

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 27
SERIES OF 2022**

**A RESOLUTION DECLARING A VACANCY IN OFFICE FOR A CITY COUNCIL
MEMBER REPRESENTING WARD 2 AS OF JUNE 8, 2022 AND DETERMINING TO
FILL SUCH VACANCY BY APPOINTMENT**

WHEREAS, Section 2.04.010 of the Leadville Municipal Code states that the City Council shall be composed of the Mayor and six City Council members elected from three wards of the City; and

WHEREAS, Section 31-4-106 of the Colorado Revised Statutes states that if a council member, during the council member's term of office, removes from or becomes a nonresident of the ward in which the council member was elected, then that council member is deemed to have vacated the council member's office, effective upon the adoption by the city council of a resolution declaring such vacancy to exist; and

WHEREAS, Council Member Cisco Tharp represents Ward 2 and is moving out of Ward 2, which creates a vacancy in office as of June 8, 2022; and

WHEREAS, in accordance with Sections 31-4-106 and 31-4-108(2)(b) of the Colorado Revised Statutes, the City Council must either appoint a person to fill the vacancy within sixty (60) days of the vacancy or schedule a special election; and

WHEREAS, City Council desires to appoint a person to fill the vacancy in order to save time and the expense of conducting a special election; and

WHEREAS, City Council further desires City staff to advertise the vacancy, in accordance with any instructions from City Council, to seek a qualified candidate to fill the vacancy in Ward 2 as soon as reasonably practicable so that the City has a full City Council seated without unnecessary delay.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEADVILLE, COLORADO, AS FOLLOWS:


Section 1. **Recitals.** The foregoing recitals are incorporated herein by reference as findings and determinations of City Council.

Section 2. **Vacancy Declaration and Appointment Determination.** The City Council hereby: (a) declares that beginning on June 8, 2022, a vacancy is created in the office of City Council Member for Ward 2; (b) determines that it is appropriate to appoint a person to fill the vacancy in accordance with Sections 31-4-106 and 31-4-108(2)(b) of the Colorado Revised Statutes; and (c) directs City staff to advertise said vacancy pursuant to the direction of City Council.

Section 3. Effective Date. This Resolution shall take effect upon its adoption by the City Council.


ADOPTED this 7th day of June 2022 by a vote of 4 in favor, 0 against,
0 abstaining, and 0 absent.

CITY OF LEADVILLE, COLORADO:



Greg Labbe, Mayor

ATTEST:



Deputy City Clerk

