

ORDINANCE

AN ORDINANCE OF THE CITY OF MANITOU SPRINGS, COLORADO, AMENDING SECTION 2.08.010 CONCERNING ELECTION OF OFFICERS AT THE CITY'S ORGANIZATIONAL MEETING

WHEREAS, to establish an order of succession to ensure the continuity of City operations in an emergency, the City Council desires to designate who shall serve as the head of the City Council in the event the Mayor and Mayor Pro Tem are unavailable;

WHEREAS, the City Council determines that the most appropriate process for establishing this succession order is for the City Council to vote on it at the City Council's post-election organizational meeting; and

WHEREAS, the City Council also desires to delete unnecessary references to the term "Mayor Pro Tem" in the Manitou Springs Municipal Code.

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

Section 1: Section 2.08.010 of the Manitou Springs Municipal Code is hereby amended to read as follows:

2.08.010 - Organizational meeting—Election of officers.

Councilmembers elected at General Municipal Elections shall take office at the first regularly scheduled Council meeting in January following their election. At that first meeting, a Mayor Pro-tem and a Council Member Third in Line shall be elected and shall serve at the pleasure of Council. A majority vote of the entire Council shall be required for the election of the above-named officers. In the event there are more than two candidates for an office and no individual receives such a majority vote, the candidate receiving the least number of votes in each ballot shall withdraw until one candidate receives such a majority vote. Councilmembers elected at Special Municipal Elections shall take office at the first Council meeting following the Special Election. The responsibility of the Council Member Third In Line shall be to assume the duties of the Mayor Pro Tem in the event neither the Mayor nor the Mayor Pro Tem are able to fulfill their duties.

Section 2: Section 2.08.02 is hereby amended to read as follows:

2.08.020 - Invocation—Roll call—Quorum.

The Mayor shall take the chair at the hour appointed for the Council to meet and shall immediately call the Councilmembers to order. The City Clerk shall enter upon the Minutes of the meeting the names of the Councilmembers present. Four members of the Council shall constitute a quorum to conduct business. In the absence of a quorum at the time appointed for a meeting, the Councilmembers present shall adjourn the meeting to another designated time. If, during the course of a meeting, one or more Councilmembers leave the meeting hall so that there are fewer than four Councilmembers present, the remaining members present shall adjourn the meeting to another designated time.

Section 3: Section 3.32.100 is hereby amended to read as follows:

3.32.100 - Emergency procedures.

Notwithstanding any of the provisions in this chapter, there may be reason of emergency or immediate public necessity when it is not feasible or practical to follow the bidding procedures set forth in this chapter, and it is necessary to authorize the purchase of items or emergency repair or maintenance work without sealed or other bidding procedures. In such instances, the following procedures shall be followed:

- A. The city administrator shall first notify the mayor of the emergency situation.
- B. The city administrator or his designee shall solicit bids for the emergency purposes and shall insure that, whenever possible, the lowest responsible bid is selected.
- C. With the approval of the mayor, the city administrator or his designee may authorize the expenditure of funds for such emergency purposes provided that the funds have been appropriated in the city budget.
- D. The expenditure of unappropriated funds for emergency purposes shall require the approval of the city council in a manner consistent with the city charter.

Section 4: Subsection (B) of Section 2.08.030 is hereby deleted.

Section 5: 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 6: 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 7th day of June, 2016.

/s/ Donna Kast

City Clerk, Donna Kast

A Public Hearing on this ordinance will be held at the June 21, 2016, City Council meeting. The Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: June 9th, 2016 (in full)

City's Official Website and City Hall

Passed on second reading and ordered published by City Council this 21st day of June, 2016.

/s/ Nicole Nicoletta

Mayor, Nicole Nicoletta

Attest: /s/ Donna Kast

City Clerk, Donna Kast

Ordinance Published: June 23, 2016 (in full)

City's Official Website and City Hall