



**Background Paper for Proposed
ORDINANCE**

COUNCIL MEETING DATE: July 11, 2022

TO: President Heather Graham and Members of City Council
CC: Nicholas A. Gradisar, Mayor
VIA: Office of the City Clerk
FROM: Marisa Stoller, City Clerk
SUBJECT: AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND THE COUNTY OF PUEBLO, A POLITICAL SUBDIVISION OF THE STATE OF COLORADO, RELATING TO THE 2022 SPECIAL MUNICIPAL ELECTION

SUMMARY:

The Ordinance approves an Intergovernmental Agreement with Pueblo County to perform the functions required in the Administration of the November 8, 2022 Special Municipal Election to be conducted as a Coordinated Election.

PREVIOUS COUNCIL ACTION:

Pursuant to §1-1-111(2), C.R.S., the City may contract with the County Clerk and Recorder of the County in which the political subdivision is organized to perform all or part of the required duties in conducting the election. The City has approved an IGA for Election Services each year the City has participated in a Coordinated Election with the County.

BACKGROUND

The City is a home-rule city charged with the responsibility of providing for and governing the conduct of all its municipal elections pursuant to Articles 2, 3, 17, 18 and 19 of its Charter and Article XX of the Colorado Constitution. §1-7-116 C.R.S. requires entry into and performance of an intergovernmental agreement where political subdivisions and the county clerk and recorder cooperate in the conduct and financing of the election. The IGA outlines the allocation of the responsibilities between the City and the County in the conduct of the election. On August 22, 2022, City Council will consider an Ordinance directing that the November 8, 2022 Special Municipal Election be conducted as part of a Coordinated Election with Pueblo County.

FINANCIAL IMPLICATIONS

The City shall pay to the County Clerk the City's share of the actual cost of materials and services directly attributable to the City's participation in the Coordinated Election, including the preparation and mailing of a TABOR Notice. The cost is estimated to be between \$90,000 and \$95,000. Funding for the costs associated with conducting the Special Municipal Election have been allocated in the City Clerk's 2022 Departmental Budget.

BOARD/COMMISSION RECOMMENDATION:

It has been determined by the Board of Elections that it is in the best interest of the City and its residents to participate in and conduct its election as a coordinated election and mail ballot election in accordance with the procedures and requirement of the Uniform Election Code of 1992, except to the extend same conflict with a specific provision of the City Charter.

STAKEHOLDER PROCESS:

Not applicable.

ALTERNATIVES:

None. It is more cost effective for the City to participate in a Mail Ballot Coordinated Election than for the City to independently conduct its own election.

RECOMMENDATION

Approval of the Ordinance

Attachments:

Copy of the Intergovernmental Agreement

ORDINANCE NO. 10229

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND THE COUNTY OF PUEBLO, A POLITICAL SUBDIVISION OF THE STATE OF COLORADO, RELATING TO THE 2022 SPECIAL MUNICIPAL ELECTION

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO that:

SECTION 1.

The Intergovernmental Agreement (“IGA”) for election services between the City of Pueblo, a Municipal Corporation, and the County of Pueblo, a Political Subdivision of the State of Colorado, dated July 25, 2022, attached hereto, having been approved as to form by the City Attorney, is hereby approved.

SECTION 2.

The Mayor is hereby authorized and directed to execute said Intergovernmental Agreement for and on behalf of the City, and the City Clerk is directed to affix the seal of the City thereto and attest same.

SECTION 3.

The officers and staff of the City are authorized to perform any and all acts consistent with this Ordinance and the attached IGA to implement the policies and procedures described herein.

SECTION 4.

This Ordinance shall become effective on the date of final action by the Mayor and City Council.

Action by City Council:

Introduced and initial adoption of Ordinance by City Council on July 11, 2022.

Final adoption of Ordinance by City Council on July 25, 2022.



President of City Council

Action by the Mayor:

- Approved on July 28, 2022.
- Disapproved on _____ based on the following objections:

Hilda Leavins
Mayor

Action by City Council After Disapproval by the Mayor:

- Council did not act to override the Mayor's veto.
- Ordinance re-adopted on a vote of _____, on _____
- Council action on _____ failed to override the Mayor's veto.

President of City Council

ATTEST

[Signature]
City Clerk