

ORDINANCE NO. 002, 2017
OF THE COUNCIL OF THE CITY OF FORT COLLINS
SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF FORT
COLLINS A PROPOSED AMENDMENT TO SECTION 11 OF ARTICLE II OF THE CITY
CHARTER PERTAINING TO THE PROCESS FOR CANCELLING A COUNCIL MEETING

WHEREAS, Article IV, Section 8 of the Charter of the City of Fort Collins (“Charter”) provides that the Charter may be amended as provided by the laws of the State of Colorado; and

WHEREAS, Section 31-2-210, Colorado Revised Statutes, provides that Charter amendments may be initiated by the adoption of an ordinance by the City Council submitting a proposed amendment to a vote of the registered electors of the City of Fort Collins; and

WHEREAS, on occasion a natural disaster, emergency or other unforeseen circumstance causes necessitates that a regular Council be cancelled; and

WHEREAS, the Charter currently requires that the City Clerk determine whether any Councilmembers are present for the scheduled meeting prior to cancellation for unforeseen events that have made the meeting undesirable or impracticable, as described above; and

WHEREAS, Council desires to update the process for such cancellations to allow the City Manager, by agreement with the Mayor, to determine that circumstances require that a scheduled Council meeting be cancelled and then to cancel it, and requiring the City Manager to make reasonable efforts to notify all Councilmembers and the public of the cancellation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the following proposed changes to Section 11 of Article II of the City Charter shall be submitted to the registered electors of the City as “Proposed Charter Amendment No. 2” at the regular municipal election to be held on Tuesday, April 4, 2017:

**ARTICLE II.
CITY COUNCIL**

Section 11. Meetings, quorum, executive session.

The Council shall hold regular meetings at such time and place as it may prescribe by ordinance and shall prescribe the manner in which special meetings may be called. Notice of any special meeting shall be given to all Councilmembers no less than one (1) day prior to such meeting. All meetings shall be open to the public. A majority of the members of Council shall constitute a quorum sufficient to transact business. A smaller

number can adjourn a meeting to a later date and time, and in the absence of all members, the City Clerk may adjourn any meeting for not longer than one (1) week. In the event of an emergency, natural disaster, or unforeseen circumstance that renders the holding of a meeting undesirable or impracticable, the City Manager may, with agreement of the Mayor, cancel a City Council meeting and shall make a reasonable attempt to notify the public and the other members of Council of such cancellation before the scheduled time of the meeting. No other action, except to adjourn, may be taken by the Council in the absence of a quorum, unless the absence of a quorum is due to the filing of conflict of interest disclosure statements by all absent members, in which event at least three (3) remaining members may transact business. By majority vote of those present and voting, the Council may approve any action of the Council except the passage of emergency ordinances and the approval of executive sessions. By two-thirds (2/3) vote of those present and voting, the Council may go into executive session, which shall be closed to the public. Executive sessions may only be held to:

- (1) discuss personnel matters; or
- (2) consult with attorneys representing the city regarding specific legal questions involving litigation or potential litigation and/or the manner in which particular policies, practices or regulations of the city may be affected by existing or proposed provisions of federal, state or local law; or
- (3) consider water and real property acquisitions and sales by the city; or
- (4) consider electric utility matters if such matters pertain to issues of competition in the electric utility industry.

Section 3. That the following ballot title and submission clause are hereby adopted for submitting Proposed Charter Amendment No. 2 to the voters at said election:

CITY-INITIATED
PROPOSED CHARTER AMENDMENT NO. 2

Shall Section 11 of Article II of the Charter of the City of Fort Collins, pertaining to City Council meetings, be amended to allow the City Manager, with agreement of the Mayor, to cancel a City Council meeting in the event of an emergency, natural disaster, or unforeseen circumstance that renders the holding of a meeting undesirable or impracticable?

____ Yes/For
____ No/Against

Introduced, considered favorably on first reading, and ordered published this 3rd day of January, A.D. 2017, and to be presented for final passage on the 17th day of January, A.D. 2017.

ATTEST:






Mayor


City Clerk

Passed and adopted on final reading on the 17th day of January, A.D. 2017.

ATTEST:


Mayor


City Clerk/ Chief Deputy

