

## **ORDINANCE NO. 1144 (2023)**

**AN ORDINANCE OF THE CITY OF CRAIG, COLORADO REFERRING A QUESTION TO THE REGISTERED ELECTORS APPROVING CHANGES TO THE CRAIG CITY CHARTER CONCERNING THE ELECTION OF COUNCIL MEMBERS AND THE COUNCIL ELECTION OF A PRESIDENT OF COUNCIL IN LIEU OF A MAYOR; AND SETTING A BALLOT MEASURE FOR THE NOVEMBER 7, 2023 COORDINATED ELECTION.**

### **RECITALS**

WHEREAS, the City of Craig (the “City”) is a Colorado home rule city duly organized and existing under the laws of the State of Colorado;

WHEREAS, the members of the City Council of the City (the “City Council”) have been duly elected and qualified;

WHEREAS, the City operates based upon the home rule charter duly adopted by the citizens of the City of Craig, which is known as the Home Rule Charter of the City of Craig (“the Charter”);

WHEREAS, the Charter may only be amended by a vote of the registered electors of the City;

WHEREAS, the City Council from time to time appoints a charter review committee and considers charter provisions which may need to be updated, modified or improved, and submits such charter revisions to a vote of the registered electors;

WHEREAS, the Craig City Council is hereby referring a ballot measure for the coordinated election on November 7, 2023, which would modify the Charter provision related to the election of council members and the Council election of a President of the Council in lieu of a Mayor if passed by the registered electors of the City of Craig.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRAIG AS FOLLOWS:**

1. The question of a change to Article II, Sections 1 and 4 of the Home Rule Charter of the City of Craig to elect seven (7) council members and permit a President of the Council to be elected on an annual basis in lieu of a Mayor is authorized for referral to the Craig City Clerk for inclusion on the ballot for the general election to be held on Tuesday, November 7, 2023, which shall be submitted for approval by the registered electors in the City of Craig. The measure referred by this Ordinance shall automatically take effect upon certification of the City Clerk, or Moffat County Clerk, as may be necessary, that a majority of the registered electors voting at that election have approved the question.
2. The ballot issue shall be substantially as follows:

**BALLOT MEASURE (number to be determined):**

**SHALL THE HOME RULE CHARTER OF THE CITY OF CRAIG BE AMENDED CONCERNING THE ELECTION OF SEVEN (7) COUNCIL MEMBERS AND AUTHORIZE THE COUNCIL TO ELECT A PRESIDENT OF THE COUNCIL IN LIEU OF A MAYOR ON AN ANNUAL BASIS TO READ IN ITS ENTIRETY AS FOLLOWS:**

**Article II, Section 1. Membership.**

“The Council shall have seven (7) Council members who shall be officers of the City, elected from the City at large in the manner provided in Article VI for terms of four years each or until their successors have been elected and taken the oath of office.”

**Article II, Section 4. President of Council**

“Each Council, at its first regular meeting and thereafter when a vacancy occurs of the President of Council, shall elect from its membership a President of Council. The President of Council shall serve for a term of ONE YEAR and until their successor is elected and qualified. During such term the President shall be a member of the Council with the same right to speak and vote therein as any other member, but without the right of veto. The President shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purposes of serving civil process, and by the Governor for military purposes. The President shall preside at meetings of the Council and shall execute and authenticate legal instruments requiring his signature as such official. The President shall present a state of the City message on an annual basis. The President shall receive actual and necessary expenses incurred in the performance of their duties of office as provided in the travel policies of the City.

The Council shall elect a President pro tempore who shall act as the President during the absence or disability of the President. The President pro tempore shall become President of the Council if a vacancy occurs (as outlined in Section 6 below) for the unexpired term of the President. The President pro tempore shall be elected at its first regular meeting by the Council members for a ONE YEAR term.

YES \_\_\_\_\_ NO \_\_\_\_\_

3. The City Council may submit additional ballot issues or other measures to appear on the ballot of the regular election by the adoption of appropriate ordinances as required by law.
4. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance. Upon approval on second reading, the City Clerk shall certify the ballot content to the Moffat County Clerk for inclusion on the ballot for the November 7<sup>th</sup>, 2023 coordinated election.
5. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

6. This Ordinance shall take effect ten (10) days after passage and upon publication of such ordinance after passage.
7. The City Council deems it appropriate to publish the title of this Ordinance, together with a summary of the Ordinance and with the statement that the text is available for public inspection and acquisition in the office of the City Clerk.

PASSED, APPROVED, AND ADOPTED AFTER HEARING ON SECOND READING  
THIS 8<sup>th</sup> DAY OF AUGUST, 2023 BY THE CITY COUNCIL OF THE CITY OF CRAIG,  
COLORADO.

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Derek Duran, Mayor

ATTEST:

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Liz White, City Clerk

Votes in favor: \_\_\_\_

Votes opposed: \_\_\_\_

Abstained: \_\_\_\_