney