

RESOLUTION NO. 2011-08-02

A RESOLUTION CALLING FOR THE CANCELLATION OF A GENERAL MUNICIPAL ELECTION SCHEDULED TO BE HELD IN CONJUNCTION WITH THE NOVEMBER 1, 2011 MORGAN COUNTY COORDINATED ELECTION.

WHEREAS, Sec. 2-1-720 of the *Fort Morgan Municipal Code* (2010) authorizes the City Council to determine, by resolution, that any municipal election shall be conducted as part of a coordinated election, from time to time, in accordance with the requirements of and utilizing the procedures contained in the Colorado Uniform Election Code of 1992, and in accordance with an agreement for that purpose between the City and the coordinated election official; and,

WHEREAS, On August 2, 2011, City Council determined by resolution that the municipal election would be held in conjunction with the November 1, 2011, Morgan County Coordinated Election; and,

WHEREAS, City Council also adopted by the same resolution the provisions of the Uniform Election Code of 1992 as amended with respect to the conduct of said election in lieu of the provisions of the Municipal Election Code; and,

WHEREAS, Sec. 1-5-208, C.R.S. states that “if the only matter before the electors in a nonpartisan election is the election of persons to office and if, at the close of business on the sixty-third day before the election, there are not more candidates than offices to be filled at the election, including candidates filing affidavits of intent, the designated election official, if instructed by resolution of the governing body, shall cancel the election and declare the candidates elected;” and,

WHEREAS, by the sixty-third day there are no more candidates for Council than there are vacant seats to be filled, including candidates filing an affidavit of intent to be a write-in candidate, as of the end of day the 29th of August; and

WHEREAS, pursuant to law, an election for these vacant seats would be unnecessary.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FORT MORGAN, COLORADO that:

SECTION 1: The general municipal election called for on Tuesday, November 1, 2011, in conjunction with the Morgan County Coordinated Election is hereby cancelled.

SECTION 2: The City Clerk is hereby directed to cancel the general municipal election scheduled for November 1, 2011.

SECTION 3: The following persons are hereby deemed elected for four-year terms as City Council members:

Ward 1 – Ronald Shaver
Ward 2 – Joe Segura Jr.
Ward 3 – Lisa Northrup

SECTION 4: The following person is hereby deemed elected for a two-year term as Mayor:

Terry McAlister

INTRODUCED, PASSED, APPROVED AND ADOPTED this 30th day of August, 2011, the vote upon roll call being as follows:

Ayes: Mayor McAlister, Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver

Nays: None.

Absent /Abstain: None.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Terry L. McAlister
Mayor

ATTEST:

/s/ John J. Brennan
City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. **CERTIFICATE**
CITY OF FORT MORGAN)

I, JOHN BRENNAN, City Clerk for the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **Resolution No. 2011-08-02** is a true, perfect and complete copy of the **Resolution** adopted by the Council of Fort Morgan, Colorado, and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have affixed the seal of the City of Fort Morgan this 30th day of August 2011.

/s/ John J. Brennan
John Brennan, City Clerk