Ballot Question:

Shall the voters of the City of Boulder adopt changes to the charter that will require the election of the mayor by the voters using ranked choice voting every four years starting in 2022, create a council of eight plus the mayor for a total of nine people, and establish term limits for the mayor?

Proposed changes to the City Charter

**Article II. - The Legislative Body; Its Powers and Duties**

**Sec. 4 - Qualifications of council members.**

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

No person shall be eligible to the office of a council member or mayor if such person has previously been elected to three or more terms of office for council and/or mayor.


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

The terms of office for council members shall be four years and two years as hereinafter provided: the four three candidates receiving the highest number of votes shall be elected for four-year terms, and the candidate receiving the fifth fourth highest number of votes shall be elected for a two-year term. Changes to the council election will begin in 2023.

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

The terms of all council members shall begin at 10:00 a.m. on the third Tuesday in November following their respective elections. In the event that one or more of the 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 the business day following the final determination of the election results for that candidate. All council members shall be subject to recall as provided by this charter.

The mayor shall be elected by the voters to a four-year term.

The mayor pro tem shall be appointed by the council to a two-year term.

Sec. 8. - Vacancies.

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

If a vacancy occurs, or two vacancies come to exist at the same time, other than those occurring due to the expiration of regular terms, then:

a. If the vacancy or vacancies occur in a calendar year before August 1, then the election shall be held in November of that calendar year. Otherwise it will be held at the November election of the next calendar year.

b. However, an election to fill a vacancy may be held on a date earlier than those noted above if another city election is scheduled for the earlier date and if council determines, based upon the certification of the designated election official, that it is feasible to schedule the election on that earlier date.

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

If more than four vacancies exist, prior to the special election to fill those vacancies a quorum of the council shall be comprised of a majority of all of the remaining council members.

The nomination of candidates to be voted for at any election made necessary by operation of this provision, the publication of notice, and the conduct of the same shall all be in conformity 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, completion and filing of petitions, withdrawal from nomination, and certification of filing of the list of candidates, as may reasonably be required to accommodate the date set for the election.


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

The presiding officer of the council shall be called mayor. The mayor shall be chosen elected by the voters. the council from its own number, upon the convening of the new council, following each general municipal election. The mayoral election will be held on non-presidential even years. The mayor shall serve as mayor for a term of four years. The mayor may be removed from the office of mayor and council member through a recall vote of the electorate, or in case of vacancy from any other cause, the mayor pro tem will assume the role of mayor until an election is held. Council shall choose a successor mayor pro tem to fill this vacancy. The mayor pro tem may be removed from the office of mayor pro tem (but not from the office of council member) by a two-thirds vote of all council members present, and thereupon, or in case of
vacancy from any other cause, the council shall choose a successor for the unexpired term. The mayor shall serve as mayor for a term of two years, and until a successor is duly chosen and qualified. The mayor may be removed from the office of mayor (but not from the office of council member) by a two-thirds vote of all members of the council, and thereupon, or in case of vacancy from any other cause, the council shall choose a successor for the unexpired term.*

**Sec. 15. - Powers and Duties of mayor; mayor pro tem.**

The mayor shall have all the powers, rights, and privileges of a council member. The mayor shall preside at meetings of the council and perform such other duties consistent with the office as may be imposed by this charter or by the council. The mayor shall have no power of veto. The mayor shall be recognized as the official head of the city for all ceremonial purposes, by the courts for serving civil processes, and by the governor for military purposes. In time of emergency, the mayor shall, if the council so orders, take command of the police and maintain and enforce the laws, temporarily superseding the city manager in police affairs. The mayor shall be an ex officio member of all council committees. During the mayor's absence or disability, the mayor's duties shall be performed by an acting mayor, appointed by the council from its own number.* By the affirmative vote of a majority of the council members present, a council member shall be appointed as mayor pro tem, for a two-year term, to perform the responsibilities of the mayor when the mayor is absent or is otherwise unable to perform the responsibilities of the mayor.

**Article III. - Elections**

**Sec. 22. - Municipal elections defined.**

A regular municipal election for city council members shall be held in the City of Boulder on the same Tuesday in November of every odd numbered year as the state ballot issue elections in odd number years, and shall be known as the regular municipal election. The mayoral election shall be held in the City of Boulder on the same Tuesday in November of every even numbered year as the "non-presidential" election year. The election of the mayor shall be conducted using the ranked choice voting (instant runoff) voting method. All other municipal elections shall be known as special municipal elections.