

ORDINANCE NO. 15-____

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 ~~TRANSPARENT~~DETAILED BUDGET PREPARATION, APPROPRIATION, AND BUDGET ADMINISTRATION MATTERS, PROVIDING FOR THE FORM OF BALLOT TITLE, PROVIDING FOR CERTAIN MATTERS WITH RESPECT TO THE ELECTION, AND PROVIDING THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, City Council is the legislative body of the municipal government; and

WHEREAS, the Mayor is responsible for all executive and administrative affairs of the City, except those reserved to City Council; and

WHEREAS, City Council is dedicated to providing the finest legislative services to the citizens of Colorado Springs and fulfilling all its responsibilities; and

WHEREAS, City Council and the Mayor are elected officials sworn to uphold and enforce the Charter of the City of Colorado Springs; and

WHEREAS, to ensure checks and balances that protect the citizens as intended for the current Council-Mayor form of the government, the Charter of the City of Colorado Springs should be amended to provide for specific budget detail, legislative approval and transparency for the citizens of Colorado Springs.

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

Section 1. City Council submits and refers to the vote of the electors of the City at the General Municipal Election to be held April 7, 2015, a proposed amendment to Section 4-40(i) of the Charter of the City of Colorado Springs to read as follows:

~~On or before the first Monday in October in each year, the Mayor shall furnish to the Council estimates in writing of the probable expenses to be incurred in the several departments of the City for the ensuing fiscal year, specifying in detail probable expenditures, including a statement of the salaries of all administrative officers and employees, and certify the amount of money to be raised by taxation during the ensuing fiscal year to make payment of interest,~~

~~sinking fund, and principal of bonded indebtedness and also the estimated amount of revenue from all sources other than tax levy. At the same time or on such later date in each year as shall be fixed by the Council, the Mayor shall prepare and present to the Council the annual budget for the ensuing fiscal year, which shall include interest and sinking fund on the bonded debt. The budget so prepared shall be in such detail as to the aggregate sum and the items thereof allowed to each department, office, board, or commission as the Mayor may deem advisable except such as are fixed by law.~~

(i) On or before the first Monday in October in each year, the Mayor shall prepare and present to the Council the annual budget for the ensuing fiscal year, which shall include interest, sinking fund, and principle of bonded indebtedness.

(1) The budget so prepared shall include estimates in writing of the probable revenues and expenses for the general fund and any and all other funds of all departments, divisions, offices, agencies, and enterprises of the City's municipal government for the ensuing fiscal year, specifying, by separate category, detailed and probable expenditures to be incurred by the departments, divisions, offices, agencies, and enterprises;office and operations of the following departments, regardless of title:

- (i) City Attorney
- (ii) City Auditor
- (iii) City Clerk
- (iv) City Council
- (v) Finance
- (vi) Fire
- (vii) Mayor's Office
- (viii) Municipal Court
- (ix) Parks
- (x) Planning and Development
- (xi) Police
- (xii) Public Works
- (xiii) The director or manager of any City department, division, office, agency, or enterprise if the Mayor's appointment authority is set forth by ordinance~~Any other department where now or in the future the Mayor appoints and City Council confirms the department head.~~

~~(2) This budget detail shall include but not be limited to the following separate programs for each department, division, office, agency or enterprise:~~

- ~~(i) Revenues by fund~~
- ~~(ii) Salaries and benefits to include all employee contracts with severance pay requirements~~
- ~~(iii) Operating costs~~
- ~~(iv) Capital outlay.~~

(23) The Mayor shall certify to the City Council all sources of revenue for the ensuing fiscal year, including but not limited to taxes, fees, grants and all other possible sources of revenue and the amount of money to be raised by taxation during the ensuing fiscal year to make payment of interest, sinking fund, and principal of bonded indebtedness.

~~(34) Once approved and appropriated by City Council, all revenues shall be spent solely for their stated purposes, unless changes are authorized by City Council.~~ The Mayor is prohibited from transferring funds between departments or between programs within a department unless specifically authorized by City Council.

~~(5) If revenue becomes insufficient to fund a stated budget purpose in a department, division, office, agency, or enterprise after the budget has been approved and the funds appropriated, the Mayor must bring an amended budget and request to decrease the appropriation authorized by City Council so that the books and records of the City remain accurate at all times.~~

(46) At any time, the Mayor or City Council may initiate an amendment, ~~by ordinance,~~ to the annual tax levy and appropriation ordinances to reflect corrections of revenue and expenditures to accord with actual fact.

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. That the question of amendment of the City Charter for this stated purpose shall be submitted to the registered qualified electors of the City in substantially the following form:

"SHALL ARTICLE IV, SECTION 4-40(i), OF THE CHARTER OF THE CITY OF COLORADO SPRINGS BE AMENDED TO PROVIDE THAT (1) ~~THE MAYOR PREPARE AND PRESENT THE ANNUAL BUDGET BY THE FIRST MONDAY IN OCTOBER FOR THE ENSUING YEAR;~~ (2) THE BUDGET INCLUDE ESTIMATES OF REVENUES AND EXPENSES FOR ALL DEPARTMENTS, DIVISIONS, OFFICES, AGENCIES AND ENTERPRISES OF THE MUNICIPAL GOVERNMENT TO INCLUDE THE TWELVE DEPARTMENTS; (3) ~~THE DEPARTMENTS INCLUDED IN THE BUDGET SHALL BE THOSE TWELVE SPECIFIED IN THE CHARTER AMENDMENT, AS WELL AS ANY OTHER DEPARTMENT WHOSE HEAD IS APPOINTED BY THE MAYOR AND CONFIRMED BY THE CITY COUNCIL;~~ (4) THE BUDGET SHALL INCLUDE SPECIFIC PROGRAM DETAIL; (5) ~~THE MAYOR SHALL CERTIFY ALL SOURCES OF REVENUE AND THE AMOUNT OF MONEY TO BE RAISED BY TAXATION;~~ (6) ~~THE EXPENDITURE OF REVENUE IS RESTRICTED TO ONLY THE STATED PURPOSES UNLESS AUTHORIZED BY CITY COUNCIL;~~ (7) THE MAYOR IS PROHIBITED FROM TRANSFERRING FUNDS BETWEEN DEPARTMENTS OR BETWEEN PROGRAMS WITHIN A DEPARTMENT UNLESS SPECIFICALLY AUTHORIZED BY CITY COUNCIL; (8) ~~THE MAYOR MUST PRESENT AN AMENDED BUDGET AND A REQUEST TO DECREASE APPROPRIATIONS IF REVENUE BECOMES INSUFFICIENT TO FUND A STATED BUDGET PURPOSE IN A DEPARTMENT, DIVISION, OFFICE, AGENCY, OR ENTERPRISE;~~ AND (39) THE MAYOR OR COUNCIL MAY INITIATE AN AMENDMENT TO THE ANNUAL TAX LEVY AND APPROPRIATION ORDINANCES TO REFLECT CORRECTIONS OF REVENUE AND EXPENDITURES TO ACCORD WITH ACTUAL FACT?"

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 be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such 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 only of such inconsistency. The repealer shall not be construed to revive any ordinance, resolution, bylaw or regulation, or part thereof, heretofore 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 ____ day of _____, 2015.

Finally passed: _____.

Keith King, Council President

ATTEST:

Sarah B. Johnson, City Clerk