

Public Hearing February 5, 2025

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

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

Recitals.

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

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

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

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

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

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

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

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

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

25. General Election Regulations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

City of Grand Junction

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

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

25. General Election Regulations.

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

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

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_____ FOR THE ORDINANCE _____ AGAINST THE ORDINANCE

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

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

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

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

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 in no manner affect any remaining provisions of this ordinance, the intent being that the same are severable.

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

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

Abram Herman
President of the City Council

ATTEST:

Selestina Sandoval
City Clerk