

**CITY OF GREELEY, COLORADO**

**ORDINANCE NO. 22, 2024**

**AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF GREELEY AT THE NOVEMBER 5, 2024 COORDINATED MUNICIPAL ELECTION, A QUESTION REGARDING AN AMENDMENT TO THE GREELEY MUNICIPAL CHARTER REGARDING COLLECTIVE BARGAINING FOR POLICE SERGEANTS**

WHEREAS, the Greeley Home Rule Charter is the City’s legislative framework; and

WHEREAS, Article I, Section 1-6 of the Charter provides that amendments to the Charter may be framed and submitted to the electorate, by petition to the Council, or by the Council on its own initiative, in accordance with Article XX of the Constitution of the State of Colorado; and

WHEREAS, Sections 14-4(a)-14-4(m) of the Charter sets forth the right of Police Officers to participate in collective bargaining; and

WHEREAS, the term “Police Officer” is defined in the Charter to exclude the ranks of sergeant and above; and

WHEREAS, the City Council of the City of Greeley, Colorado, directed staff to identify changes to the Charter necessary to allow sergeants within the Police Department to participate in collective bargaining; and

WHEREAS, City Council has determined that it is in the best interests of the City to present to the registered electors of the City of Greeley the opportunity to determine if sergeants should be authorized to participate in collective bargaining in the same manner and in the same bargaining unit as non-supervisory Police Officers within the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:**

Section 1. There is hereby placed on the ballot of the Coordinated Municipal Election set for November 5, 2024, a question asking the qualified electors of the City of Greeley whether to amend portions of the City of Greeley’s Charter regarding the collective bargaining rights of Police Officers to include employees holding a rank of sergeant within the bargaining unit.

Section 2. The following ballot title shall be placed on the November 5, 2024, Greeley Coordinated Municipal Election ballot:

Shall subsection a of Section 14-4(b) of the City of Greeley Charter be amended to change the definition of the term “Police Officer” to include police sergeants, which would allow police sergeants the right to bargain collectively as members of the existing bargaining unit?

- YES
- NO

Section 3. If the ballot question receives approval of the majority of the registered electors voting at the general election on November 5, 2024, the City of Greeley Charter shall be amended as follows effective January 1, 2025 without further action taken by City Council:

Sec. 14-4(b). - Definitions.

As used in this Section and its subparts, the following terms shall, unless the context requires a different interpretation, have the following meanings:

a. The term "police officer" shall mean the members of the civil service of the Police Department of the City of Greeley except: any person holding the rank of above sergeant ~~or above~~, including ~~sergeants~~, lieutenants, commanders, captains, deputy chiefs and the Chief of the Department and any other position created with the rank equivalent of ~~sergeant~~ commander or above after the adoption of this Article.

Section 4. The officers of the City are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance.

Section 5. The Council hereby authorizes and directs the City Clerk to certify such ballot measures to the Weld County Clerk and Recorder and hereby sets and fixes the foregoing as the ballot titles by which each ballot issue is to be submitted. The City Clerk, or the Council by resolution, may make such changes in the ballot title set forth above as may be necessary or appropriate to conform to applicable law. Notice of the election, including submission of the ballot issues, shall be given, and the election shall be held and conducted, and the results thereof shall be determined, in conformity with the Uniform Election Code of 1992, the Charter and ordinances of the City, and other applicable provisions of the Constitution (including, without limitation, Article X, Section 20 thereof) and the laws of the State of Colorado.

Section 6. The City hereby exercises its power as a home rule municipality, pursuant to Article XX of the Colorado Constitution, to supersede any and all laws of the State of Colorado which may be in conflict herewith.

Section 7. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this ordinance.

Section 8. This ordinance shall be passed and published pursuant to the procedures set forth in Section 3-17 of the City of Greeley's Charter.

Section 9. Should the ballot question receive approval of the majority of the registered electors voting at the general election on November 5, 2024, it shall be deemed to take effect on January 1, 2025 without further action taken by the City Council.

**INTRODUCED, READ, AND ORDERED PUBLISHED THIS 16<sup>TH</sup> DAY OF JULY 2024.**

**PASSED AND ORDERED PUBLISHED BY REFERENCE THIS 6th DAY OF AUGUST 2024.**

**ATTEST:**



**CITY OF GREELEY, COLORADO**

By: \_\_\_\_\_

City Clerk

By: \_\_\_\_\_

Mayor Pro Tem