

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 908**

**AN ORDINANCE OF THE TOWN OF MEAD CALLING FOR A
SPECIAL ELECTION TO BE HELD AS A COORDINATED ELECTION
AND DELEGATING AUTHORITY TO THE MAYOR OR TOWN
MANAGER TO APPROVE AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE WELD COUNTY CLERK AND RECORDER AND THE
TOWN OF MEAD REGARDING THE CONDUCT OF THE
COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER
5, 2019**

WHEREAS, November 5, 2019, is a designated coordinated election date under state law;
and

WHEREAS, the Town of Mead (“Town”) desires to conduct a special election on November 5, 2019, in order to ask Town voters to restore the Town’s pre-2005 right to provide high-speed internet, telecommunications services, and/or cable television services, either directly or through public-private partnerships, and to put other issues or questions before the voters; and

WHEREAS, the Town desires to conduct the special election as a coordinated election;
and

WHEREAS, pursuant to C.R.S. § 1-7-116(5), the Town has notified the Weld County Clerk and Recorder in writing of its intent to participate in the November 5, 2019, election; and

WHEREAS, pursuant to C.R.S. § 1-7-116(1), if more than one political subdivision holds an election on the same day in November and the eligible electors for each election are the same or the boundaries overlap, the county clerk and recorder shall conduct the elections on behalf of all political subdivisions; and

WHEREAS, Section 1-7-116(2), C.R.S., states that the political subdivisions for which the county clerk and recorder will conduct the coordinated election shall enter into an agreement with the county clerk and recorder, which agreement shall be signed no later than seventy (70) days prior to the election, or on or before August 27, 2019; and

WHEREAS, the Board of Trustees of the Town of Mead wishes to enter into such an agreement with the Weld County Clerk and Recorder regarding the conduct of the coordinated election; and

WHEREAS, Sections 31-10-102.7 and 1-1-102(1), C.R.S., allow a municipality to provide by ordinance or resolution that it will utilize the requirements and procedures of the Uniform Election Code of 1992, Articles 1 to 13 of Title 1, C.R.S. (the “Uniform Election Code”) in lieu of the Municipal Election Code of 1965, Article 10 of Title 31, C.R.S., with respect to any election; and

WHEREAS, in accordance with Section 2-1-10 of the Municipal Code, this Ordinance confirms that the November 5, 2019 election will be conducted pursuant to the requirements and procedures of the Uniform Election Code.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. **Recitals Incorporated.** The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. **Special Election Called.** The Board of Trustees hereby calls a special election to be held as a coordinated election on November 5, 2019. For purposes of the November 5, 2019 coordinated election, the Town shall utilize the requirements and procedures of the Uniform Election Code.

Section 3. **Delegation of Authority to Execute IGA.** The Board of Trustees hereby delegates authority to the Mayor or Town Manager to execute the Intergovernmental Agreement between the Town and the Weld County Clerk and Recorder regarding the conduct of the November 5, 2019 coordinated election, once approved as to form by the Town Attorney (the "Election IGA"), and authorizes the Town Manager, the Town Clerk and their respective designees to take whatever action is necessary to coordinate the election. The Election IGA shall be executed on or before August 27, 2019.

Section 4. **Appointment of DEO.** The Designated Election Official for the Town for the 2019 coordinated election is the Town Clerk.

Section 5. **Approval of Costs.** The Board of Trustees hereby specifically approves the expenditure of the Town's pro rata share of the actual costs for the Weld County Clerk and Recorder to conduct the coordinated election, including the Town's pro rata share of the costs of printing and mailing the ballots and all other election expenses pursuant to the terms of the Election IGA.

Section 6. **Effective Date.** This ordinance shall be published and become effective as provided by law.

Section 7. **Severability.** If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

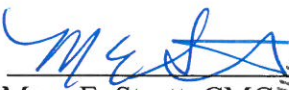
Section 8. **Repealer.** All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.


Section 9. **Certification.** The Town Clerk shall certify to the passage of this ordinance

and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

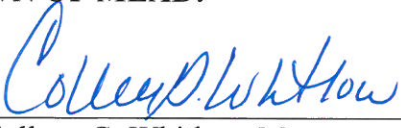
INTRODUCED, READ, PASSED, AND ADOPTED THIS 29th DAY OF JULY, 2019.

ATTEST:

By: 
Mary E. Strutt, CMC, Town Clerk



TOWN OF MEAD:

By: 
Colleen G. Whitlow, Mayor