

ORDINANCE NO. 2022-__

AN ORDINANCE DIRECTING THAT THE NOVEMBER 8, 2022, REGULAR MUNICIPAL ELECTION OF THE TOWN OF CASTLE ROCK BE CONDUCTED BY DOUGLAS COUNTY AS A COORDINATED ELECTION; AUTHORIZING APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY AND THE TOWN FOR THAT PURPOSE; AND PROVIDING FOR THE EMERGENCY ADOPTION OF THIS ORDINANCE ON FIRST AND FINAL READING

WHEREAS, regular municipal elections of the Town of Castle Rock, Colorado (the “Town”) are to be held each even-numbered year on the first Tuesday following the first Monday of November pursuant to Section 4-2 of the Town Charter (the “Charter”), and

WHEREAS, there will be a regular municipal election of the Mayor and the Town Councilmembers serving Districts 3 and 5 on Tuesday, November 8, 2022 (the “2022 Town Election”); and

WHEREAS, Section 2.01.300 of the Town Municipal Code (the “Town Code”) provides that the Town Council may determine that any regular municipal election be conducted by the Douglas County Clerk and Recorder (the “County”) as a coordinated election; and

WHEREAS, it is necessary and advisable for the 2022 Town Election to be conducted by Douglas County on behalf of the Town pursuant to the Uniform Election Code of 1992, Title 1, Articles 1 through 13, C.R.S. (the “Uniform Election Code”), and the Intergovernmental Agreement between the County and the Town (the “2022 Election IGA”); and

WHEREAS, according to Section 2.01.300.A. of the Town Code, the Town Council may determine that any regular election shall be conducted as a coordinated election by ordinance adopted no later than 70 days prior to the date of the election, which day is August 30, 2022; and

WHEREAS, likewise, according to Section 1-7-116(2), C.R.S., August 30, 2022, is the last day for an intergovernmental agreement for the conduct of a coordinated election to be executed by the county clerk and recorder and the political subdivision holding the election; and

WHEREAS, the Town did not receive the draft of the 2022 Election IGA until August 1, 2022, thereby making it impossible for Town Council to consider the adoption of this Ordinance in accordance with its existing meeting schedule; and

WHEREAS, to ensure that the August 30th deadline is met, the Town Council hereby finds and determines that an emergency exists and, as such, it is necessary for the preservation of the immediate public health and safety for this Ordinance to take effect upon its adoption on its first and final reading.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Conduct of the Regular Election. The 2022 Town Election shall be conducted as a coordinated election in accordance with the Uniform Election Code and the 2022 Election IGA.

Section 2. Approval. The 2022 Election IGA is hereby approved in substantially the same form attached as *Exhibit 1*, with such technical changes, additions, modifications, or deletions as the Town Manager may approve upon consultation with the Town Attorney. The Mayor and other proper Town officials are hereby authorized to execute the 2022 Election IGA by and on behalf of the Town.

Section 3. Actions by Officials. The Town Clerk, as the Town’s designated election official and all other Town officers, employees, and election officials are authorized to take all actions necessary to effectuate the provisions of this Ordinance and to conduct the 2022 Town Election in accordance with the Uniform Election Code and the 2022 Election IGA.

Section 4. Severability. 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.

Section 5. Safety Clause. The Town 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.

Section 6. Effective Date. For the reasons heretofore stated in the recitals, this Ordinance shall take effect as an emergency ordinance upon its adoption on first and final reading pursuant to 2.01.100.E of the Town Code.

PASSED, APPROVED AND ADOPTED ON FIRST AND FINAL READING this 16th day of August, 2022 by the Town Council of the Town of Castle Rock by a vote of ___ for and ___ against, constituting the extraordinary majority required by Section 2.02.100.E of the Castle Rock Municipal Code.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to Form:

Approved as to Content:

Michael J. Hyman, Town Attorney

David L. Corliss, Town Manager