

1 **Sec. 4. - Qualifications of council members and the mayor.**

2 No person shall be eligible to office as council member or mayor unless, at the time of
3 the election, such person is a qualified elector as defined by the laws of the State of Colorado, at
4 least twenty-one years of age, and shall have resided in the City of Boulder for one year
immediately prior thereto.

5 No person shall be eligible to the office of a council member if such person has
6 previously been elected to three or more terms of office. No person shall be eligible to the office
of mayor if such person has previously served eight years as mayor, or if such person has
previously served three terms as a council member and four years as mayor.

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

8 The terms of office for council members shall be four years and two years as hereinafter,
9 provided: beginning with the 2023 regular municipal election, when the mayor shall first be
10 elected pursuant to section 14 of this charter, the four candidates receiving the highest number of
votes shall be elected for four-year terms, and the candidate receiving the fifth highest number of
votes shall be elected for a two-year term.

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

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

18 A person may not seek to be elected to both a council position and the position of mayor
in the same election, nor hold the office of mayor and that of a council member at the same time.

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

23

24 **Sec. 7. - Compensation.**

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1 Council members and the mayor shall receive as compensation \$100.00 per meeting at
2 which a quorum of city council is present, not to exceed fifty-two meetings per calendar year,
3 plus an annual escalation each January 1 in a percentage equivalent to any increase over the past
4 year in the Consumer Price Index (All Items) for the statistical area which includes the city
5 maintained by the United States Department of Labor, Bureau of Labor Statistics; this
6 amendment shall become effective January 1, 1990. For purposes of this section only, a
7 “meeting” shall mean a gathering of a quorum of the council, which gathering is noticed to the
8 public as a regular or special meeting as provided in this Charter. Council members serving on
9 January 1, 2020 and after may elect to receive benefits under the same terms and conditions that
10 are available to full-time city employees including without limitation participation in city health,
11 vision, dental, and life insurance plans.

8 **Sec. 8. - Vacancies.**

9 A vacancy shall exist in the council whenever a duly elected mayor or council member
10 fails to qualify within ten days after notice of the election, dies, resigns, removes from the city, is
11 absent from five consecutive regular meetings of the council unless formally excused therefrom,
12 is convicted of a felony while in office, or is judicially declared incompetent a lunatic; or, in case
13 of a recall, no successor is elected, or if elected, fails to qualify.

12 If a vacancy occurs, or two council vacancies or one council vacancy and a mayoral
13 vacancy come to exist at the same time, other than those occurring due to the expiration of
14 regular terms, then:

- 14 (a) If the vacancy or vacancies occur in a calendar year before August 1, then the election
15 shall be held in November of that calendar year. Otherwise it will be held at the
16 November election of the next calendar year.
- 16 (b) However, an election to fill a vacancy may be held on a date earlier than those noted
17 above if another city election is scheduled for the earlier date and if council
18 determines, based upon the certification of the designated election official, that it is
19 feasible to schedule the election on that earlier date.

19 If three or more council and/or mayoral vacancies come to exist at the same time, other
20 than those occurring due to the expiration of regular terms, then a special election shall be held
21 on a Tuesday within ninety days of the date on which a total of three or more vacancies first
22 exists, or as soon thereafter as is feasible as determined by the city manager.

21 If more than four council and/or mayoral vacancies exist, prior to the special election to
22 fill those vacancies a quorum of the council shall be comprised of a majority of all of the
23 remaining council members.

23 The nomination of candidates to be voted for at any election made necessary by operation
24 of this provision, the publication of notice, and the conduct of the same shall all be in conformity
25 with the provisions of this charter relating to elections, but the council may, in the motion calling
for the election, adjust the times for checking petitions, correcting or replacing signatures,

1 completion and filing of petitions, withdrawal from nomination, and certification of filing of the
2 list of candidates, as may reasonably be required to accommodate the date set for the election.

3 If a vacancy exists in the office of mayor, the mayor pro tem shall serve as acting mayor
4 until a new mayor is elected and takes office pursuant to this section.

5

6 **Sec. 14. - Selection and term of office of mayor.**

7 If three or more candidates run for the office of mayor, then the election shall be
8 conducted by ranked choice (instant runoff) voting. The presiding officer of the council shall be
9 called mayor. The mayor shall be chosen by the council from its own number, upon the
10 convening of the new council, following each general municipal election. The mayor shall serve
11 as mayor for a term of two years, and until a successor is duly chosen and qualified. The mayor
12 may be removed from the office of mayor (but not from the office of council member) by a two-
13 thirds vote of all members of the council, and thereupon, or in case of vacancy from any other
14 cause, the council shall choose a successor for the unexpired term.

12 **Sec. 15. - Powers and duties of mayor.**

13 The mayor shall have all the powers, rights, and privileges of a council member. The
14 mayor shall preside at meetings of the council and perform such other duties consistent with the
15 office as may be imposed by this charter or by the council. The mayor shall have no power of
16 veto. The mayor shall be recognized as the official head of the city for all ceremonial purposes,
17 by the courts for serving civil processes, and by the governor for military purposes. In time of
18 emergency, the mayor shall, if the council so orders, take command of the police and maintain
19 and enforce the laws, temporarily superseding the city manager in police affairs. The mayor shall
20 be ex officio a member of all council committees. During the mayor's absence or disability, the
21 mayor's duties shall be performed by the mayor pro tem an acting mayor, appointed by the
22 council from its own number.

19 Section 4. The official ballot shall contain the following ballot title, which shall also be
20 the designation and submission clause for the measure:

22 **Ballot Question No. ____**

23 **Charter Amendments Related to Direct Election of the Mayor**

24 Shall Article II, Sections 3, 4, 5, 7, 8, 14, and 15 of the Boulder
25 City Charter be amended to provide for the direct election of the
mayor by ranked choice (instant runoff) voting?

1 For the Measure ____

Against the Measure ____

2
3 Section 5. If this ballot measure is approved by the voters, the Charter shall be so amended,
4 and the City Council may adopt any necessary amendments to the Boulder Revised Code to
5 implement this change.

6 Section 6. If any section, paragraph, clause, or provision of this ordinance shall for any
7 reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining
8 provisions of this ordinance.

9 Section 7. The election shall be conducted under the provisions of the Colorado
10 Constitution, the Charter and ordinances of the city, the Boulder Revised Code, 1981, and this
11 ordinance.

12 Section 8. The officers of the city are authorized to take all action necessary or appropriate
13 to effectuate the provisions of this ordinance and to contract with the county clerk to conduct the
14 election for the city.

15 Section 9. This ordinance is necessary to protect the public health, safety, and welfare of
16 the residents of the city, and covers matters of local concern.

17 Section 10. The city council deems it appropriate that this ordinance be published by title
18 only and orders that copies of this ordinance be made available in the office of the city clerk for
19 public inspection and acquisition.
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1 INTRODUCTION, READ ON FIRST READING, AND ORDERED PUBLISHED BY
2 TITLE ONLY, this 11th day of August 2020.

3
4 _____
5 Sam Weaver,
6 Mayor

7 Attest:

8 _____
9 Pamela Davis,
10 City Clerk

11 READ ON SECOND READING, PASSED AND ADOPTED, this ____ day of _____
12 2020.

13 _____
14 Sam Weaver,
15 Mayor

16 Attest:

17 _____
18 Pamela Davis,
19 City Clerk

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