

Gunnison 2015 Regular Municipal Election Ballot Questions Information Sheet

Information contained on this sheet is not an endorsement to vote “yes” or “no” on any of the ballot questions. All voters should educate themselves about the proposed ballot questions and vote according to their informed opinions.

All three ballot questions propose changes to the Gunnison Municipal Home Rule Charter (Charter), the document passed by the voters in 1963. The Charter outlines the laws and rules for the City’s conduct and operations. The Charter can only be amended by a vote of the City electors. **Please note, the current City Charter is available on the City website: www.cityofgunnison-co.gov and found on the left side of the front page by clicking on “City Charter” in the green box or contact City Clerk Gail Davidson at 641-8140 for a hard copy of the Charter.**

BALLOT QUESTION 1

Shall Article VI Legislation, Section 6.3 Procedures of Passage (D) and (F) of the Gunnison Home Rule Charter be amended to state as follows:

Section 6.3 D. If passed on first reading, the ordinance shall be published by title only within ten (10) days unless otherwise provided in this Charter.

Section 6.3F Unless otherwise provided in this Charter, if an ordinance is amended, it shall be published by title only after passage, with a notation that the ordinance has been amended, and shall take effect upon the date of such publication.

YES _____

NO _____

Currently, City Charter Section 6.3 requires that City ordinances, the Council-approved, law-making documents for the City, be published in full as a legal notice in a newspaper of general circulation. In 2014, the City spent \$2,115.20 publishing ordinances in full as legal notices in the weekly newspaper. The Ballot Question asks that ordinances be published by title only. Proposed ordinances are currently, and will continue to be, available on the City website, by email or by hard copy mailing to individual citizens.

BALLOT QUESTION 2

Shall Article IV General Provisions Regarding Officers and Personnel of the City, Section 4.10 Surety Bonds of the Gunnison Home Rule Charter be repealed in its entirety, and subsequent sections of Article IV be renumbered for consistency?

YES _____

NO _____

City Charter Section 4.10, requires a surety bond be posted by all elected and appointed officers of the City whose duties involve the custody of public property or the handling of public funds. The City maintains crime insurance that covers officers and employees acting in this capacity and thus protects the people of the City from any malfeasance. The Ballot Question asks that the already provided-for surety bonds no longer be required.

BALLOT QUESTION 3

Shall Article II Elections, be amended to comply with the Colorado Municipal Election Code, and read as follows:

Section 2.1 Applicability of Colorado Municipal Election Code:

The Colorado Municipal Election Code, and any amendments thereto, heretofore or hereafter adopted shall prevail, except those provisions which are inconsistent with the Charter. The Council shall provide by ordinance, resolution or motion, for the manner of holding City elections and such additional regulations in respect to elections as may be necessary to accomplish the intent of this article.

Section 2.2 Elective Officers and Terms of Office:

The elective officers of the City shall be five Council members, all of whom shall be nominated and elected from the City at large. At each regular City election there shall be elected three Council members and such additional number as may be required to fill vacancies pursuant to the provision of Section 4.7 Filling Vacancies in Elective Offices. The two receiving the highest number of votes shall be elected for a term of office of four years. The one receiving the third highest number of votes shall be elected for a term of office of two years. A number equal to the number of vacancies being filled (if any) who shall receive the next highest numbers of votes in order shall be elected for a term of office of two years.

A. The terms of office for Council members shall commence on the Monday next following the regular City or special election at which they are elected.

B. Elections shall be non-partisan. There shall be no partisan designations affixed in any way or manner to any candidate for the office of City Council member.

Section 2.3 City at Large; Voting Precinct:

The City of Gunnison shall consist of one ward. The voting precinct of the City shall consist of one until changed by the Council as hereinafter provided. The Council shall by resolution from time to time establish convenient voting precincts in accordance with this Charter and statutes.

Section 2.4 Election Date:

A regular City election shall be held on the second Tuesday in May of each odd numbered year. Special City elections shall be held in accordance with the provisions of this Charter.

2.5 Election Commission:

An Election Commission is hereby created, consisting of the City Clerk and two qualified electors of the City, who during their term of office shall not be elected officials or employees or candidates or nominees for elected City office. These two members shall be appointed by the Council from July 1 following a regular City election for a term of two years, and shall serve without compensation.

The City Clerk shall be chair. The Election Commission shall appoint the Board of Election judges and clerks for each voting precinct and have charge of all activities and duties required of it by statute and this charter relating to the conduct of elections in the City. In any case where election procedure is in doubt, the Election Commission shall prescribe the procedure to be followed.

The Election Commission shall provide for ballots and sample ballots or voting machines for determination of the winner in the event of a tie vote or canvassing of returns and issuance of appropriate certificates.

YES _____

NO _____

Article II of the City Charter, defines the conduct of City Elections. Ballot Question 3 amends the Charter to bring the City election process in-line with the Colorado Municipal Election Code, as defined in Title 31 of the Colorado Revised Statutes. The Charter revision should help eliminate confusion by the voters by having the same rules apply in City, County and State elections. The Charter Sections listed in Ballot Question 3, will remain in the Charter and are specific to the City. These Sections define the date of the City election, sets the number of City Councilors at five, defines how Council terms are determined in an election, states City elections are non-partisan, defines the City as one ward, and defines the City Election Commission. These sections are not clearly defined in the State Election Code and are particular to the City of Gunnison.

Remember to Vote in the 2015 Regular Municipal Election

Ballots will be mailed out to registered voters on April 22, 2015.