

EXPLANATORY COVER SHEET

COUNCILMAN'S BILL NO. CB-1642

SPONSOR: COUNCIL MEMBER GARNER

TITLE: A BILL FOR AN ORDINANCE ENACTING A NEW ARTICLE 12 OF CHAPTER 2 OF THE NORTHGLENN MUNICIPAL CODE PROVIDING FOR TERM LIMITS FOR APPOINTED OFFICIALS ON CITY OF NORTHGLENN BOARDS AND COMMISSIONS, AND MAKING CONFORMING AMENDMENTS TO THE NORTHGLENN MUNICIPAL CODE REGARDING ALTERNATE MEMBERSHIPS

PURPOSE: THIS ORDINANCE PROVIDES FOR TERM LIMITS FOR APPOINTED OFFICIALS OF THE CITY'S BOARDS AND COMMISSIONS AS MORE PARTICULARLY IDENTIFIED IN THE ORDINANCES, AND SPECIFICALLY PROVIDES FOR ALTERNATE MEMBERS FOR THOSE BOARDS AND COMMISSIONS THAT DO NOT EXPLICITLY HAVE SUCH ALTERNATE MEMBERSHIPS.

THE ORDINANCE ALSO CHANGES THE MEMBERSHIP OF THE RECREATION BOARD TO ALL AT LARGE MEMBERSHIPS.

ADDITIONAL EXPLANATORY REMARKS:

SPONSORED BY: COUNCIL MEMBER GARNER

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1642
Series of 2007

Series of 2008

A BILL FOR AN ORDINANCE ENACTING A NEW ARTICLE 12 OF CHAPTER 2 OF THE NORTHGLENN MUNICIPAL CODE PROVIDING FOR TERM LIMITS FOR APPOINTED OFFICIALS ON CITY OF NORTHGLENN BOARDS AND COMMISSIONS, AND MAKING CONFORMING AMENDMENTS TO THE NORTHGLENN MUNICIPAL CODE REGARDING ALTERNATE MEMBERSHIPS

WHEREAS, Article XVIII, Section 11 of the Colorado Constitution provides that no elected official shall serve more than two (2) consecutive terms in office, unless said terms are two (2) years or shorter in duration, in which case no elected official may serve more than three (3) consecutive terms;

WHEREAS, Article XVIII, Section 11 of the Colorado Constitution does not by its express terms apply to appointed officials;

WHEREAS, the City Council has the authority pursuant to Article XII of the City of Northglenn Home Rule Charter to create Boards and Commissions, and to provide for the terms of the members of the appointed Boards and Commissions; and

WHEREAS, the City Council desires to broaden the opportunities for public service consistent with the stated purpose of Article XVIII, Section 11 of the Colorado Constitution, and therefore desires to enact term limits for appointed officials of the City of Northglenn.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. A new Article 12 of Chapter 2 of the Northglenn Municipal Code is hereby adopted to read as follows:

ARTICLE 12. TERM LIMITS FOR APPOINTED OFFICIALS

Section 2-12-1. Term Limits Adopted; Effective Date.

(a) No appointed official of the Boards and Commissions identified in Section 2-12-2 of this Article 12 of Chapter 2 shall serve more than two (2) consecutive terms as a regular member on a particular Board or Commission, which terms may be no longer than four (4) years.

(b) Upon the expiration of two (2) consecutive terms as a regular member on a particular Board or Commission, a resident who has reached the limitation on terms set forth herein shall be eligible to serve on any other Board or Commission and shall also be eligible to serve only as an alternate on the Board or Commission for which the resident has reached the limitation on terms, provided that the City Council first has an opportunity to interview the resident for the new appointed or alternate position.

(c) For purposes of this Article 12 of Chapter 2, a term of office when an appointed official has reached the limitation on terms shall expire when a successor has been appointed by the City Council.

(d) The limitation on the number of terms shall apply to terms of office beginning on or after February 14, 2008.

Section 2-12-2. Application.

The provisions of this Article 12 of Chapter 2 shall apply to the citizen members of the following Boards and Commissions of the City:

- (a) Planning Commission;
- (b) Board of Adjustment;
- (c) Northglenn Parks and Recreation Board;
- (d) Northglenn Historic Preservation Commission;
- (e) Liquor Licensing Authority; and
- (f) Any newly created Board or Commission created by the City Council pursuant to Article 12 of the City of Northglenn Home Rule Charter, unless the City Council by ordinance specifically excludes the newly created Board or Commission from the limitations contained in this Article 12 of Chapter 2.

