



Legislation Text

File #: Ordinance 26-2018, **Version:** 2

Agenda Date: 08/07/2018

Subject:

An ordinance on second reading amending city charter sections 54, 55 and 57 and deleting section 56 regarding the city attorney

Presented By: Steve Kemp, City Attorney

REQUESTED COUNCIL ACTION:

Does city council support amending city charter sections 54, 55 and 57 and deleting section 56 regarding the city attorney?

BACKGROUND:

The Littleton City Charter was adopted in 1959. Amendments were made in 1969, 1975, 1987, 1991, 1997, 2004, 2013 and 2015. The Charter Review Committee of 2015 recommended ten amendments be placed on the ballot, seven of which were approved by the voters. There were an additional 20 amendments recommended to city council that were not placed on the ballot.

On May 22, 2018, city council held a study session to consider additional charter amendments, most of which are "housekeeping" in nature, designed to make the charter more usable and to reflect current practices.

PRIOR ACTIONS OR DISCUSSIONS:

Study session on May 22, 2018. Ordinance passed on first reading at the July 17, 2018 regular meeting of the city council.

STAFF ANALYSIS:

The current provisions in the charter pertaining to the city attorney do not reflect current practices and warrant clarification. The proposed charter amendment recommends the following changes:

1. Place all duties of the city attorney in a single section
2. Remove qualification language which is more appropriate for placement in the city code
3. Replace the language regarding assistants (The current language dates back to a time of employing part-time assistants that maintained their own private practices, rather than the current practice of a deputy city attorney who is an employee of the city)
4. Clarify the selection process for outside counsel and its funding through the annual appropriation and budget process

The proposed changes reflect current practices and update these sections to clarify the language and intent.

OPTIONS/ALTERNATIVES:

- A. Approve the proposed ordinance on second reading amending city charter sections 54, 55 and 57 and deleting section 56 regarding the city attorney and referring the matter to the voters at the November 6, 2018 election
- B. Don't approve the proposed ordinance on second reading amending city charter sections 54, 55 and 57 and deleting section 56 regarding the city attorney

FISCAL IMPACTS:

N/A

STAFF RECOMMENDATION:

While the merits of a charter change are a council policy decision, staff recommends changes that make the charter, which is the foundational document of city government, a more effective document.

PROPOSED MOTION:

I move to approve the ordinance on second reading amending city charter sections 54, 55 and 57 and deleting section 56 regarding the city attorney, and referring the amendment to the voters of the City of Littleton at the November 6, 2018 election.