

CITY OF DELTA CHARTER COMMISSION

FACTUAL SUMMARY AND ARGUMENTS FOR AND AGAINST

- The City of Delta Home Rule Charter was adopted by special election held on May 23, 1950 with only minor amendments since.
- City Council has determined that various provisions of the Charter have become obsolete or outdated and that the City would benefit from review of the Charter by an independent Charter Commission to propose amendments and updates.
- Such proposed amendments and updates would be presented to the voters of the City of Delta for consideration at a future election in accordance with Section 150 of the City Charter and Article XX of the Constitution of the State of Colorado.
- The Municipal Home Rule Act of 1971, C.R.S. § 31-2-201, et seq., provides authority and procedures for the establishment of a charter commission to propose amendments to a home rule charter for consideration by the electors of the City.
- The City Council has scheduled an election to submit a decision to eligible voters of the City to determine if a Charter Commission should be formed, and if so, which candidates should be elected to the Charter Commission.
- Should a new Charter Commission be formed by election, the Charter Commission will meet to organize a time and date within 20 days after certification of the election to adopt rules of procedure for its operation and proceedings.
- All meeting of the Charter Commission must be open to the public.
- Within 180 days after its election, the Charter Commission must submit to the City Council a proposed amendments and updates to the City Charter. A notice of election for voters to consider the amended and updated City Charter will be published within the time frame as required by law.
- The registered electors will then vote at a future election on whether to adopt the proposed updated and amended City Charter.

REASONS FOR THE FORMATION OF A CHARTER COMMISSION:

- Various provisions of the Charter have become obsolete, are outdated, or conflict with state law.
 - Examples include conflicts with TABOR, Open Meetings and Open Records, and Insurance requirements.
 - Outdated bonding restrictions that ignore requirements of TABOR to seek voter approval for bonding anyway.

- Requirement to provide public health, library, and other services that are provided by other entities since creation of the Charter.
- Encourage a discussion and debate about various concepts such as whether City districting or other provisions could be changed to encourage more candidates to run for City Council, or participate in appointed councils and boards.
- A comprehensive review and update of the Charter is more effective than continuously asking for confusing amendments.
- Changes to the City's charter should be addressed by members of an independent commission that can look at the needs of the City holistically.

REASONS AGAINST THE FORMATION OF A CHARTER COMMISSION:

- The Charter should remain the same.