

TOWN OF SUPERIOR
RESOLUTION NO. R-41
SERIES 2023

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR CALLING FOR A SPECIAL ELECTION, PROVIDING FOR THE ELECTION OF HOME RULE CHARTER COMMISSION MEMBERS, AND AUTHORIZING THE SPECIAL ELECTION TO BE COORDINATED WITH BOULDER COUNTY

WHEREAS, the Municipal Home Rule Act of 1971, C.R.S. § 31-2-201, *et seq.*, as amended, authorizes the Board of Trustees to initiate by ordinance the adoption of a home rule charter;

WHEREAS, on June 12, 2023, the Board of Trustees adopted Ordinance No. O-14, Series 2023, initiating proceedings for the adoption of a home rule charter;

WHEREAS, the process for adopting a home rule charter requires an initial election to form a charter commission and to elect members thereof;

WHEREAS, November 7, 2023 is a general election date under state law;

WHEREAS, pursuant to C.R.S. § 31-10-108, a special election shall be held on any Tuesday designated by ordinance or resolution of the governing body with at least sixty days' notice, and a special election may be held at the same time and place as a primary congressional vacancy, or general election as a coordinated election; and

WHEREAS, pursuant to C.R.S. § 1-7-115(5), a political subdivision participating in a coordinated election must notify the county clerk and recorder in writing of its participation at least 100 days before the election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. Call. The Board of Trustees hereby calls a special election for the Town of Superior for November 7, 2023.

Section 2. Coordinated Election. The Board of Trustees approves the Town's participation in a coordinated election to be held on November 7, 2023, to be conducted by the Boulder County and Jefferson County Clerks. In lieu of the Colorado Municipal Election Code of 1965, the Uniform Election Code of 1992 shall

apply. The Town Clerk may take whatever actions are necessary to accomplish the election, including without limitation providing the County Clerks notice in writing of the Town's participation in the election and otherwise complying with all applicable state and local elections laws, as appropriate.

Section 3. Designation of Election Official. The Town's Designated Election Official for the coordinated election is Lydia Yecke, Town Clerk.

Section 4. Publication of Election Notices. The Board of Trustees hereby directs the Town Clerk to cause the first election notice to be published on or about July 21, 2023, and to announce the 30-day period during which candidates may submit nominations to serve on the charter commission. The Town Clerk is further directed to cause a second notice of the election to be published not less than 60 days prior to the election and as soon as possible following the nomination period, with such notice including the names of candidates for the charter commission.

Section 5. Initial Meeting of the Charter Commission. Contingent upon the approval of the qualified electors at the November 2023 coordinated election to form a Charter Commission and to elect the members thereof, the Charter Commission shall have an initial meeting on December 19, 2023, at 6:00 p.m., which is a date not more than 20 days following certification of the election, for the purpose of organizing itself and otherwise as set forth in C.R.S. § 31-2-206(4).

Section 6. Submission of a Proposed Charter. As required by C.R.S. § 31-2-206(10), within 180 days after its election, the Charter Commission shall submit a proposed charter to the Board of Trustees.

ADOPTED this 10th day of July, 2023.

Mark Lacis, Mayor

ATTEST:

Lydia Yecke, Town Clerk