



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: September 1, 2022

AGENDA TITLE

Third reading and consideration of a motion to adopt Ordinance 8546 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, 14 and 22 of the Boulder Home Rule Charter to change the regular municipal elections of candidates to even-numbered years beginning in 2026; implement the transition by reducing the terms of the council members elected in 2023 and 2025 to three years and increasing the term of the mayor elected in 2023 to three years; specifying the form of the ballot and other election procedures; and setting forth related details

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Teresa Tate, City Attorney
Kathy Haddock, Senior Counsel
Elesha Johnson, City Clerk

EXECUTIVE SUMMARY

At the special meeting on June 14, 2022, council requested that staff present an ordinance with proposed ballot language to change the regular municipal election of 2023 for election of candidates to 2024 and every even-numbered years thereafter rather than odd-numbered years, start the direct election of the mayor in 2026, and the procedures for the transition including how the mayor will be selected prior to the 2026 election. At the council meeting on June 21, 2022, council requested some revisions to the language and that the proposed ordinance include only amendments to the Charter about changing regular elections to even-numbered years. At first reading on July 21, 2022, council was

presented with two options for implementing the change in Proposed Ordinances 8541 and 8546. The revised first reading agenda memorandum and draft ordinances can be found [here](#). Council passed to second reading only Proposed Ordinance 8546 (**Attachment A**). Proposed Ordinance 8546 includes the following changes to the Charter:

The amendment to Section 5:

- A. Reduce the terms of the four council members elected in 2023 and 2025 only to three-year terms, otherwise terms remain at four years.

The amendments to Section 14:

- A. Increase the term of the mayor elected in 2023 only; and
- B. Clarify that the term of the mayor is two years other than the mayor elected in 2023 (rather than is required to serve for two years).

The amendment to Section 22:

- A. Changes the regular municipal election of the city from odd-numbered years to even-numbered years starting in 2026.

At continued second reading on August 18, 2022, council requested two changes to the ballot language in the proposed ordinance which are highlighted and redlined in Proposed Ordinance 8546.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to adopt Ordinance 8546 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, 14 and 22 of the Boulder Home Rule Charter to change the regular municipal election date to even-numbered years on the same date as the state general election beginning with the November 2026 election date, and to implement the transition, reduce the term of the council members elected in 2023 and 2025 to three years and increase the term of the mayor elected in 2023 to three years; specifying the form of the ballot and other election procedures; and setting forth related details

ATTACHMENT

A – Proposed Ordinance 8546

ORDINANCE 8546

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, 14 AND 22 OF THE BOULDER HOME RULE CHARTER TO CHANGE THE REGULAR MUNICIPAL ELECTIONS OF CANDIDATES TO EVEN-NUMBERED YEARS BEGINNING IN 2026; IMPLEMENT THE TRANSITION BY REDUCING THE TERMS OF THE COUNCIL MEMBERS ELECTED IN 2023 AND 2025 TO THREE YEARS AND INCREASING THE TERM OF THE MAYOR ELECTED IN 2023 TO THREE YEARS; 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 change regular municipal elections to even-numbered years starting in 2026, and implement the transition by reducing the terms of the council members elected in 2023 and 2025 to three years and increasing the term of the mayor elected in 2023 to three years. Except for those elections, the terms of council members would be four years and the term of the mayor would be two years. The material to be removed is shown stricken through with solid line and the material to be added is shown as underlined.

Sec. 5. – Terms of office-election-recall.

To switch candidate elections from odd-numbered years to even-numbered years, the terms of the council members elected in 2023 and 2025 shall be for three years. Other than for those council members elected in 2023 and 2025, the terms of office for council members shall be four years, and two years as hereinafter provided: beginning with the 2023 regular municipal election, when the mayor shall first be elected pursuant to Section 14 of this charter, the four candidates receiving the highest number of votes shall be elected for four year terms.

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

...

Sec. 14. – Selection and term of office of mayor.

If three or more candidates run for the office of mayor, then the election shall be conducted by ranked choice (instant runoff) voting. ~~The mayor shall serve as mayor for a term of two years, and~~ The term of office for the mayor elected in 2023 shall be three years. Thereafter, the term of office for the mayor shall be for two years. The term of the mayor shall extend until a successor is duly chosen and qualified.

Sec. 22. – Municipal elections defined.

On the Tuesday in November of the state ballot issue election in 2023 and 2025, the City of Boulder shall hold its regular municipal election. Beginning in November 2026, A regular municipal election shall be held in the City of Boulder on the same Tuesday in November of every ~~odd-even~~ numbered year as the state ballot issue general elections in ~~odd-even~~ number years and shall be known as the regular municipal election. All other municipal elections shall be known as special municipal elections.

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. ____

Change Regular Municipal Election to Even Years

Shall Sections 5, 14, and 22 of the Boulder Home Rule Charter be amended to change the regular municipal election date to even numbered years on the same date as the state general ballot issue election beginning with the November 2026 election date, and to implement the transition, reduce the term of the council members elected in 2023 and 2025 to three years and increase the term of the mayor elected in 2023 to three years to implement the transition, all as more specifically provided in Ordinance 8546?

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.

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

Aaron Brockett,
Mayor

Attest:

City Clerk

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

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4 _____
Aaron Brockett,
Mayor

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6 Attest:

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8 _____
9 City Clerk

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11 READ ON CONTINUED SECOND READING, AMENDED AND PASSED, this 18th
12 day of August 2022.

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14 _____
15 Aaron Brockett,
Mayor

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17 Attest:

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19 _____
20 City Clerk

1 READ ON THIRD READING AND ADOPTED this 1st day of September 2022.

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5 Aaron Brockett,
6 Mayor

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10 City Clerk
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