

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-30
Series of 2010

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**A RESOLUTION CLARIFYING THAT MEMBERS OF THE CITIZENS' AFFAIRS BOARD
MAY NOT CONCURRENTLY SERVE ON ANY OTHER BOARDS OR COMMISSIONS**

WHEREAS, the Citizens' Affairs Board (the "CAB") was created by the original adoption of the City of Northglenn Home Rule Charter (the "Charter"), and is described in Article XIII of the Charter;

WHEREAS, Section 13.2 of the Charter describes the intent of the CAB, and provides in pertinent part in furtherance of the intent that members of the CAB are not to be involved in the day-to-day operation of City government;

WHEREAS, Section 13.7 of the Charter then provides that a member of the CAB shall not be a contractor of the City, and further provides that any member of the CAB who after his appointment to the CAB becomes "an officer, employee or contractors of the City, shall be automatically removed from office";

WHEREAS, an "officer" of the City is defined by Section 14.8(h) of the Charter to include any elected or appointed official, including appointees to City Boards and Commissions;

WHEREAS, as currently drafted and applied literally, Section 13.7 would have the effect of allowing "officers," including members of appointed Boards and Commissions, to be appointed as members of the CAB, thus allowing service on the CAB and another Board or Commission, but would cause a member of the CAB who was subsequently appointed to a Board or Commission to be automatically removed from office as a member of the CAB;

WHEREAS, the City Council determines that the literal meaning of the above language creates an unintended ambiguity regarding concurrent membership on the CAB and other appointed Boards and Commissions;

WHEREAS, the City Council finds that based on the intent of the CAB, the approach most consistent with the Charter is to determine that members of other Boards and Commissions, including the Northglenn Urban Renewal Authority, shall hereafter not be eligible to be appointed to the CAB; and

WHEREAS, the City Council further finds that it will present to the registered electors of the City at the next City election a ballot question to amend the Charter to clarify the above referenced current ambiguity in the Charter language.

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

Section 1. The City Council finds and determines that members of all other appointed Boards and Commissions of the City, including the Northglenn Urban Renewal Authority, shall not be eligible for any new term that provides for concurrent membership on the Citizens' Affairs Board.

Section 2. The City Council further finds and determines that it will present a question to the registered electors of the City at the next City election to amend the Charter to clarify membership on the CAB consistent with this Resolution.

DATED at Northglenn, Colorado, this ____ day of _____, 2010.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney