



City Charter Update and Modernization Project

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

Modernize and Update the City Charter

Although small parts of the Charter get reviewed and updated on a regular basis, due to changes in state laws and election procedures, there is a need to modernize and update the City Charter, which has not been done in a comprehensive way in over 25 years.

- What feedback do Councilmembers have about proposed grouping and prioritizing of amendments?
- What feedback do Councilmembers have about specific provisions?
- What feedback do Councilmembers have about the number of ordinances or groupings of ballot questions to be presented at the Council's April 1, 2025, meeting?

- A. Reformatting for Ease of Reading and Replacing Outdated or Unclear Language
- B. Suggested Topical Grouping and Prioritizing for Presentation to Voters
- C. Specific Provisions Identified for More Discussion at December 10, 2024 Work Session
- D. Number of Ordinances or Groupings of Ordinances to be Presented to Voters for November 2025 Election

- Staff recommends reformatting and replacing language in any portion of the Charter presented for consideration for amendment.
- What is Council's feedback to staff's recommendation to:
 - 1) Reformat for ease of reading and clarity?
 - 2) Replacing outdated language for gender neutrality and eliminating unclear uses of the term "shall"?
- Alternatively, a ballot question seeking authorization to make these changes throughout the Charter would be needed.

GROUP/PRIORITY ONE: corrections that reflect Council's intent and ensure uniformity throughout Charter.

- Article X, Sec. 2 (e)(1) Initiative – 63 days to 77 days
- Article IX, Sec. 2 (e)(2) Recall - % of **first choice** votes cast
- Article VIII, Sec. 7 (a) Qualifications protest – align timelines with newly revised Article VIII

GROUP/PRIORITY TWO: align with amended law and remove inconsistencies.

- Art. II, Sec. 11 – allow Council to hold executive sessions for list of purposes identified in state law
- Art. II, Sec. 18 – align with state law re timeline with filling an open Council seat and clarify Council appoints replacement officeholder unless appointment is too late to allow for candidates to seek nomination for the office at next regular election. If too late, appointment delayed to time new Council sworn in (continued)

GROUP/PRIORITY TWO (cont'd): align with amended law and remove inconsistencies.

- Art. IV, Sec. 5 – align language about availability of City records with state law
- Art. VIII, Sec. 8 – align restrictions on Council campaign contributions with federal and state constitutions and statutes (**note:** Council may want to discuss whether to combine or separate this amendment from others)

GROUP/PRIORITY THREE: modernize publication requirements to ensure more efficient notice to the public.

- Art. IV, Sec. 7 – whenever legal notice or other publication is required
- Art. II, Sec. 6 – publication of ordinances, remove Councilmember’s option to request that ordinance be read in full during Council meeting

GROUP/PRIORITY FOUR: modernizing conflicts of interest.

- Art IV, Sec. 9 (b)(1)a. – modernize exceptions regarding financial conflict for councilmembers and their family when selling property to the City in specific circumstances
- Art IV, Sec. 9 (2) – modernize language to clarify that staff can rent or lease City property in specific circumstances (not critical due to ordinance approved by City Council to exclude housing agreements where an employee is required to live as a condition of City employment)

GROUP/PRIORITY FIVE: vacancies created by meeting absences.

- Art II, Sec. 18 – clarification or exceptions added to rule that a Council seat is vacated when a member fails to attend meetings for sixty consecutive days

GROUP/PRIORITY SIX: repeal provisions made unnecessary due to changes in law or circumstances.

- Art. IV, Sec. 3 – residency requirements refer to department heads hired prior to March 6, 1986 and no such department heads exist
- Art. V, Sec. 6 – maximum mill levy – dead-letter after TABOR
- Art. V, Sec. 19.3 – revenue securities – dead-letter after TABOR
- Art. XIV transitional provisions – gave effect to prior Charter until April 12, 1955

Additional Council discussion requested at last work session:

- **Campaign contributions**
- **Council seat vacancy due to meetings absences**
- **Publication provisions for legal notice, other forms of publication and publication of ordinances**
- **Conflicts of interest, sales to the City by both Councilmembers and employees**

Campaign contributions:

- **Option 1: Confidential and policy-level employees are prohibited from contributing to Council campaigns, and continue to prohibit contributions from parties, corporations, and persons except as required under federal and state constitutions and state statutes**
- **Option 2: Confidential and policy-level employees are prohibited from contributing to Council campaigns, and separately prohibit contributions by any political party, plus prohibit contributions by any other party, except as required by law**
- **Option 3: Same for employees plus remove prohibitions on political parties completely from Charter and address restrictions via Council ordinance, plus maintain limits on contributions from all other parties except as required by law**

Council **seat vacancy due to meetings absences:**

- **Add clarification that canceled meetings are excluded from the 60-day period**
- **Council cancels meetings by resolution rather than motion and excuses a Councilmember from attendance with the resolution**
- **Change to specific number of missed meetings in 12-month period**
- **Clarify that 60-day period begins on the date of the first missed meeting**

Publication provisions – legal notices, other publications and ordinances:

- Only on City website
- On City website, posted at City Hall or Library or both
- Maintain requirement as is, no Charter change (website and local newspaper)
- Remove both types of publication from Charter and address in City Code, using one of the listed options

Conflicts of interest, sales to City:

- **Provision currently prohibits any Councilmember or employee from having a financial interest in the sale to the City of any real property**
- **City may need property owned by Councilmember or employee**
- **Add exception “except where City needs a particular real property to carry out City purposes or projects or elects to exercise its power of eminent domain”**
- **General requirements for conflicts disclosure and recusal from decision-making remain in place**

Conflicts of interest, purchases from the City:

- **Provision currently prohibits any employee from purchasing any real property from the City except where such property is offered to public on similar terms**
- **The City requires some employees to reside on site for their work. They have housing agreements allowing them to pay rent at less than market value where their job duties require them to live on site (rangers, caretakers)**
- **To clarify the limit, add exception “property is leased to an employee for reasons beneficial to the City and related to their employment”**

Staff seeks Council feedback about the number of ordinances or topical groupings of ordinances to be presented to City Council.

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- What feedback do Councilmembers have about specific provisions?
- What feedback do Councilmembers have about the number of ordinances or groupings of ballot questions to be presented at the Council's April 1, 2025, meeting?

