

ORDINANCE NO. 15-12

AN ORDINANCE SUBMITTING CHARTER AMENDMENTS TO THE ELECTORS OF THE CITY FOR THE SPECIAL MUNICIPAL ELECTION TO BE HELD April 7, 2015, TO CITY COUNCIL DIRECTION AND SUPERVISION OF AUDITOR AND LEGISLATIVE EMPLOYEES

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 Special Municipal Election to be held April 7, 2015, proposed amendments to Sections 3-10(e), 4-40(c), and 5-20 of the Charter of the City of Colorado Springs, to read as follows:

**3-10(e) Appointments.** The Council shall appoint by the concurring vote of a majority of its members a City Auditor **and a City Council Administrator**, whose duties, compensation, and tenure of office shall be as prescribed by ordinance. All votes upon appointments to office shall be upon roll call and recorded. **The Council shall direct and supervise the City Auditor and the City Council Administrator, and shall delegate to the City Auditor and the City Council Administrator the authority to direct and supervise the employees and assistants serving the City Auditor and the City Council Administrator.**

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**4-40. Specific Powers and Duties of the Mayor**

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**(c)** The Mayor shall appoint and suspend or remove any City government employee, which excludes employees of City Utilities, ~~and the City's health system,~~ **and employees serving under the City Auditor and City Council Administrator.** All appointments shall be upon merit and fitness alone. The Mayor may authorize any administrative officer who is subject to the Mayor's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office, or agency.

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**5-20. Direction by the Mayor.** Except as otherwise provided by this Charter, All departments, divisions, offices, and agencies shall be under the direction and supervision of the Mayor but may be administered by the Mayor's Chief of Staff. The Mayor may serve as the head of one or more such departments, offices, or agencies or may appoint one (1) person as the head of two (2) or more of them.

**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 provided by the City Charter or ordinances of the City, or as 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 III, SECTION 3-10(e), ARTICLE IV, SECTION 4-40(c), and ARTICLE V, SECTION 5-20, OF THE CHARTER OF THE CITY OF COLORADO SPRINGS, BE AMENDED IN PART TO PROVIDE FOR THE APPOINTMENT OF A CITY COUNCIL ADMINISTRATOR BY THE CITY COUNCIL (IN LIEU OF THE MAYOR) AND FOR THE DIRECTION AND SUPERVISION OF THE CITY AUDITOR, THE CITY COUNCIL ADMINISTRATOR, AND THEIR EMPLOYEES AND ASSISTANTS BY THE CITY COUNCIL?"

**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 may be published by title and summary written by the City Clerk, together with a statement that the ordinance is available for

public inspection and acquisition in the Office of the City Clerk as provided by the Charter.

**Section 8.** 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, the ballot measure and the proposed Charter amendment set out in Section 1, above, shall be effective thereafter as provided by law.

Introduced, read, passed on first reading and ordered published this 27<sup>th</sup> day of January, 2015.

Finally passed February 10, 2015

  
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Keith King, Council President

ATTEST:

  
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Sarah B. Johnson, City Clerk



I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE SUBMITTING CHARTER AMENDMENTS TO THE ELECTORS OF THE CITY FOR THE SPECIAL MUNICIPAL ELECTION TO BE HELD April 7, 2015, TO CITY COUNCIL DIRECTION AND SUPERVISION OF AUDITOR AND LEGISLATIVE EMPLOYEES”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on January 27, 2015; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 10<sup>th</sup> day of February, 2015, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 10<sup>th</sup> day of February, 2015.

  
City Clerk

