

Ordinance No. 108, 2025

Ballot Title and Submittal Clause – Council Vacancies Charter Amendment

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City Council Resolution 2024-024, Adopted a 2024-2026
Council Priority to Modernize and Update the City Charter:

Goals:

- Modernize language
- Simplify & clarify
- Adjust to current practices and timelines

To date: 5 ordinances adopted for November 2025 ballot

This item: Amendment of vacancy process

Current Charter requires:

- Council must appoint replacement to fill vacancy within 45 days, BUT
- Council must hold off on filling a vacancy until after the new Council is seated if it comes within 90 days of an upcoming municipal election

These requirements:

- Don't reflect election calendar changes
- Don't reflect the longer window between the election and new Council swearing in
- Limit the Council from filling a vacancy for up to 160+ days.

Proposed changes:

- Reorganize and restate the requirements and process for ease
- Require Clerk to announce vacancy via website and solicit and receive applications
- Specify any person appointed or elected to fill a vacancy who serves a total of more than half of the term has served a full term for term limits purposes

Proposed changes/clarification:

- Require Council to appoint district Councilmember replacement within 35 business days (with no exceptions)
- Require vacant office to appear on regular election ballot if the process requirements can be met for the election
- Shift Mayor Pro Tem to Acting Mayor and replace Mayor Pro Tem assignment
- Require Council to appoint replacement district Councilmember to replace Acting Mayor while in that role

Shall the Charter of the City of Fort Collins be amended to revise Section 1 and Section 18 of Article II to update the process for filling a vacant district Councilmember or Mayoral office and to clarify how existing term limits apply to partial terms to fill a vacancy, by:

- Adding a new subsection (e) to Section 1 of Article II providing that if a person serves a total of more than one-half a term in office, this will count as a term when determining term limits; and

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- Revising Section 18 of Article II to:
 - Add procedural steps including public announcement of a vacancy and acceptance of applications to the process for filling vacancies;
 - Require Council to appoint a replacement to fill a District Councilmember vacancy within 35 business days;
 - Retain the provision that if the Mayor office is vacated, the Mayor Pro Tem becomes the Acting Mayor and Council selects a new Mayor Pro Tem during the time there is an Acting Mayor;
 - Require the Council to fill the district Councilmember seat that is vacant for the time the Mayor Pro Tem serves as Acting Mayor using the vacancy filling process;
 - Provide that any vacated office will appear on the next regular municipal election ballot for which process requirements can be met; and
 - State that if there is no qualified candidate for an elected office on a municipal election ballot, the Council organized after the election will then appoint a qualified person to fill the resulting vacancy?



Questions?