



## Legislation Details (With Text)

**File #:** 19-025      **Version:** 2      **Name:**

**Type:** Ordinance      **Status:** Mayor's Office

**File created:** 12/19/2018      **In control:** City Council

**On agenda:** 2/12/2019      **Final action:** 2/12/2019

**Title:** Ordinance No. 19-7 Amending Sections 102 (Definitions) and 103 (Independent Ethics Commission) of Article 3 (Code of Ethics) of Chapter 1 (Administration, Personnel, and Finance) of The Code of The City Of Colorado Springs 2001, as amended, Pertaining to Independent Ethics Commission Alternates and Applicability of the City Code of Ethics

**Presenter:**  
Tracy Lessig, Employment Division Chief, Office of the City Attorney

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. IEC\_AlternatesORD-2018-12-27, 2. Signed Ordinance 19-7

Date	Ver.	Action By	Action	Result
2/12/2019	1	City Council	finally passed	Pass
1/22/2019	1	City Council	approved on first reading	Pass
1/7/2019	1	Council Work Session	referred	

Ordinance No. 19-7 Amending Sections 102 (Definitions) and 103 (Independent Ethics Commission) of Article 3 (Code of Ethics) of Chapter 1 (Administration, Personnel, and Finance) of The Code of The City Of Colorado Springs 2001, as amended, Pertaining to Independent Ethics Commission Alternates and Applicability of the City Code of Ethics

**Presenter:**

Tracy Lessig, Employment Division Chief, Office of the City Attorney

**Summary:**

The Independent Ethics Commission (IEC) has requested an ordinance changing the language of its alternates. Currently, the City Code limits the IEC to only one alternate and the IEC would prefer to have two alternates at all times to better serve the community and the commission.

Additionally, the ordinance modifies the definition of Covered Persons Subject to the Commission’s Jurisdiction to clarify that jurisdiction is only over City boards, committees or commissions.

**Previous Council Action:**

City Council has adopted previous City Code provisions and adopting ordinances related to the IEC, most recently by Ordinance 16-122, which amended all of Article 3, Code of Ethics.

**Background:**

In response to an IEC request, the City Attorney's Office drafted proposed ordinance revisions to address the IEC's desire to have two alternates. The City Attorney's Office also wants to clarify that the City Code of Ethics only applies to City created boards, commissions, and committees.

The relevant City Code amendments are to City Code § 1.3.102 and § 1.3.103. The purpose for revising City Code § 1.3.102 is to clarify that the City Code of Ethics does not apply to boards, commissions, or committees that were not created by the City. For example, City Council and/or the Mayor may have authority to appoint members to state or regional boards and commissions. The state or regional boards or commissions are not governed by the City Code of Ethics because they are regulated by separate ethics provisions.

The proposed amendment to City Code § 1.3.103 provides the IEC with two alternates. Currently, the IEC is limited to one alternate. Two alternates will provide greater flexibility to the IEC if a member has a conflict of interest or there are vacancies.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

The IEC supports increasing the number of alternates to two.

**Stakeholder Process:**

N/A

**Alternatives:**

City Council could decide not to adopt the ordinance.

**Proposed Motion:**

Motion to adopt an ordinance amending Sections 102 (Definitions) and 103 (Independent Ethics Commission) of Article 3 (Code of Ethics) of Chapter 1 (Administration, Personnel, and Finance) of The Code of The City Of Colorado Springs 2001, as amended, Pertaining to Independent Ethics Commission Alternates

An ordinance amending City Code § 1.3.102 and § 1.3.103 to clarify the applicability of the City Code of Ethics and to increase the numbers of alternates to two.