

TOWN OF BLUE RIVER, COLORADO

ORDINANCE NO. 2024-04

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
BLUE RIVER, COLORADO, REPEALING SECTION 2-3-80 AND
ENACTING A NEW SECTION 2-2-140 OF THE BLUE RIVER
MUNICIPAL CODE PERTAINING TO BOARD CONDUCT WITH STAFF
AND CONTRACTORS**

WHEREAS, the Town of Blue River, Colorado (“Town”) is a statutory municipality incorporated and organized pursuant to the provisions of Section 31-2-101, et seq., C.R.S.; and

WHEREAS, the Town is a Council-Manager form of government, which is a form of government widely viewed as a way of taking politics out of municipal administration—that is, promoting nonpolitical management that is effective, transparent, responsive, and accountable—and a form that helps Board members avoid creating conflicts amongst themselves and others due to Board entanglements in administrative matters; and

WHEREAS, under the Council-Manager form of government, there is a clear distinction between the administrative role of the Town Manager and the political and policy roles of the Board of Trustees. Acting in accordance with Board policies and laws, the day-to-day operations of the Town reside with the Town Manager, allowing elected officials to devote their time and energy to policy development and the assessment of the effectiveness of those policies within the community, and is how all efficient local governments operate; and

WHEREAS, the Town Board of Trustees desires to improve upon the existing provisions of the Town’s Municipal Code governing the conduct of Board members in their interactions with Town staff to ensure the relationship between the Board and the Town Manager is based on these clearly defined roles and finds that the proposed amendments advance the Town’s interest in preserving the council-manager structure of government and best serve the Town’s needs in fostering efficient municipal operations.

BE IT ORDAINED by the Board of Trustees of the Town of Blue River, Colorado, as follows:

Section 1. Repeal of Section 2-3-80. Section 2-3-80 of the Municipal Code of the Town of Blue River titled *Relationship of Town Board to Administrative Service* is hereby repealed in its entirety.

Section 2. Amendment of Article II of Chapter 2. Article II of Chapter 2 of the Municipal Code of the Town of Blue River titled *Mayor and Board of Trustees* is hereby amended by the addition of a new Section 2-2-140, entitled *Board conduct with staff*, to read in full as follows:

Sec. 2-2-140. Board Conduct with Staff and Contractors.

- (a) Neither the Town Board nor any member of the Board shall have authority to require or prohibit the hiring, promotion, discipline, suspension, transfer, or termination of any administrative staff person by the Town Manager.
- (b) Except for the purpose of making specific inquiries to obtain information, all members of the Board shall deal with administrative staff persons solely through the Town Manager or the Town Manager's designee and no member of the Town Board shall give orders or directions to any administrative staff person of the Town.
- (c) The Board shall not give orders or directions to a Town contractor. Board members seeking information related to the performance of a contractor shall direct requests solely through the Town Manager or the Town Manager's designee.
- (d) For purposes of this section, “administrative staff person” shall mean all employees of the Town other than the Town Manager or Town Clerk. A “contractor” shall mean a company or a person other than administrative staff person performing services for the Town but shall not include the Town Attorney.

Section 3. Severability. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 4. Repeal. Any and all Ordinances or Codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such Ordinance or Code or part thereof shall not revive any other section or part of any Ordinance or Code provision heretofore repealed or superseded.

Section 5. Minor Revision or Correction Authorized. The Town Manager, in consultation with the Town Attorney, is authorized to make minor revisions or corrections to the codified version of the provisions of this Ordinance provided that such revisions or corrections are grammatical, typographical, or non-substantive and do not alter or change the meaning and intent of this Ordinance.

Section 6. Effective Date. The provisions of this Ordinance shall become effective thirty (30) days after publication following the final passage.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED at a regular meeting of the Board of Trustees of the Town of Blue River, Colorado, held on the 15th day of October, 2024.

Mayor

ATTEST:

Town Clerk

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