

Public Hearing February 5, 2025

1 CITY OF GRAND JUNCTION, COLORADO

2 ORDINANCE NO. _____

3 AN ORDINANCE PROPOSING AMENDMENTS TO THE CHARTER OF THE CITY OF
4 GRAND JUNCTION, COLORADO TO CHANGE THE GENERAL MUNICIPAL
5 ELECTION DATE FROM THE FIRST TUESDAY IN APRIL OF ODD NUMBERED
6 YEARS TO THE FIRST TUESDAY IN NOVEMBER OF ODD NUMBERED YEARS
7 AND TO EXTEND THE TERMS OF CURRENT CITY COUNCIL MEMBERS TO
8 COINCIDE WITH THE CHANGE IN ELECTION DATES AND REFER THE SAME TO
9 THE APRIL 8, 2025 MUNICIPAL ELECTION

10 Recitals.

11 Pursuant to §151 of the Grand Junction City Charter, the Charter may be amended at
12 any time in the manner provided by Article XX of the Constitution of the State of
13 Colorado, and more than one Charter amendment or measure may be submitted to the
14 voters in any one election.

15 Article II, Section 3 of the Grand Junction City Charter prescribes the first Tuesday after
16 the first Monday in April of odd numbered years as the General Municipal Election.

17 The City Council has determined that it may, as finally determined by the voters, be in
18 the best interest of the City to coordinate elections with the countywide general election
19 in November of odd-numbered years. Coordinated elections in November will be less
20 costly and will be more efficient and convenient for voters to receive a single ballot at
21 the regular municipal election for municipal, Mesa County, and statewide offices and
22 ballot issues.

23 Therefore, the City Council submits to the City voters proposed amendments to the
24 City Charter, asking the voters to determine if establishing the City's General Election
25 date as the first Tuesday after the first Monday in November of every second year (odd
26 numbered years) and further amending the Charter as necessary and required and to
27 implement that change and other consequential changes that follow is in the best
28 interest of the City.

29 NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
30 GRAND JUNCTION:

31 That in consideration of the Recitals certain amendments to Article II, Section 3, Article
32 II, Section 25, and Article IV, Section 35 of the City of Grand Junction City Charter are
33 amended to read as follows with said amendments being referred to the ballot for
34 consideration by City electors:

35 A. Article II, Section 3 of the City of Grand Junction Charter is amended as follows
36 (additions are shown in ALL CAPS and deletions are shown in ~~strike~~through):

Public Hearing February 5, 2025

37 **3. General and Special Municipal Elections.** A municipal election shall be
38 held in the city on the first Tuesday FOLLOWING the first Monday OF
39 NOVEMBER OF EACH ODD-NUMBERED YEAR ~~in April, 1925, and on the first~~
40 ~~Tuesday after the first Monday in April of every second year thereafter~~, and shall
41 be known as the General Municipal Election. All other municipal elections that
42 may be held shall be known as Special Municipal Elections.

43 B. Article II, Section 25 of the City of Grand Junction Charter is amended as follows
44 (additions are shown in ALL CAPS deletions are shown in ~~strikethrough~~:)

45 **25. General Election Regulations.**

46 The provisions of any state law, now or hereafter in force, except as the council
47 may otherwise by ordinance provide, relating to the qualifications and registration
48 of electors, the manner of voting, the duties of election officers, the canvassing of
49 returns, and all other particulars in respect to the management of elections,
50 except as otherwise provided in this article, so far as they may be applicable,
51 shall govern all municipal elections; provided, also, that the council shall meet as
52 a canvassing board and duly canvass the election returns within ~~two~~ FOURTEEN
53 days after any municipal election. Whenever any member of the council is a
54 candidate for re-election, the council shall appoint some justice of the peace or
55 notary public of said city to take the place of said candidate upon said
56 canvassing board as a member thereof.

57 ALL MUNICIPAL ELECTIONS SHALL BE CONDUCTED AS COORDINATED
58 ELECTIONS AND THE MESA COUNTY CLERK SHALL HAVE ALL
59 STATUTORY POWER AND AUTHORITY TO CONDUCT SUCH ELECTIONS
60 UNDER AND IN ACCORDANCE WITH THE TERMS OF AN
61 INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN MESA COUNTY
62 AND THE CITY AS TIME TO TIME AMENDED.

63 IN THE EVENT MESA COUNTY IS UNABLE TO CONDUCT A SPECIAL
64 MUNICIPAL ELECTION IN COMPLIANCE WITH APPLICABLE CHARTER AND
65 ORDINANCE REQUIREMENTS, THEN SUCH SPECIAL ELECTION SHALL BE
66 CONDUCTED BY THE CITY, AS PROVIDED BY ORDINANCE NOT
67 INCONSISTENT WITH THIS CHARTER.

