

A RESOLUTION SPECIFYING A TIME PERIOD FOR THE SUBMISSION OF WRITTEN OBJECTIONS TO AN INITIAL DECISION FOR CITY COUNCIL CONSIDERATION CONCERNING A HEARING REGARDING ETHICS COMPLAINTS UNDER THE CITY CODE OF ETHICS

WHEREAS, Council Resolution 58-13 specifies certain procedures relating to the investigation and hearing procedures for ethics complaints under the City's Code of Ethics; and

WHEREAS, Section 5(B) of Resolution 58-13 requires that the parties to an ethics hearing be permitted to file written objections to an Initial Decision produced by a hearing officer in an ethics proceeding; and

WHEREAS, Resolution 58-13 does not specify a time period for the filing of those written objections; and

WHEREAS, the hearing officer's Initial Decision in IEC matter 2015-01 was submitted to City Council on February 16, 2016; and

WHEREAS, Resolution 58-13 further specifies that City Council's affirmation, rejection, or modification of the findings in the Initial Decision will be the final agency action.

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

Section 1. City Council hereby determines that written objections to an Initial Decision rendered by the hearing officer in IEC matter 2015-01 shall be submitted to the President of City Council prior to midnight on March 8, 2015.

Section 2. City Council hereby declares its intent to convene a Special Meeting on March 15, 2016 to consider the hearing officer's Initial Decision pending in current ethics matter 2015-01 as well as the parties' written objections, and to affirm, reject, or modify the findings in the Initial Decision, which action will be the final action by City Council on this matter.

Section 3. Pursuant to the City's Code of Ethics and Council Rules of Procedure, which note that "Any member of City Council who has a personal or private interest in any matter proposed or pending before the City Council shall...excuse themselves," it is City Council's expectation that Councilmember Collins will not appear in her capacity as a Councilmember at the Special meeting on March 15, 2016 and will recuse herself from participating in reviewing the matter as a member of the neutral decision-making body.

DATED at Colorado Springs, Colorado, this _____ day of _____ 2016.

Council President

ATTEST:

Sarah B. Johnson, City Clerk

DRAFT