O-2026-25

AN ORDINANCE

CALLING FOR A COORDINATED SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2026, TO SUBMIT TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF LAKEWOOD, COLORADO, A BALLOT QUESTION FOR THE PURPOSE OF AUTHORIZING A VOTER-APPROVED AMENDMENT TO SECTION 2.6 OF THE CITY'S HOME RULE CHARTER TO ESTABLISH THAT THE TERM OF OFFICE FOR A NEWLY ELECTED MAYOR OR MEMBER OF THE CITY COUNCIL BEGINS AT THE FIRST MEETING FOLLOWING CERTIFICATION OF THE ELECTION RESULTS, AND ADOPTING THE BALLOT TITLE THEREFOR

WHEREAS, the Lakewood Home Rule Charter (Charter) was adopted on November 1, 1983, to establish the basic practices and procedures of the City and to serve as the primary document establishing the governance and vision of the City;

WHEREAS, Charter Section 14.9 allows for the Charter to be amended in the manner provided by Article XX of the Colorado Constitution and any statute enacted by the Colorado General Assembly;

WHEREAS, C.R.S. § 31-2-210(1)(b) authorizes the City Council to adopt an ordinance submitting a proposed charter amendment to a vote of the registered electors of the City;

WHEREAS, Charter Section 2.6 currently mandates that the terms of office of the Mayor and City Councilmembers begin at the first regular meeting following the regular municipal election, even though official election results are not certified until ten to fourteen days after the date of the regular municipal election;

WHEREAS, the City has historically cancelled the first regular City Council meeting in November following the regular municipal election to allow time for the County Canvass Board to certify the election results, and has reserved the second meeting in November for seating the newly elected Mayor and City Councilmembers;

WHEREAS, compliance with Charter Section 2.6, which requires newly elected officials to begin their terms at the first regular meeting following the election, a date that always precedes certification of election results, forces the City Council to cancel the first of its two regular meetings in November and prevents it from conducting regular City business for up to thirty (30) days following the election;

WHEREAS, the proposed amendment of Charter Section 2.6 will not change the actual date on which a newly elected Mayor or City Councilmember has historically taken the oath of office and begun their service as an elected official of the City, as this has always occurred at the second regular November City Council meeting, because such meeting routinely follows certification of the election results;

WHEREAS, the proposed amendment to Charter Section 2.6 is being submitted to the voters so they may decide whether to allow the City Council to hold, rather than cancel, its first regular November meeting following the regular election; and

WHEREAS, the City Council wishes to refer to the electorate the proposed amendment to Charter Section 2.6 that would allow the City Council to hold a first regular November meeting following a regular municipal election, thereby preventing interruptions or delays in the conduct of City business.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

Section 1. Pursuant to Article XX, Section 9 of the Constitution of the State of Colorado and § 31-2-210(1)(b) of the Colorado Revised Statutes, a coordinated, special municipal election is hereby called for Tuesday, November 3, 2026, at which election the following proposed amendment to Charter Section 2.6, shall be submitted to the registered electors of the City of Lakewood, Colorado. If approved, this amendment shall become effective on January 1, 2027. (STRIKE-THROUGH DENOTES REPEAL OR DELETION OF CHARTER SECTIONS AND UNDERSCORE DENOTES ADDITIONS TO CHARTER SECTIONS)

Section 2.6 TERMS OF OFFICE.

(a) The terms of office of the Mayor and of each member of the City Council shall commence at the first regular meeting following <u>certification of the results of</u> the regular municipal election.

(b) The terms of office of the Mayor and of each member of the City Council shall be four years. Any person appointed or elected as the Mayor or elected as a member of the City Council who serves or has served at least one-half of a term of office shall be considered to have served a term in that office. At the first regular municipal election held after the effective date of this Charter, the Mayor shall be elected for a four-year term; the member of City Council in each ward receiving the greatest number of votes shall serve a four-year term; and the member of City Council in each ward receiving the next greatest number of votes shall serve a two-year term. Thereafter, each member of the City Council shall be elected for a four-year term. Unless disqualified or removed from office, the Mayor and each member of the City Council shall continue in office until a successor has been elected and sworn.

(c) Neither the Mayor nor any member of the City Council shall serve as the Mayor or as a member of the City Council, respectively, for more than two consecutive terms after the effective date of this Charter. Terms of office commencing after November 3, 1992 are considered consecutive unless they are at least four years apart regardless of any change in ward boundaries or the residency within wards of a member of the City Council. Such limitation on consecutive terms shall not prohibit a person from serving as the Mayor immediately after serving as a member of the City Council or serving as a member of the City Council immediately after serving as the Mayor.

Section 2. The following ballot title and question shall be placed on the ballot of the November 3, 2026 coordinated special municipal election to be conducted by the Jefferson County Clerk and Recorder:

Proposed City of Lakewood Charter Amendment No. 2
ESTABLISHING WHEN THE TERM OF A NEWLY ELECTED MAYOR AND CITY COUNCILMEMBER BEGINS

SHALL SECTION 2.6(a) OF THE LAKEWOOD HOME RULE CHARTER REGARDING TERMS OF OFFICE OF THE MAYOR AND CITY COUNCILMEMBERS BE AMENDED TO SPECIFY THAT THE TERM OF A NEWLY ELECTED MAYOR OR CITY COUNCILMEMBER BEGINS AT THE FIRST REGULAR MEETING FOLLOWING CERTIFICATION OF THE RESULTS OF THE REGULAR MUNICIPAL ELECTION?

YES/FOR _____

NO/AGAINST _____

Section 3. Pursuant to the Uniform Election Code of Colorado Revised Statutes, the special municipal election of November 3, 2026, shall be conducted as a coordinated, mail ballot election and the Election Official is hereby authorized and directed to take all such actions as are necessary or desirable thereunder to effectuate the election as a coordinated, mail ballot election.

Section 4. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5. This ordinance calls for a special election, is therefore not subject to referendum, and shall go into effect immediately upon adoption by the City Council and publication by title.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 27th day of July 2026; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org on the 30th day of July, 2026; set for public hearing to be held on the 10th day of August, 2026; read, finally passed and adopted by the City Council on the 10th day of August, 2026; and signed by the Mayor on the 11th day of August, 2026.



Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney