

ORDINANCE NO. 14-\_\_\_\_\_

**AN ORDINANCE SUBMITTING A CHARTER AMENDMENT TO THE ELECTORS OF THE CITY FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD APRIL 7, 2015, RELATING TO COLORADO SPRINGS UTILITIES CONTRACTS**

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

**Section 1.** Council submits and refers to the vote of the electors of the City at the General Municipal Election to be conducted on April 7, 2015, closing at 7:00 p.m., a proposed amendment to Section 4-10 of the Charter of the City of Colorado Springs to read as follows:

**4-10. Creation of the Office of Mayor; General Powers.**

There shall be, and hereby is, created the office of Mayor. The Mayor shall be the chief executive and shall enforce all laws and ordinances; the Mayor shall possess, have and exercise, all the executive and administrative powers granted to the City by article XX of the Constitution of the State of Colorado, and all executive and administrative powers contained in the Charter of the City, and otherwise existing by operation of law, except as hereinafter delegated to the departments hereinafter created, and except the powers granted to other elective officers by this Charter. The Mayor shall be considered the head of the City government for the purpose of executing legal instruments, for all ceremonial purposes, and by the Governor or other constituted authority for the purpose of military law. The Mayor may take command of the police and govern the City by proclamation in times of public danger or emergency. The Mayor shall from time to time give the Council information on the condition of the City and recommend such measures as he or she may deem expedient. The Mayor shall execute all contracts **and agreements to which the City or any of its enterprises, except Utilities, is a party**, and see that all **such** contracts and agreements ~~with the City~~ are faithfully kept and fully performed. The head of every department shall report to the Mayor all facts and information known to him or her concerning the violation of any contract or agreement with the City.

**Section 2.** The election shall be conducted as a mail ballot election in the City pursuant to the Charter of the City of Colorado Springs and applicable Colorado statutes, except as otherwise provided in the Charter or ordinances of the City, all as impliedly modified by relevant judicial decisions. The City Clerk shall be the designated election official for all matters.

**Section 3.** The question of amending the City Charter for this purpose shall be submitted to the registered qualified electors of the City in substantially the following form:

“SHALL ARTICLE IV, SECTION 4-10 OF THE CHARTER OF THE CITY OF COLORADO SPRINGS BE AMENDED TO EXCEPT FROM THE MAYOR’S AUTHORITY THE EXECUTION OF CONTRACTS AND AGREEMENTS ENTERED INTO BY THE COLORADO SPRINGS UTILITIES ENTERPRISE?”

**Section 4.** The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance.

**Section 5.** If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

**Section 6.** All ordinances resolutions, bylaws and regulations of the City in conflict with this Ordinance, are hereby repealed to the extent of any conflict. This repealer shall not be construed to revive any ordinance, resolution, bylaw or regulation, in whole or in part, previously repealed.

**Section 7.** This Ordinance shall be in full force and effect from and after its passage and publication as provided by the Charter. If passed by the electorate, it shall be effective as provided by law.

**Section 8.** Council deems it appropriate that this Ordinance be published by title and summary prepared by the City Clerk and that this Ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this \_\_\_\_\_ day of \_\_\_\_\_, 201\_.

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Keith King, Council President

ATTEST:

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Sarah B. Johnson, City Clerk