Section 2-12-3. Exclusions.

The provisions of this Article 12 of Chapter 2 shall not apply to the following:

- (a) Citizens' Affairs Board;
- (b) Election Commission;
- (c) Northglenn Urban Renewal Authority;
- (d) Northglenn Youth Commission;
- (e) Victim Assistance and Law Enforcement Board;
- (f) A City Council member acting as an ex officio member of any Board or Commission identified in Section 2-12-2; and
- (g) A staff member of the City who is appointed to or otherwise acts as a liaison to a Board or Commission solely because of their employment with the City.

Section 2. Section 11-40-2, subsection (f) of the Northglenn Municipal Code regarding membership of the Planning Commission is repealed and reenacted read as follows:

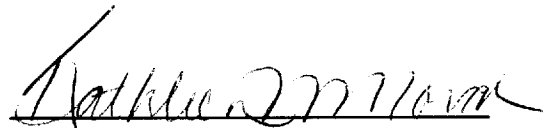
Section 11-40-2. Membership – Terms -- Qualifications.

(f) ~~Any member of the Commission shall be eligible for reappointment or for appointment to a different term.~~ THE COUNCIL SHALL ALSO APPOINT TWO (2) ALTERNATE MEMBERS WHO HAVE THE QUALIFICATIONS PROVIDED HEREIN FOR REGULAR, CITIZEN MEMBERS. IN CASE OF ABSENCE FROM ANY MEETING OF A REGULAR MEMBER, AN ALTERNATE MEMBER SHALL BE CALLED, ON A ROTATION BASIS, TO SERVE IN LIEU OF THE ABSENT MEMBER, WITH ALL POWERS, DUTIES AND RESPONSIBILITIES OF THE REGULAR MEMBER FOR WHOM SUCH ALTERNATE MEMBER ACTS. ALTERNATE MEMBERS SHALL BE APPOINTED FOR TERMS OF THREE (3) YEARS.

Section 3. Section 17-2-1 of the Northglenn Municipal Code is repealed and reenacted read as follows:

Section 17-2-1. Recreation Board Membership. There is hereby created the Parks and Recreation Advisory Board of the City of Northglenn. The Board shall consist of five (5) citizen members appointed by the City Council at LARGE, FROM ANY WARD, and one ex-officio member who shall be a member of the City Council. ~~One citizen member shall be appointed from each ward of the City. The fifth citizen member shall be appointed by the City Council, at large, from any ward.~~ The ex-officio member shall be appointed by the City Council. ~~In the event no acceptable candidate for membership can be found from any particular ward, the City Council may fill the vacancy with a member from another ward.~~ THE COUNCIL SHALL ALSO APPOINT TWO (2) ALTERNATE MEMBERS WHO HAVE THE QUALIFICATIONS PROVIDED HEREIN FOR REGULAR, CITIZEN MEMBERS. IN CASE OF ABSENCE FROM ANY MEETING OF A REGULAR MEMBER, AN ALTERNATE MEMBER SHALL BE CALLED, ON A ROTATION BASIS, TO SERVE IN LIEU OF THE ABSENT MEMBER, WITH ALL POWERS, DUTIES AND RESPONSIBILITIES OF THE REGULAR MEMBER FOR WHOM SUCH ALTERNATE MEMBER ACTS. ALTERNATE MEMBERS SHALL BE APPOINTED FOR TERMS OF THREE (3) YEARS.

INTRODUCED, READ AND ORDERED POSTED this 13th day of December, 2007.


KATHLEEN M. NOVAK
Mayor

ATTEST:


DIANA L. LENTZ, CMC
City Clerk

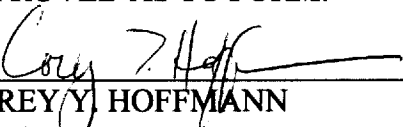
PASSED ON SECOND AND FINAL READING this ____ day of _____,
2008.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

APPROVED AS TO FORM:



COREY Y. HOFFMANN
City Attorney