

RESOLUTION NO. 03
(SERIES 2026)

**A RESOLUTION REFERRING ORDINANCE NO. 1364 TO A VOTE OF THE
REGISTERED ELECTORS OF THE TOWN OF BERTHOUD AT AN ELECTION TO
BE HELD APRIL 7, 2026 AND SETTING THE BALLOT TITLE**

WHEREAS, on December 24, 2025, the Town Clerk of the Town of Berthoud (“Town”) submitted a Statement of Sufficiency to the proponents of a Referendum Petition seeking a referendum on Town Ordinance No. 1364, an ordinance approving a lease of a portion of the property located at 270 Mountain Avenue, Berthoud, Colorado, the text of which ordinance is set forth on Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, §31-11-105(3), C.R.S requires the Town Board of Trustees (“Board”) to reconsider Ordinance No. 1364, and if it is not repealed, the Board shall submit the measure to the registered electors at a regular or special election not less than 60 days or more than 150 days after final determination of petition sufficiency; and

WHEREAS Ordinance No. 1364 shall not take effect unless a majority of the registered electors voting on Ordinance No. 1364 at the election vote in favor of it; and

WHEREAS, the Board of Trustees deems it appropriate to submit the referendum on Ordinance No. 1364 to a vote of the Town’s registered electors at the regular municipal election to be held on April 7, 2026; and

WHEREAS, §31-11-105(3), C.R.S requires the Town to promptly fix the ballot title for a referred measure.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

1. Referring Question. Ordinance No. 1364 is hereby submitted to a vote of the Town’s registered electors at the regular municipal election to be held on April 7, 2026 (the “Election”). Such election shall be held pursuant to Uniform Election Code of 1992, Articles 1 to 13 of Title 1, C.R.S., as amended, and Articles 10 and 11 of Title 31, C.R.S. In the event of an affirmative vote on the measure by the registered electors at the Election, Ordinance No. 1364 shall take effect.

2. Fixing Ballot Title. At the Election there shall be submitted to a vote of the registered electors of the Town of Berthoud the following title:

BERTHOUD BALLOT QUESTION 2A

SHALL ORDINANCE NO. 1364 AN ORDINANCE OF THE TOWN OF BERTHOUD, COLORADO, APPROVING A LEASE OF A PORTION OF THE PROPERTY LOCATED AT 270 MOUNTAIN AVENUE, BERTHOUD, COLORADO TAKE EFFECT?

YES/FOR _____

NO/AGAINST _____

3. All protests of the form or content of the ballot title shall be in accordance with Section 1-11-203.5, C.R.S.

4. The officers and employees of the Town are hereby authorized and directed to take all necessary and appropriate actions to effectuate the provisions of this Resolution in accordance with Colorado law.

INTRODUCED, ADOPTED, AND APPROVED on this _____ day of January, 2026.

TOWN OF BERTHOUD

By: _____
William Karspeck, Mayor

ATTEST:

By: _____
Christian Samora, Town Clerk

EXHIBIT A
Ordinance No. 1364

ORDINANCE NO. 1364

AN ORDINANCE OF THE TOWN OF BERTHOUD, COLORADO, APPROVING A LEASE OF A PORTION OF THE PROPERTY LOCATED AT 270 MOUNTAIN AVENUE, BERTHOUD, COLORADO

WHEREAS, the Town of Berthoud (“Town”) is a municipal corporation possessing all powers granted to statutory towns by Title 31 of the Colorado Revised Statutes; and

WHEREAS, pursuant a Warranty Deed dated April 29, 2025 and recorded in the Offices of the Larimer County Clerk and Recorder Reception No. 20250018274, the Town owns the property located at 270 Mountain Avenue, Berthoud, Colorado (the “Property”); and

WHEREAS, the Property has not been used for any governmental purpose since the Property was purchased on April 29, 2025; and

WHEREAS, the Town wishes to lease 19,000 square feet of interior space in the north portion of the Property (the “Premises”) to House of Neighborly Services (“HNS”) solely for the purpose of the operation of human or community services, including administration in support of such services, which will promote the health, safety, and welfare of the people of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

1. Section 31-15-713, C.R.S., grants the power to a governing body of a municipality such as the Town Board of Trustees to lease any real estate owned by the municipality when deemed by the governing body to be in the best interest of the municipality.
2. The Town Board of Trustees finds that leasing the Premises to HNS for the purposes of the operation of human or community services, including administration in support of such services is in the best interest of the Town and is not a governmental purpose.
3. The Town Board of Trustees approves the lease of the Premises in accordance with the terms and conditions of the Lease Agreement in the form attached hereto (“Lease Agreement”).
4. Should any section, clause, or provision of this Ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of the balance of this Ordinance.
5. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police powers of the Town of Berthoud, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public

convenience and welfare. The Town Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED
PUBLISHED IN FULL on this ____ day of _____, 2025.

TOWN OF BERTHOUD

By: _____
William Karspeck, Mayor

ATTEST:

By: _____
Christian Samora, Town Clerk