2026-71

A RESOLUTION

A RESOLUTION ENCOURAGING THE REGISTERED ELECTORS OF THE CITY OF LAKEWOOD TO VOTE "YES" ON LOCAL BALLOT QUESTION 2J AT THE NOVEMBER 3, 2026, COORDINATED GENERAL AND SPECIAL MUNICIPAL ELECTION, TO APPROVE AMENDMENTS TO THE CITY OF LAKEWOOD HOME RULE CHARTER TO REPLACE THE LANGUAGE ESTABLISHING TIME FRAMES FOR HOLDING REGULAR OR SPECIAL ELECTIONS AS ESTABLISHED WITHIN SECTION 13.1(d) REGARDING INITIATIVE PROCEDURES AND SECTION 13.2(e) REGARDING REFERENDUM PROCEDURES

WHEREAS, pursuant to Section 2.54.060(A)(2)(b)(iii)(A) of the Lakewood Municipal Code, the City Council for the City of Lakewood (the "City") is expressly authorized to pass a Resolution taking a position of advocacy in regard to a local ballot question;

WHEREAS, the Lakewood Home Rule Charter (Charter) was adopted on November 1, 1983, to serve as the primary document establishing the governance 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, and on August 10, 2026, the City Council adopted Ordinance 2026-28 to send a ballot question to the voters regarding amendments to Charter Sections 13.1(d) and 13.2(e);

WHEREAS, previous amendments to the City's Charter have sought to revise language to bring the Charter into conformance with revised State election laws, including on November 2, 1999, when voters approved a ballot question amending Charter Section 13, regarding initiative and referendum procedures;

WHEREAS, subsequent to the November 1999 amendment, the State has revised numerous provisions of the Municipal Election Code enacted under Title 31 of the Colorado Revised Statutes to recognize the additional procedural steps required for mail ballot elections, as opposed to traditional in-person elections, including securing a qualified ballot printing company, printing and delivering ballots and envelopes to the City, mailing ballots to voters, and receiving completed ballots, all of which specifically pertain to active and overseas military electors, a group that requires additional time to receive and return their ballots as described within C.R.S. 31-10-102.8;

WHEREAS, Charter Sections 13.1(d) regarding initiative procedures and 13.2(e) regarding referendum procedures continue to mandate that elections for both initiative ordinances and referendums be held between thirty (30) and ninety (90) days following a sufficiency determination by the City Clerk and presentation to the City Council, a time frame

that was workable for traditional in-person elections but is impractical for modern mail ballot elections, and complying with these outdated time frames creates significant logistical challenges in completing the essential steps of a mail ballot election;

WHEREAS, C.R.S. 31-11-104, which establishes the election procedures for initiative ordinances, and C.R.S. 31-11-105, which establishes the election provisions for referendums, authorize elections to be held not less than sixty (60) days and not more than one hundred fifty (150) days after the City Clerk's final determination of petition sufficiency; and

WHEREAS, amending the Lakewood Home Rule Charter to provide a sufficient time frame for conducting elections associated with both initiative ordinances and referendums is essential to supporting the City's use of mail ballot elections and ensuring full participation by all residents, including military personnel residing and serving outside Lakewood, including overseas.

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

SECTION 1. The recitals set forth above are incorporated herein.

SECTION 2. The Lakewood City Council hereby encourages the registered electors of the City to Vote "YES" on ballot question 2J at the November 3, 2026 coordinated General and Special Municipal Election, which seeks voter approval to replace the language establishing time frames for holding regular or special elections as established within Charter Section 13.1(d) regarding initiative procedures and Charter Section 13.2(e) regarding referendum procedures to better conform to the requirements of modern mail ballot elections and provide greater inclusivity for all residents, including military personnel residing and serving outside of Lakewood.

INTRODUCED, READ AND ADOPTED by a vote of 11 for and 0 against at a hybrid regular meeting of the City Council on September 28, 2026, at 7 o'clock p.m., at the Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney