



TOWN OF ELIZABETH

PATRICK G. DAVIDSON, TOWN ADMINISTRATOR

TO: Honorable Mayor, Mayor Pro Tem, and Board of Trustees
FROM: Patrick Davidson, Town Administrator
DATED: February 11, 2025
SUBJECT: Resolution Calling for Special Election

BACKGROUND

On December 10, 2024, the Board of Trustees declared a vacancy for Ward 2. The Board sought to have this position filled by means of appointment. No applications or letters of interest have been submitted. Consequently, this matter for Special Election under Colorado Law.

ANALYSIS

The Resolution provides the method for the Special Election. The Resolution calls for the Special Election to be held on Tuesday, May 20, 2025, as a mail-ballot election under the Colorado Municipal Election Code.

STAFF RECOMMENDATION

Staff take no position regarding this matter, other than to note that C.R. S. 31-4-303 mandates a Special Election in the event the Board of Trustees does not fill the vacancy by appointment.

BUDGET CONSIDERATIONS

Unknown. The last Special Election held by the Town of Elizabeth cost approximately twenty-thousand dollars (\$20,000). As this election will only be for those registered voters within Ward 2, it is estimated that the costs of the election would be between one-quarter to one-third of the amount. Regardless, the Special Election is required under Colorado Law.

ATTACHMENTS

A Resolution Calling a Special Election for May 20, 2025, Setting the Ballot Content Therefor, and Providing for Candidate Nomination Deadlines.

RESOLUTION 25R12

A RESOLUTION CALLING A SPECIAL ELECTION FOR MAY 20, 2025, SETTING THE BALLOT CONTENT THEREFOR, AND PROVIDING FOR CANDIDATE NOMINATION DEADLINES

WHEREAS, effective February 10, 2025, a vacancy exists in the office of a member of the Board of Trustees for Ward 2, and pursuant to C.R.S. § 31-4-303 and Section 2-2-10 of the Elizabeth Municipal Code, the Board of Trustees has been unable to fill the vacancy;

WHEREAS, the provisions of C.R.S. § 31-4-303 require the Board to set the matter for a special election in the event the Board does not fill the vacancy by appointment; and

WHEREAS, the provisions of C.R.S. § 31-4-303(2) further authorize the cancellation of the special election if the Board is able to fill the vacancy by appointment prior to the special election.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

Section 1. The Board of Trustees calls a special election to be held on Tuesday, May 20, 2025, which is a date ninety eight (98) days from the date of this Resolution.

Section 2. The Town Clerk is hereby determined to be the designated election official.

Section 3. The May 20, 2025, special election shall be conducted as a mail ballot election, which shall be conducted and supervised according to the Colorado Municipal Election Code of 1965, C.R.S. § 31-10-101, *et seq.*

Section 4. The Board of Trustees delegates the authority and responsibility to appoint qualified election judges for the special election to the Town Clerk as the designated election official. As required by C.R.S. § 31-10-401, a list of all appointed judges shall be kept in the Town Clerk's office.

Section 5. Pursuant to C.R.S. § 31-4-302, nominating petitions may be circulated beginning on February 18, 2025, and must be filed with the Town no later than March 10, 2025.

Section 6. Write-in candidates must submit an Affidavit of Intent to be a write-in candidate must be submitted to the Town Clerk no later than March 17, 2025, pursuant to C.R.S. § 31-10-306 and Section 2-1-20 of the Elizabeth Municipal Code.

Section 7. The Town Clerk as the designated election official is hereby authorized to cancel the special election if either of the following events occur:

A. If the Board is able to fill the vacancy by appointment at any time prior to the date of the special election pursuant to C.R.S. § 31-4-303(2); or

B. As of March 18, 2025, no nomination petitions for the vacancy have been submitted, and no Affidavit of Intent to be a write-in candidate has been received.

PASSED, APPROVED, and ADOPTED this 11th day of February 2025, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of _____ for and _____ against.

Angela Ternus, Mayor

ATTEST

Michelle M. Oeser, Town Clerk