

RESOLUTION 2016-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ST. VRAIN AND LEFT HAND WATER CONSERVANCY DISTRICT CALLING FOR AN ELECTION ON THE ISSUE OF A REFERRED MEASURE REGARDING THE WAIVER OF REVENUE LIMITATIONS.

WHEREAS, the St. Vrain and Left Hand Water Conservancy District (the "District"), is a Colorado Title 37 Water Conservancy District of the State of Colorado, duly organized and existing under the Constitution and the laws of the State of Colorado; and

WHEREAS, it is in the best interests of the District and the public to seek voter approval to waive the constitutional and statutory limitations and restrictions on any increases of the District's revenues from all sources, including without limitation, tax revenues, grants, and fees, in order to more fully accomplish the district's mission and purposes; and

WHEREAS, pursuant to the provisions of Article X, Section 20 of the Colorado Constitution, voter approval is required for the District to exceed the revenue limitations set forth therein; and

WHEREAS, voter approval is also required to exempt the District from the limitations of Section 29-1-301, CRS with respect to all tax revenues; and

WHEREAS, the District may refer a ballot issue to the eligible electors of the District on November 8, 2016 (the "Election").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ST. VRAIN AND LEFT HAND WATER CONSERVANCY DISTRICT:

Section 1. All actions heretofore taken (not inconsistent with the provisions of this Resolution) by the District and the officers thereof, directed towards the Election and the objects and purposes herein stated are, ratified, approved and confirmed.

Section 2. The District hereby authorizes Boulder County, Larimer County and Weld County (collectively, the "Three Counties") to conduct the Election on behalf of the District.

Section 3. The District hereby appoints Sean T. Cronin as its Local Designated Election Official in advance of the Election to assist each of the Three Counties' Designated Election Officials in conducting the Election as a coordinated mail ballot election.

Section 4. The Board hereby authorizes and directs the Local Designated Election Official to certify the following ballot issue to the Clerk and Recorder for each of the Three Counties in which the District exists in substantially the form hereinafter set forth which shall be submitted to the eligible electors of the District in the coordinated mail ballot Election:

ST VRAIN & LEFT HAND WATER CONSERVANCY DISTRICT BALLOT ISSUE NO. 4A:

"WITHOUT INCREASING TAXES, SHALL THE ST. VRAIN AND LEFT HAND WATER CONSERVANCY DISTRICT BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND ALL REVENUES AND OTHER FUNDS COLLECTED FROM ANY AND ALL REVENUE SOURCES, SUCH AS GRANTS, FEES, AND TAXES, STARTING IN 2017, TO ENABLE THE DISTRICT TO FULLY ACCOMPLISH ITS MISSION TO ENSURE SUFFICIENT WATER FOR LOCAL FOOD PRODUCTION, RIVER RECREATION, THE STREAM ENVIRONMENT, AND HUMAN CONSUMPTION; AND SHALL THE REVENUES FROM ALL SUCH SOURCES BE COLLECTED, RETAINED, OR SPENT AS VOTER APPROVED REVENUE CHANGES AND AS AN EXEMPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY?"

Section 5. The President, the Secretary, the Local Designated Election Official, and other agents or employees of the District shall, and they are hereby authorized and directed to, take all actions necessary or appropriate to effectuate the provisions of this Resolution, including but not limited to, the President or the Local Designated Election Official, as appropriate, executing each of the intergovernmental agreements with the Three Counties' Clerk and Recorders for the conduct of such election and completing all obligations thereunder, as well as all statutory obligations related to assisting each of the Three Counties' Designated Election Officials in conducting the Election as a coordinated mail ballot election.

Section 6. The provisions of the Uniform Election Code of 1992, §1-1-101, *et seq.*, C.R.S., as amended, shall govern the Election.

Section 7. Should any part or provision of this Resolution be adjudged unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the intention that the various provisions hereof are severable.

Section 8. All acts, orders, resolutions, or parts thereof, of the District that are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

Section 9. The provisions of this Resolution shall take effect immediately.

ADOPTED AND APPROVED by the Board of Directors of the St. Vrain and Left Hand Water Conservancy District this 07th day of August, 2016.

**ST. VRAIN AND LEFT HAND WATER
CONSERVANCY DISTRICT**


Dennis Yanchunas, President

ATTEST:


William Haselbush, Secretary