68 C. Article IV, Section 35 of the City of Grand Junction Charter is amended as follows:
69 (additions are shown in ALL CAPS deletions are shown in ~~strikethrough~~:)

70 **35. Officers—Terms.** That the elective officers under the Charter of Grand Junction
71 shall be members of the council as hereinafter provided, all of whom shall be nominated
72 and elected by the registered electors of the city as herein provided. THE ELECTIVE
73 OFFICERS SHALL BE ELECTED FOR FOUR-YEAR OVERLAPPING TERMS. FOUR
74 ELECTIVE OFFICERS WILL BE ELECTED AT ONE REGULAR ELECTION AND
75 THREE ELECTIVE OFFICERS SHALL BE ELECTED AT THE SUBSEQUENT

Public Hearing February 5, 2025

76 REGULAR ELECTION. The terms of all elective officers shall commence at ten o'clock
77 a.m. on the first SECOND Monday in May JANUARY following the election and shall be
78 for a term of four years each and until ten o'clock a.m. on the first SECOND Monday IN
79 JANUARY following the election and qualification of their successors.

80 THE COUNCILMEMBER TERMS PRESCRIBED UNDER ARTICLE IV, PARAGRAPH
81 35 OF THE CHARTER APPLICABLE TO CITY COUNCIL DISTRICTS B, C, AND ONE
82 AT-LARGE ELECTED APRIL 4, 2023 SHALL BE EXTENDED TO TEN O'CLOCK A.M.
83 ON THE SECOND MONDAY IN JANUARY 2028 FOLLOWING THE NOVEMBER 2025
84 ELECTION AND QUALIFICATION OF THEIR SUCCESSORS.

85 THE COUNCILMEMBER TERMS PRESCRIBED UNDER ARTICLE IV, PARAGRAPH
86 35 OF THE CHARTER APPLICABLE TO CITY COUNCIL DISTRICTS A, D, E AND
87 ONE AT LARGE ELECTED APRIL 8, 2025, SHALL BE EXTENDED TO TEN O'CLOCK
88 A.M. ON THE SECOND MONDAY IN JANUARY 2030 FOLLOWING THE NOVEMBER
89 2029 ELECTION AND QUALIFICATION OF THEIR SUCCESSORS. ~~provided,~~
90 ~~however, that the office of one of the councilmen elected from the city at large and two~~
91 ~~councilmen elected from districts at the general municipal election in April, 1925, shall~~
92 ~~be for two years only, so that their successors shall be elected at the general municipal~~
93 ~~election in April, 1927, and every four years thereafter. The term of the remaining four~~
94 ~~members of the city council elected at the general municipal election held in April, 1925~~
95 ~~shall be four years. The determination of which terms of the City Council shall be for~~
96 ~~four years and which terms shall be for two years shall be fixed by lot under the~~
97 ~~direction of the county judge of Mesa County, Colorado, within sixty days after the April,~~
98 ~~1925 election.~~

99 D. That a question of proposed amendments to Sections 3, 25 and 35 of the Charter to
100 change the date of regular municipal elections to the general election date in November,
101 and to change the terms of the elective officers of the City be placed on the April 8,
102 2025 ballot.

103 Approval by the voters of any Charter amendment which repeals any section or portion
104 of the Charter shall not be construed to be a limitation, denial, or suspension of any
105 power of the City of Grand Junction, or any power of the City Council otherwise vested
106 in or authorized to the City or the City Council by the Constitution or statutes of the
107 State of Colorado.

108 All acts, orders, ordinances, resolutions, or parts thereof, in conflict herewith shall be
109 repealed at the time the amendments provided for herein take effect; however, no such
110 repeal shall be construed to destroy any property right, contract, right, or right of action
111 of any nature or kind, vested in or against the City by virtue of any such act, order,
112 ordinance, resolution or part thereof, theretofore existing or otherwise accruing to the
113 City.

114 If any clause, sentence, paragraph, or part of this Ordinance or the application thereof
115 to any person or circumstances shall for any reason be adjudged by a court of

Public Hearing February 5, 2025

116 competent jurisdiction invalid, such judgment shall not affect the remaining provisions of
117 this Ordinance.

118 The City Council finds and declares that this Ordinance is promulgated and adopted for
119 the public health, safety and welfare and this Ordinance bears a rational relation to the
120 legislative object sought to be obtained.

121 **City of Grand Junction**

122 **Shall the City of Grand Junction City Charter be amended to: (i) change the date
123 of general municipal elections to the general election date in November of odd-
124 numbered years beginning in 2027; (ii) conduct such elections as coordinated
125 elections with Mesa County in accordance with terms of an Intergovernmental
126 Agreement for each such election; and (iii) amend and extend the terms of the
127 City Council to implement such change in election date, as provided in Ordinance
128 No.____ and as follows?**

129 **3. General and Special Municipal Elections.** A municipal election shall be held in
130 the city on the first Tuesday after FOLLOWING the first Monday OF NOVEMBER
131 OF EACH ODD-NUMBERED YEAR in April, 1925, and on the first Tuesday after
132 the first Monday in April of every second year thereafter, and shall be known as
133 the General Municipal Election. All other municipal elections that may be held
134 shall be known as Special Municipal Elections.

