

Charter Section - Existing Language	Questions/Discussion	CRC Recommendation	Staff Recommendation
Sec. 7. Definitions.			
<p>Agency. Any organizational unit of the City.</p> <p>Allotment. A portion of an appropriation made available for expenditure during a specified period.</p> <p>Appropriation. The authorized amount of funds set aside for expenditure during a specified time for a specific purpose.</p> <p>Candidate. A person seeking nomination or election to a City office.</p> <p>City. The City of Littleton, Colorado, a municipal corporation.</p> <p>Council. The Council of the City.</p> <p>Elector or Qualified Elector. Any person who is entitled to register to vote at a particular time.</p> <p>Emergency. An existing condition actually arising from unforeseen contingencies which immediately endangers public property, health, peace or safety.</p> <p>Emergency Ordinance. An ordinance, the immediate passage of which shall be necessary for the preservation or protection of public property, health, peace or safety.</p> <p>Employee. Any compensated person in municipal service who is not an officer.</p> <p>Franchise. A special privilege granted by the City permitting the continuing use of public property, such as City streets, and usually involving the elements of monopoly and regulation.</p> <p>Majority Vote. The greatest number of votes received by any candidate or issue.</p> <p>Officer. An elected member of the City government.</p> <p>Overlapping Terms. Terms of office are such that only a portion of the members will be appointed or elected at any one time, sometimes referred to as "staggered terms".</p> <p>Registered Elector. Any person who is registered to vote as required or prescribed by the statutes of the State of Colorado relating to municipal elections.</p> <p>Statutes. Applicable laws of the State of Colorado as they now exist and as they may be amended, changed, repealed or otherwise modified by legal procedure.</p> <p>(Amended, Election of 11-5-1991; Amended, Election of 11-3-2015)</p>		<p>Add Mayor, Home Rule, Registered Elector, Meeting types (regular, study session, executive sessions), ordinances, resolutions, motions, public utility, public utility corporation.</p>	<p><i>The first CRC recommended several changes to this section including adding Home Rule and Publication. Was not referred to a ballot. Language unchanged.</i></p>
Sec. 8. Amending the Charter.			
<p>Amendments to this Charter may be framed and submitted to the registered electors through petitioning the Council, or framed and submitted to the registered electors by Council on its own initiative, in accordance with the provisions of Article XX of the Constitution of the State of Colorado. Nothing herein contained shall be construed to prevent the submission to the people of more than one Charter amendment at any one election. (Amended, Election of 11-5-1991)</p>	<p>Review thresholds set by other cities above that of statute (Boulder/Denver given as examples). Signature thresholds for amending the city's charter should not be less than that for other types of citizen-initiated actions. Tie ability to amend charter to Sec. 38 which could limit (?) subjects to be included in charter. Recommendation to require a supermajority vote to pass any charter amendment.</p>	<p>Propose that any charter amendment, whether citizen or council initiated, only be passed by a supermajority vote vs a simple majority of votes cast for that ballot question.</p>	
Sec. 22. Term.			

<p>Terms of Council Members shall begin at eight P.M. on the second Tuesday following the election. General Municipal elections shall be held every two years with the Mayor and Council Members being elected for four-year terms, so that at each general Municipal election the voters shall elect a minimum of three members to serve on the Council. In elections when the Mayor is elected, a total of four council members shall be elected. Notwithstanding anything contained herein to the contrary, no Council Member including time served as Mayor shall be entitled to serve consecutive terms of office exceeding twelve years in duration unless said twelve year period expires during a term which said Mayor or Council Member is serving, in which case said Mayor or Council Member shall be entitled to serve out the remainder of his or her term. (Amended, Election of 11-3-2015; Amended, Election of 11-3-2020)</p>	<p>Committee question: Why do terms of Council Members begin at eight P.M. on the second Tuesday following the election? <i>Recommendation can be made to be less prescriptive to time, i.e., “terms of newly elected council members begin following the conclusion of old business on the second Tuesday following the election”. An argument can also be made that terms would not commence until after the canvass and certification of the election (deadline is not more than 22 days after the election).</i></p>		<p><i>The first CRC recommended that council members terms begin at the first regularly scheduled meeting in January following the election. Was not referred to a ballot. Language unchanged in Charter.</i></p>
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Sec. 24. Presiding Officer.

<p>The voters shall elect the Mayor who will be the presiding officer and entitled to vote. He or she shall have no veto power. He or she shall be recognized as the head of the City government for all ceremonial purposes and shall execute and authenticate legal instruments requiring his or her signature as such official. If a seated council member with remaining years on their term wishes to run for the position of Mayor, that council member shall be required to provide written notice to the City Clerk by July 1st of that general municipal election year of his or her intent to step down from their current council seat and run for Mayor. That council member shall continue to serve in their elected capacity until their seat is filled at the next general municipal election. (July 28, 1959; Amended, Election of 11-3-2015; Amended, Election of 11-3-2020)</p>		<p>Remove the second paragraph and replace with: If a seated council member with remaining years on their term wishes to run for the position of mayor and wins, the new city council would appoint a replacement to fill the remaining two (2) years of their term. If a seated council member with remaining years on their term wishes to run for the position of mayor and loses, they will retain their seat on city council for the remainder of their term.</p>	
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Sec. 27. Council Meetings; Open and Executive Sessions.

