

ORDINANCE

**AN ORDINANCE OF THE CITY OF MANITOU SPRINGS, COLORADO, AMENDING CERTAIN PROVISIONS OF CHAPTER 2.60 OF THE MANITOU SPRINGS MUNICIPAL CODE CONCERNING THE ADMINISTRATION OF THE CITY**

**WHEREAS**, there is a need and desire to clarify roles between Council members, officials appointed by Council, Department Heads, and the City Administrator;

**WHEREAS**, clarification of these roles will result in more efficient administration of the City and lessen the confusion over interactions between these groups on personnel matters; and

**WHEREAS**, the City Council finds that it is in the best interest of the City to clarify these roles.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:**

**Section 1:** Section 2.60.010 of the Manitou Springs Municipal Code is hereby deleted in its entirety and restated as follows:

Appointed official is defined to mean an individual or entity appointed by City Council to hold a position pursuant to City of Manitou Springs Home Rule Charter.

**Section 2:** Section 2.60.020(B)(1) of the Manitou Springs Municipal Code is hereby amended as follows:

(1) The supervision of all department heads, which shall include the evaluation of the performance of said department heads on an annual basis.

**Section 3:** Section 2.60.020(B)(2) of the Manitou Springs Municipal Code is hereby amended as follows:

(2) The authority to approve, in his or her sole discretion, all hiring decisions, including hiring of department heads who are employees. The City Administrator shall have no authority over the appointment of officials as delegated to the City Council by the Charter.

**Section 3:** Section 2.60.030 of the Manitou Springs Municipal Code is hereby amended as follows:

The term “council liaison person” is defined to mean the mayor and/or councilmember assigned to a department function or facility of the city, and whose responsibilities may include, but not be limited to the following:

- A. To meet as needed with the department head and staff of the department to which he is assigned;
- B. To give reports about the department to the Council at regular council meetings and to give reports about Council to the department head;

**Section 4:** Section 2.60.040 of the Manitou Springs Municipal Code is hereby amended as follows:

Assignments of council liaison persons shall be made by the mayor and council at the first regular meeting in January of each year or as necessary to declare and fill vacancies.

**Section 5:** Section 2.60.050 of the Manitou Springs Municipal Code is hereby amended as follows:

The term department head is defined to mean a city employee or appointed official designated as a supervisor of a municipal department, function or facility, who shall be responsible to the chief administrative officer for the management of his respective department, function or facility. This term shall include the City Clerk but exclude the City Attorney and the Municipal Judge. In addition to properly managing budgeted funds and personnel, the department head shall also be responsible for reporting to the chief administrative officer about the need to appoint, suspend, transfer and/or remove an employee of his department.

**Section 6:** If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 7:** The repeal or modification of any provision of Manitou Springs Municipal Code by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

**Section 8:** This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Passed on First Reading and Ordered Published this 21st day of July, 2015.

/s/ Donna Kast  
City Clerk

A Public Hearing on this ordinance will be held at the August 4, 2015, City Council meeting. The Council Meeting will be held at 7:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: July 23, 2015 (in full)  
*City's Official Website and City Hall*

Passed on Second Reading and Ordered Published by Council this 4th day of August, 2015.

Approved: /s/ Marc A. Snyder  
Mayor

Attest: /s/ Donna Kast  
City Clerk

Published: August 6, 2015 (in full)  
*City's Official Website and City Hall*