135 **25. General Election Regulations.**

136 The provisions of any state law, now or hereafter in force, except as the council
137 may otherwise by ordinance provide, relating to the qualifications and
138 registration of electors, the manner of voting, the duties of election officers, the
139 canvassing of returns, and all other particulars in respect to the management of
140 elections, except as otherwise provided in this article, so far as they may be
141 applicable, shall govern all municipal elections; provided, also, that the council
142 shall meet as a canvassing board and duly canvass the election returns within
143 two FOURTEEN days after any municipal election. Whenever any member of the
144 council is a candidate for re-election, the council shall appoint some justice of the
145 peace or notary public of said city to take the place of said candidate upon said
146 canvassing board as a member thereof.

147 **ALL MUNICIPAL ELECTIONS SHALL BE CONDUCTED AS COORDINATED
148 ELECTIONS AND THE MESA COUNTY CLERK SHALL HAVE ALL STATUTORY
149 POWER AND AUTHORITY TO CONDUCT SUCH ELECTIONS UNDER AND IN
150 ACCORDANCE WITH THE TERMS OF AN INTERGOVERNMENTAL AGREEMENT
151 BY AND BETWEEN MESA COUNTY AND THE CITY AS TIME TO TIME AMENDED.**

152 **IN THE EVENT MESA COUNTY IS UNABLE TO CONDUCT A SPECIAL MUNICIPAL
153 ELECTION IN COMPLIANCE WITH APPLICABLE CHARTER AND ORDINANCE
154 REQUIREMENTS, THEN SUCH SPECIAL ELECTION SHALL BE CONDUCTED BY**

Public Hearing February 5, 2025

155 THE CITY, AS PROVIDED BY ORDINANCE NOT INCONSISTENT WITH THIS
156 CHARTER.

157 35. Officers—Terms. That the elective officers under the Charter of Grand
158 Junction shall be members of the council as hereinafter provided, all of whom
159 shall be nominated and elected by the registered electors of the city as herein
160 provided. THE ELECTIVE OFFICERS SHALL BE ELECTED FOR FOUR-YEAR
161 OVERLAPPING TERMS. FOUR ELECTIVE OFFICERS WILL BE ELECTED AT ONE
162 REGULAR ELECTION AND THREE ELECTIVE OFFICERS SHALL BE ELECTED AT
163 THE SUBSEQUENT REGULAR ELECTION. The terms of all elective officers shall
164 commence at ten o'clock a.m. on the first SECOND Monday in May JANUARY
165 following the election and shall be for a term of four years each and until ten
166 o'clock a.m. on the first SECOND Monday IN JANUARY following the election and
167 qualification of their successors.

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171 O'CLOCK A.M. ON THE SECOND MONDAY IN JANUARY 2028 FOLLOWING THE
172 NOVEMBER 2027 ELECTION AND QUALIFICATION OF THEIR SUCCESSORS.

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176 O'CLOCK A.M. ON THE SECOND MONDAY IN JANUARY 2030 FOLLOWING THE
177 NOVEMBER 2029 ELECTION AND QUALIFICATION OF THEIR SUCCESSORS. ;
178 provided, however, that the office of one of the councilmen elected from the city
179 at large and two councilmen elected from districts at the general municipal
180 election in April, 1925, shall be for two years only, so that their successors shall
181 be elected at the general municipal election in April, 1927, and every four years
182 thereafter. The term of the remaining four members of the city council elected at
183 the general municipal election held in April, 1925 shall be four years. The
184 determination of which terms of the City Council shall be for four years and which
185 terms shall be for two years shall be fixed by lot under the direction of the county
186 judge of Mesa County, Colorado, within sixty days after the April, 1925 election.

187

188 _____ FOR THE ORDINANCE _____ AGAINST THE ORDINANCE

189

190 The ballot title is set based upon the requirements of the Colorado Constitution
191 and the City Charter, all State statutes that might otherwise apply are hereby
192 superseded to the extent of any inconsistencies or conflicts and, pursuant to

Public Hearing February 5, 2025

193 Section 31-11-102, C.R.S. et seq., is an alternative to the provisions of State law. Any
194 inconsistency or conflict is intended by the City Council and shall be deemed
195 made pursuant to the authority of Article XX of the Colorado Constitution and
196 the Charter.

197 Pursuant to Sections 31-10-1308 and 1-11-203.5 C.R.S., any election contest
198 arising out of a ballot issue or ballot question election concerning the order of
199 the ballot or the form or content of the ballot title shall be commenced by
200 petition filed with the proper court within five days after the title of the ballot
201 issue or ballot question is set, and for contest concerning the order of a ballot,
202 within five days after the ballot order is set by the County Clerk.

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

205 If any section, paragraph, clause, or provision of this ordinance shall for any
206 reason be held to be invalid or unenforceable, the invalidity or unenforceability
207 of such section, paragraph, clause, or provision shall in no manner affect any
208 remaining provisions of this ordinance, the intent being that the same are
209 severable.

210

211 INTRODUCED ON FIRST READING AND ORDERED PUBLISHED THIS 15th DAY OF
212 JANUARY 2025.

213 PASSED AND ADOPTED THIS ____ DAY OF ____ 2025 AND ORDERED
214 PUBLISHED IN PAMPHLET FORM.

215

Abram Herman
President of the City Council

216
217
218 ATTEST:

219

220 Selestina Sandoval
221 City Clerk