

The following Ordinance placing a proposed Charter amendment on the April 6, 2021 Regular City Election ballot was adopted by the Council on final reading on January 19, 2021. Proposed amendments to the current language in the Charter are shown on the next page. Text with a line through the middle indicates language that will be deleted if the amendment is approved by the voters. Text that is highlighted in yellow indicates new language that will be added to the Charter if the amendment is approved by the voters.

ORDINANCE NO. 011, 2021
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 4 OF ARTICLE II OF
THE CITY CHARTER UPDATING THE PROVISION
FOR ELECTION OF A MAYOR PRO TEM

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, Article II, Section 4 of the Charter (“Section 4”) currently provides for the Council to elect a Mayor Pro Tem at the first regular or special meeting after final certification of a City election; and

WHEREAS, at the regular municipal election on April 4, 2017, the voters of Fort Collins approved Ordinance No. 001, 2017, amending Article II, Section 1 of the Charter to provide that newly-elected Councilmembers shall take the oath of office as the first order of business at the first regular or special Council meeting following the final certification of election results and after expiration of the recount period; and

WHEREAS, in light of the 2017 change to Section 1, Section 4 may in some instances require the election of the Mayor Pro Tem to occur before the newly-elected Councilmembers take office; and

WHEREAS, Section 4 is silent as to the potential need for and process to elect a new Mayor Pro Tem in the event that a Councilmember in that role resigns from the Council or resigns as Mayor Pro Tem; and

WHEREAS, Council desires to amend the Charter to ensure clarity and internal consistency in regards to the election of the Mayor Pro Tem.

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 4 of Article II of the City Charter shall be submitted to the registered electors of the City as “Proposed Charter Amendment No. 1” at the regular municipal election to be held on Tuesday, April 6, 2021:

**ARTICLE II.
CITY COUNCIL**

Section 4. - Organization.

The Mayor shall preside at meetings of the Council and shall be recognized as head of the city government for all ceremonial purposes and by the Governor of the state for purposes of military law. The Mayor shall execute and authenticate legal instruments requiring the signature of the Mayor. The Mayor shall also perform such other duties as may be provided by ordinance which are not inconsistent with the provisions of this Charter.

At the first regular or special meeting after final certification of a City election and after expiration of the recount period, the Council shall elect a Mayor Pro Tem for a two (2) year term from among the members of the Council to act as Mayor during the absence or disability of the Mayor. If a vacancy occurs in the position of Mayor, the Mayor Pro Tem shall become Mayor as provided in Section 18(b) below.

If a vacancy occurs in the position of Mayor Pro Tem, whether through resignation or otherwise, the Council shall at the first regular or special meeting after the occurrence of such vacancy elect a new Mayor Pro Tem to serve for the remainder of the vacated term.

Section 3. That the following ballot title and submission clause are hereby adopted for submitting Proposed Charter Amendment No. 1 to the voters at said election:

CITY-INITIATED
PROPOSED CHARTER AMENDMENT NO. 1

Shall Section 4 of Article II of the Charter of the City of Fort Collins, pertaining to the election of the Mayor Pro Tem and other Council organizational matters, be amended to clarify that the election of the Mayor Pro Tem shall occur at the meeting at which newly-elected Councilmembers take the oath of office and further to provide for election by Council of a new Mayor Pro Tem in the event of a resignation from that position?

_____ Yes/For
_____ No/Against

Introduced, considered favorably on first reading, and ordered published this 5th day of January, A.D. 2021, and to be presented for final passage on the 19th day of January, A.D. 2021.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 19th day of January, A.D. 2021.

Mayor

ATTEST:

City Clerk