

**A RESOLUTION  
OF THE CITY COUNCIL  
OF THE CITY OF CHERRY HILLS VILLAGE  
DIRECTING THE CITY CLERK TO CANCEL THE NOVEMBER 3, 2020  
REGULAR MUNICIPAL ELECTION AND TO DECLARE THE DISTRICT 1,  
DISTRICT 3, DISTRICT 5, AND MAYORAL CANDIDATES ELECTED**

**WHEREAS**, Section 2.3 of the Cherry Hills Village Home Rule Charter (the "Charter") states that, "[a] regular City election shall be held on the Tuesday following the first Monday in November commencing in the year 2014 and in each even numbered year thereafter;" and

**WHEREAS**, the 2020 regular City election is scheduled for Tuesday, November 3, 2020 (the "Election"); and

**WHEREAS**, on August 18, 2020 the City Council approved Resolution 21, Series 2020 approving an intergovernmental agreement with Arapahoe County regarding the conduct and administration of the November 3, 2020 coordinated general election and appointing the City Clerk as the designated election official (the "IGA"); and

**WHEREAS**, pursuant to Section 2-1-10(b) of the Cherry Hills Village Municipal Code (the "Code"), coordinated elections are conducted pursuant to the Uniform Election Code of 1992, as set forth in Articles 1 to 13 of Title 1, C.R.S., except to the extent that a conflict exists with the Code; and

**WHEREAS**, in accordance with Section 2-1-50 of the Code and C.R.S. § 1-5-208 (1.5), the City Council may by resolution instruct the City Clerk to cancel an election and declare the candidates elected if the ballot contains no questions for the electorate to determine and if, at the close of business on the sixty-third day before the election, there is not more than one (1) candidate per seat to be filled at such election, including candidates filing affidavits of intent to be a write-in candidate; and

**WHEREAS**, for the Election there are no ballot measures from the City of Cherry Hills Village and only one candidate each for Mayor and for District 1, District 3, and District 5 has submitted the appropriate nominating petitions to be included on the ballot; and

**WHEREAS**, each candidate's nominating petition for Mayor, District 1, District 3, and District 5 has been found to be sufficient, in accordance with Section 2.8 of the Charter; and

**WHEREAS**, as of the sixty-fourth day prior to the Election, no qualified individual has submitted an affidavit of intent to be a write-in candidate for Mayor, District 1, District 3, or District 5; and

**WHEREAS**, pursuant to the City Code and the above referenced circumstances, the City Council desires to instruct the City Clerk to cancel the Election and to declare the candidates elected, as provided by law.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO THAT:**

**Section 1.** The City Clerk is hereby directed to cancel the November 3, 2020, regular election for the City of Cherry Hills Village.

**Section 2.** The City Clerk is hereby directed to publish and post notice of such cancellation pursuant to Section 2-1-50(b) of the Cherry Hills Village Municipal Code, to provide such notice to the Arapahoe County Clerk and Recorder as required by state law and the IGA, and to provide notice as required by law that certain persons set forth below are declared elected.

**Section 3.** The City Clerk is hereby directed to declare that Russell O. Stewart is elected to a two-year term as Mayor, effective Tuesday, November 3, 2020. Pursuant to Section 2.7 of the Cherry Hills Village Home Rule Charter the Mayor-elect shall assume the duties of office at the first Council meeting in the month of January, 2021.

**Section 4.** The City Clerk is hereby directed to declare that Randy Weil is elected to a four-year term as Council Member for District 1, effective Tuesday, November 3, 2020. Pursuant to

Section 2.7 of the Cherry Hills Village Home Rule Charter the elected Council members shall assume the duties of office at the first Council meeting in the month of January, 2021.

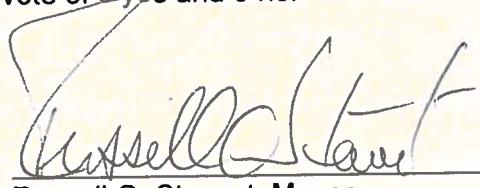
**Section 5.** The City Clerk is hereby directed to declare that Al Blum is elected to a four-year term as Council Member for District 3, effective Tuesday, November 3, 2020. Pursuant to Section 2.7 of the Cherry Hills Village Home Rule Charter the elected Council members shall assume the duties of office at the first Council meeting in the month of January, 2021.

**Section 6.** The City Clerk is hereby directed to declare that Dan Sheldon is elected to a four-year term as Council Member for District 5, effective Tuesday, November 3, 2020. Pursuant to Section 2.7 of the Cherry Hills Village Home Rule Charter the elected Council members shall assume the duties of office at the first Council meeting in the month of January, 2021.

**Section 7.** This Resolution shall be effective immediately upon adoption.

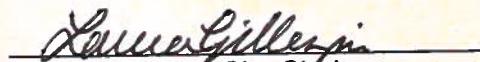
Introduced, passed and adopted at the regular meeting of City Council this 1<sup>st</sup> day of September, 2020, by a vote of 6 yes and 0 no.

(SEAL)



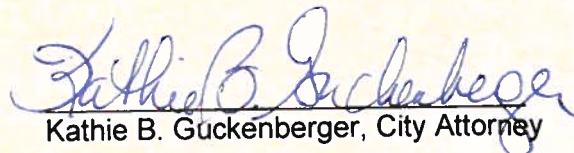
Russell O. Stewart, Mayor

ATTEST:



Laura Gillespie, City Clerk

APPROVED AS TO FORM:



Kathie B. Guckenberger, City Attorney