

**ORDINANCE NO. 2018-002**

**AN ORDINANCE PROPOSING AMENDMENTS TO THE  
TOWN OF CASTLE ROCK HOME RULE CHARTER BY ADDING A NEW  
SECTION 17-14, TRANSITION TO AT-LARGE MAYOR AND SIX COUNCIL  
DISTRICTS AND ESTABLISHING QUALIFICATIONS FOR THE OFFICE OF MAYOR,  
AND REFERRING TO THE ELECTORATE THE QUESTIONS OF APPROVING  
THESE CHARTER AMENDMENTS AT THE SPECIAL MUNICIPAL ELECTION ON  
MAY 15, 2018**

**WHEREAS**, at the special municipal election held November 7, 2017, the Castle Rock electorate approved the following measure amending the Town of Castle Rock Home Rule Charter ("Charter"):

Shall the Town of Castle Rock Home Rule Charter be amended to provide that the Town Council, the seven-member governing body of the Town, consist of a Mayor elected by all of the electors of the Town for a four-year term, with the Mayor's service limited to two four-year terms, and six Councilmembers who are elected for four-year terms by the electors of the district where each Councilmember resides?

**WHEREAS**, with this amendment it is necessary to further amend the Charter to specify the date which the Mayor is first elected, the timing for establishing the six Councilmember districts, establishing qualifications for Mayor, and amending certain conflicting provisions of the Charter,

**WHEREAS**, the Town Council has determined that it is appropriate to ask the electorate to approve amendments the Charter to permit the election of the Mayor and two of the six Councilmembers at the November 2018 regular municipal election in accordance with the terms of a transition plan, establish qualifications for candidates for Mayor similar to Councilmembers, and make certain revisions to the Charter to reflect the Town Council structure of six Councilmembers,

**WHEREAS**, by Ordinance No. 2018-001, the Town Council called a special municipal election to be held May 15, 2018, at which time the measures referred by this Ordinance shall appear on the election ballot.

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

**Section 1. Amendment to the Town Charter (2-3(a)).** Section 2-3(a) of the Charter shall be amended in its entirety to read as follows:

(a) The Mayor shall be elected for a four-year term. The Councilmembers shall be elected for four-year overlapping terms. Four Councilmembers shall be elected at one regular election and the Mayor and two Councilmembers shall be elected at the subsequent regular election.

**Section 2. Amendment to the Town Charter (4-5(a)).** The first sentence in 4-5(a) of the Charter shall be amended to read as follows:

(a) The Town is hereby divided into six districts, the boundaries of which shall be established and changed by the Election Commission as provided in this Charter.

**Section 3. Amendment to the Town Charter (Transition Plan).** The Castle Rock Home Rule Charter is amended to add a new Section 17-14, Transition to At-Large Mayor and Six Council Districts, to read as follows:

**17-14 Transition to At-Large Mayor and Six Council Districts.**

The following provisions shall supersede, govern and control over any other provisions of the Town Charter:

1. In 2018 the Election Commission shall establish six Councilmember districts. The six districts shall be configured such that the least populated district has a number of registered electors equal to or greater than eighty-five percent of the registered electors in the district with the highest number of registered electors. Districts shall be contiguous and compact whenever possible. The Election Commission shall establish district boundaries not later than July 31, 2018. The Election Commission shall ascertain, based on the available election records, the number of registered electors in each district on May 1, 2018. The establishment of the six district boundaries in 2018 shall not create a vacancy during the term of any Councilmember in office as of the date the boundaries are drawn by the Election Commission. The Election Commission shall designate the two district seats which will be filled at the November 2018 regular election. The subsequent review of District boundaries shall occur in 2021 and every six years thereafter in the manner provided in Section 4-5 of the Charter.
2. The Mayor and two of the six Councilmembers shall be elected to four-year terms at the November 2018 regular election. An election to fill the other four Councilmember districts for four-year terms shall be held at the November 2020 regular election.

**Section 4. Amendment to the Town Charter (Mayor Qualifications).** Section 2-4 of the Charter is amended in its entirety to read as follows:

**Section 2-4 – Qualifications.**

The Mayor and each Councilmember shall be, at the time of nomination and election, or at the time of appointment, a registered elector of the Town and a citizen of the United States, and shall be a resident of the Town or of territory annexed to the Town for twelve consecutive months immediately preceding such election or appointment. In addition, each Councilmember shall be, at the time of nomination and election, or at the time of appointment, and throughout the term of office, a resident of the district from which elected or appointed. Neither the Mayor nor a Councilmember shall be a paid employee of the Town during such officer's term of office.

**Section 5. Election Referral.** Before the Charter amendments prescribed in this Ordinance shall become effective, each amendment shall be submitted to and receive the approval of a majority of the registered electors of the Town voting thereon at the special municipal election to be held on May 15, 2018 conducted in accordance with Ordinance No. 2018-001. The ballot titles shall read as follows:

Home Rule Charter Amendment A:

In order to implement the November 7, 2017 voter-approved amendment to the Town of Castle Rock Home Rule Charter providing for ~~which established~~ a Town Council consisting of a Mayor elected at-large and six Councilmembers elected from districts, shall the Town Charter be further amended to add a transition plan specifying the November 6, 2018 regular election as the date for election of the Mayor and two Councilmembers and the following regular election as the date for election of four Councilmembers, authorize the Election Commission to timely establish the boundaries of the six Town Council districts in 2018, and make certain other conforming amendments to the Town Charter in accordance with Town Council Ordinance No. 2018-002?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

Home Rule Charter Amendment B:

Shall Section 2-4 of the Town of Castle Rock Home Rule Charter be amended to establish qualifications for the office of Mayor such that the Mayor at the time of nomination, election or appointment is a registered elector of the Town of Castle Rock, a citizen of the United States, and a resident of the Town of Castle Rock for twelve consecutive months preceding election or appointment and prohibit the Mayor from being a paid employee of the Town, in accordance with Town Council Ordinance No. 2018-002?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

**Section 6. Construction.** Approval by the voters of any Charter amendment which repeals any section or portion of the Charter shall not be construed to be a limitation, denial, or suspension of any power of the Town of Castle Rock, or any power of the Town Council otherwise vested in or authorized to the Town or the Town Council by the Constitution or statutes of the State of Colorado.

**Section 7. Filing; Effective Date.** Within twenty (20) days after approval of the Charter amendments authorized, the Town Clerk shall file with the Secretary of State a certified copy of each such amendment. The amendments shall take effect on the date of such filing.

**Section 8. Repeal; Savings Clause.** All acts, orders, resolutions, ordinances, or parts thereof, in conflict herewith shall be repealed at the time the amendments provided for herein take effect. However, no such repeal shall be construed to destroy any property right, contract, right, or right of action of any nature or kind, vested in or against the Town by virtue of any such act, order, resolution, ordinance or part thereof, theretofore existing or otherwise accruing to the Town.

**Section 9. 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 10. 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.

**APPROVED ON FIRST READING** this 6<sup>th</sup> day of February, 2018 by a vote of 6 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

**PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING** this 20th day of February, 2018, by a vote of the Town Council of the Town of Castle Rock, Colorado of \_\_\_\_ for and \_\_ against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

\_\_\_\_\_  
Lisa Anderson, Town Clerk

\_\_\_\_\_  
Jennifer Green, Mayor

**Approved as to form:**

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Robert J. Slentz, Town Attorney