

ORDINANCE 8540

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE SPECIAL MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, THE QUESTION OF WHETHER TO AMEND SECTIONS 5 AND 9 OF THE BOULDER HOME RULE CHARTER TO PROHBIIT RUNNING FOR MORE THAN ONE OFFICE AT AN ELECTION, ALLOW A COUNCIL MEMBER WHOSE TERM DOES NOT EXPIRE AT THE ELECTION TO RUN FOR MAYOR IN THE ELECTION, FILL A VACANCY FOR THE EXPIRED TERM, AND CHANGE THE SWEARING-IN DATE OF NEWLY ELECTED OFFICIALS; SPECIFYING THE FORM OF THE BALLOT AND OTHER ELECTION PROCEDURES; AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. A special municipal coordinated election is called to be held on Tuesday, November 8, 2022.

Section 2. At that election, a question shall be submitted to the electors of the City of Boulder entitled by law to vote, that will allow voters to determine whether to amend the Boulder Home Rule Charter to prevent candidates from running for more than one office at the same election, allowing council members whose terms have not expired to run for mayor without resigning their seat unless elected mayor, filling vacancies for the vacated term, and changing the swearing-in date of newly elected officials to December. The material to be removed is shown stricken through with solid line and the material to be added is shown as underlined. The last sentence of the first paragraph of Section 5 shows as added but is relocated language from another

1 portion of Section 5.

2 **Sec. 5. - Terms of office-election-recall.**

3 . . .

4 A person may be a candidate for only one office at any election. A council member whose
5 term is not ending the November of the election may run for mayor without resigning their council
6 seat. Such council member shall not be required to resign as a council member unless they win
7 the election to the office of mayor. If a council member whose term is not ending the November
8 of the election wins election to the office of mayor, then the council candidate receiving the fifth
9 highest number of votes in that same election shall complete that council member's term.

10 ~~The term of office for the mayor shall be two years.~~

11 If there shall be vacancies to be filled at a general municipal election, other than those
12 occurring due to the expiration of a regular term, the vacancy term shall be for the duration of the
13 vacated term ~~two years~~, and additional council members or a mayor shall be elected until there
14 shall be a council of eight council members and a mayor.

15 ~~In the event that a council member whose term is not ending the November of the~~
16 ~~election wins election to the office of mayor in the regular municipal election, then the council~~
17 ~~candidate receiving the fifth highest number of votes in that same election shall complete that~~
18 ~~council member's term.~~

19 The terms of all council members and the mayor shall begin at ~~10:00 a.m. on the third~~
20 ~~Tuesday in November~~ 5:00 p.m. on the day of the first business meeting of the council in
21 December following their respective elections. In the event that one or more of the prevailing
22 candidates is not determined by such time because the vote count is incomplete or inconclusive,
23 or a recount is required, the terms for such council member(s) shall not begin until the business
24 day following the final determination of the election results for that candidate. All council
25 members and the mayor shall be subject to recall as provided by this charter.

26 **Sec. 9. – Meetings of council.**

27 ~~At 10:00 a.m. on the third Tuesday in November~~ 5:00 p.m. on the day of the first business
28 meeting of the council in December following each general municipal election, the council shall
29 meet at the usual place of holding meetings, at which time the newly elected council members
30 shall take office. Thereafter the council shall meet at such times as may be prescribed by ordinance
31 or resolution and shall meet in regular session at least once in each calendar month. The mayor,
32 acting mayor, or any five council members may call special meetings upon at least twelve hours'
33 written notice to each council member, served personally on each, or left at each member's place
34 of residence.

35 . . .

Section 3. The official ballot shall contain the following ballot title, which shall also be the designation and submission clause for the measure:

Ballot Question No. ____

Charter Clarification of Candidate Issues

Shall Sections 5 and 9 of the Boulder Home Rule Charter be amended to allow candidates to run for only one office at an election, allow a council member whose term does not end at the election to run for mayor without resigning their seat unless they win the office of mayor, fill vacancies for the remainder of the vacated term, and change the swearing-in date of newly elected officials as provided in Ordinance 8540?

For the Measure _____

Against the Measure _____

Section 4. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 5. The City Council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

1 INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
2 TITLE ONLY this 21st day of July 2022.

3
4 

Aaron Brockett,
Mayor

5 Attest:

6
7 
8 City Clerk

9
10 READ ON SECOND READING AND CONTINUED this 11th day of August
11 2022.

12
13 

Aaron Brockett,
Mayor

14
15 Attest:

16
17 
18 City Clerk

1 CONTINUED this 18th day of August 2022.

2
3 

4 Aaron Brockett,
5 Mayor

6 Attest:

7
8 
9 City Clerk

10 READ ON CONTINUED SECOND READING, PASSED AND ADOPTED, this 1st day
11 of September 2022.

12
13 

14 Aaron Brockett,
15 Mayor

16 Attest:

17
18 
19 City Clerk