<p>The Council shall meet regularly at the City Hall or at such other place as Council may direct at least once each month. The meeting shall be set at a day and hour to be fixed from time to time by the rules and procedures of each Council. The Council shall determine the rules of procedure governing meetings. All meetings for the transaction of business shall be open to the public. Special meetings of the Council may be called in the manner and at the time provided for by the rules of procedure of the Council, provided that local public media are notified of the meeting at the same time that the Council members are notified. Four members of the Council shall constitute a quorum. All meetings of the Council or subcommittees of the Council, meetings of all boards, commissions and other advisory bodies of the City and the subcommittees thereof shall comply with the requirements of C.R.S. 24-6-402 (2012) otherwise known as the Open Meeting Law. An executive session may be called in accordance with C.R.S. 24-6-402 for the following reasons and no other. An executive session under this section may only be held by a majority vote of a quorum present plus one vote.</p> <p>1. To discuss matters required to be kept confidential by Federal and State laws or rules or regulations, including but not limited to specialized details of security arrangements or investigations, including defenses against terrorism or criminal acts, both foreign or domestic; and 2. To confer with an attorney regarding a legal action already filed in a court of law. The case name and number shall be cited for the public record. Any final settlement or final agreement shall be decided by a majority vote in a regular meeting of the Council. 3. The purchase, acquisition, lease, transfer or sale of any real or personal property. No executive session may be held for the purpose of concealing the fact that a member of the Council has a personal interest in such purchase, acquisition, lease, transfer or sale. All formal action on the agreements for such purchase, acquisition, lease, transfer or sale of any real or personal property must occur in an open session of the City Council. 4. Conference with the attorney(s) for the Council for the purpose of receiving legal advice on specific legal questions. The general substance of the legal question shall be part of the agenda for executive session. Mere presence or participation of the attorney(s) for the Council is not sufficient for an executive session under this subsection. No persons, other than members of the Council, the attorneys for the City, the City Manager and only any other person required in the judgment of the attorneys for the Council to provide factual information necessary for the formulation of the legal question may be present in the executive session. No formal action of the Council may be taken during an executive session held under this subsection. All formal action arising out of or resulting from an executive session held under this subsection must occur in an open session of the City Council. 5. Personnel matters are defined as the recruitment, evaluation, discipline, termination and employment of an employee that is appointed by the Council. The employee who is the subject of the executive session shall be given, in writing, no less than forty-eight hours' notice of the executive session. The employee may request, upon no less than twenty-four hours' notice, that the matter be held in an opening meeting session. All formal action arising out of or resulting from an executive session held under this subsection must occur in an open session of the City Council.</p> <p>The entire executive session shall be taped or digitally recorded in its entirety. The recording shall be maintained in the City</p>		<p>Strike #2 and replace with "Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators" or something similar.</p>	<p>CAO concurs <i>The first CRC recommended removing reference to City Hall and replace with Littleton Center. Was not referred to a ballot. Language unchanged in Charter.</i></p>
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Sec. 36. Ordinances, Resolutions and Motions.

<p>The Council shall act only by ordinance, resolution or motion. All legislative enactments must be in the form of ordinances; all other procedures may be in the form of resolutions or motions. All ordinances and resolutions shall be confined to one subject, except in the case of repealing ordinances. Ordinances making appropriations shall be confined to the subject of appropriations. (July 28, 1959; Amended, Election of 11-3-2015)</p>		<p>Add definitions under Sec. 7 for all three: ordinance, resolution, motion</p>	
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Sec. 70. Submission Of The Budget.

<p>Not later than September fifteenth of each year, the City Manager shall submit to the Council: A. An annual or current expense budget of all City funds, hereafter referred to as the "budget", which shall be a complete financial plan for the ensuing fiscal year, consisting of the budget proper and the budget message. B. A capital budget. (July 28, 1959; Amended, Election of 11-3-2015)</p>		<p>Budget to be adopted before seating of new council (refer back to Sec. 22. Term.)</p>	<p>Remove reference to 9/15 ; Range of dates?</p>
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Sec. 89. General Obligation Bonds.

<p>Indebtedness and obligations of the City shall be incurred and limited as provided in Article XI of the Constitution of the State of Colorado applicable to towns and cities except as otherwise provided in this Charter. The Council shall have power to issue general obligation bonds of the City for any public capital purpose upon majority vote of the registered electors of the City voting at any special or general election. However, water and/or sewer-extension and water and/or sewer improvement bonds may be issued without an election if the total of existing and proposed such bonds shall not exceed five percent of the assessed valuation of the taxable property within the City as shown by the last preceding assessment for tax purposes. The total outstanding general obligation indebtedness of the City, other than for water and/or sewer bonds, shall not at any time exceed three and seven-tenths percent of the assessed valuation of the taxable property within the City as shown by the last preceding assessment for tax purposes. Bonds of the City, other than water and/or sewer bonds, shall be payable in installments commencing not later than two years after the date of said bonds. Water and/or sewer bonds shall mature and be payable as provided by the ordinance authorizing the issuance of said bonds. (Amended, Election of 7-8-1986; Election of 11-5-1991)</p>	<p>Would it be better to tie the GO debt ceiling for the City to its economic capacity and revenue projections where there could be debt payments where there is a limited capacity to repay the debt if there are extenuating circumstances or significant and questionable project or obligations? Is there a debt service level and accompanying percentage of general revenue that should be looked at? Should a more complex and flexible formula be prepared and reviewed to make the appropriate determination about a balanced debt portfolio for the various enterprise funds with specific uses and repayment structures?</p>	<p>Recommendation that existing language is too prescriptive; recommend change (reference state limit?). Increase with staff/council direction. Recommend "plain language" ballot language and education.</p>	
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