



Legal Notice

Date: 09/04/2020

Subject: An ordinance of the City of Littleton, Colorado, submitting to the registered electors of the City of Littleton, a proposed amendment to Littleton City Charter sections 19, 22, and 24 requiring the mayor and city council positions to be elected for four-year terms

Passed/Failed: Passed on second reading

CITY OF LITTLETON, COLORADO

**ORDINANCE 33
SERIES 2020**

CITY OF LITTLETON, COLORADO

Ordinance No. 33

Series of 2020

AN ORDINANCE OF THE CITY OF LITTLETON, COLORADO, SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF LITTLETON, COLORADO, A PROPOSED AMENDMENT TO LITTLETON CITY CHARTER SECTIONS 19, 22, AND 24 REQUIRING THE MAYOR AND CITY COUNCIL POSITIONS TO BE ELECTED FOR FOUR YEAR TERMS

WHEREAS, Section 24 of the Littleton City Charter requires the City Council after each general Municipal election to elect the Mayor from among those serving on City Council; and

WHEREAS, Section 22 of the Littleton City Charter requires that the candidate for Council member at large receiving the second highest number of votes shall be elected for a two-year term so that at each general Municipal election the voters shall elect four members to serve on City Council; and

WHEREAS, Section 19 states that the 3 remaining Council members shall be elected at large; and

WHEREAS, City Council desires to place on the ballot a question related to how the Mayor is elected; and

WHEREAS, if the voters elect to approve a direct elect Mayor then the second Council member at large position at each election as set forth in Section 24 would need to be removed so that there would not be 8 Council members; and

WHEREAS, Section 8 of the Littleton City Charter requires amendments to the Charter must be submitted to the electors; and

WHEREAS, C.R.S. Section 31-2-210 (1)(B) requires changes to a city charter be referred to voters by an ordinance.

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

Section 1: The City Clerk is hereby authorized to submit the following question to the registered voters of the City of Littleton at the November 3, 2020 election:

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45 Shall there be an amendment to Littleton City Charter Sections 19, 22, and 24
46 requiring the Mayor and City Council positions to be elected by the voters for 4
47 year terms?

48 _____ Yes

49 _____ No

50

51 Section 2: Subject to voter approval of the ballot issue set forth in Section 1,
52 Littleton City Charter Section 24 shall be amended to read as follows:

53

54 **“Presiding Officer.**

55

56 ~~After each Municipal election, the Council shall elect from their own number a~~ THE VOTERS
57 SHALL ELECT THE Mayor who will be the presiding officer AND entitled to vote. He or she
58 shall have no veto power ~~and shall serve at the will of the Council.~~ He or she shall be recognized
59 as THE head of the City government for all ceremonial purposes and shall execute and
60 authenticate legal instruments requiring his or her signature as such official.

61

62 IF A SEATED COUNCIL MEMBER WITH REMAINING YEARS ON THEIR TERM WISHES
63 TO RUN FOR THE POSITION OF MAYOR, THAT COUNCIL MEMBER SHALL BE
64 REQUIRED TO PROVIDE WRITTEN NOTICE TO THE CITY CLERK BY JULY 1ST OF THAT
65 GENERAL MUNICIPAL ELECTION YEAR OF HIS OR HER INTENT TO STEP DOWN FROM
66 THEIR CURRENT COUNCIL SEAT AND RUN FOR MAYOR. THAT COUNCIL MEMBER
67 SHALL CONTINUE TO SERVE IN THEIR ELECTED CAPACITY UNTIL THEIR SEAT IS
68 FILLED AT THE NEXT GENERAL MUNICIPAL ELECTION. THE CANDIDATE ELECTED TO
69 THE VACATED SEAT WILL SERVE THE REMAINDER OF THE TERM.

70

71 Section 3: Subject to voter approval of the ballot issue set forth in Section 1, Littleton
72 City Charter Section 22 shall be amended to read as follows:

73

74 **“Terms.**

75

76 Terms of Council members shall begin at eight P.M. on the second Tuesday following the
77 election.

78

79 General Municipal elections shall be held every two years with the MAYOR AND Council
80 members being elected for four-year terms. ~~except for the candidate for Council member at large~~
81 ~~receiving the second highest number of votes, who shall be elected for a two year term, so that at~~
82 ~~each general Municipal election the voters shall elect four members to serve on the Council.~~ IN
83 ELECTIONS WHEN THE MAYORAL SEAT IS ELECTED, THERE SHALL BE NOT LESS
84 THAN 3 COUNCIL MEMBERS ALSO ELECTED.

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85
86 Notwithstanding anything contained herein to the contrary, no Council member INCLUDING
87 TIME SERVED AS MAYOR shall be entitled to serve consecutive terms of office exceeding
88 twelve years in duration unless said twelve year period expires during a term which said
89 MAYOR OR Council member is serving, in which case said MAYOR OR Council member shall
90 be entitled to serve out the remainder of his or her term.”
91
92 .

93
94 Section 4: Subject to voter approval of the ballot issue set forth in Section 1,
95 Littleton City Charter Section 19 shall be amended to read as follows:
96

97 **“The Council.**

98
99 The legislative affairs of the City shall be vested in a Council consisting of seven Council
100 members one to be elected from each of THE four districts ~~and the remaining three to be elected~~
101 ~~at large.~~ TWO TO BE ELECTED AT LARGE AND THE MAYOR TO BE ELECTED AT
102 LARGE.”
103

104 Section 5: Effective date. The effective date for this ordinance shall be starting with
105 the preparation period leading up to the November 2021 General Municipal Election and thereafter.
106

107 Section 6: Inclusionary period. Nothing herein shall construed by passage of the
108 ballot question by the registered electors of the City of Littleton to invalidate the remaining terms of
109 either the Mayor or runner-up Council Member at Large position leading up to the conclusion of the
110 November 2021 General Municipal Election and subsequent seating as per City Code and City
111 Charter.
112

113 Section 7: Severability. If any part, section, subsection, sentence, clause or phrase of
114 this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the
115 remaining sections of this ordinance. The City Council hereby declares that it would have passed
116 this ordinance, including each part, section, subsection, sentence, clause or phrase hereof,
117 irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases
118 may be declared invalid.
119

120 Section 8: Repealer. All ordinances or resolutions, or parts thereof, in conflict with
121 this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of
122 such ordinance nor revive any ordinance thereby.
123
124

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125 INTRODUCTION AS A BILL at a regularly scheduled meeting of the City Council
126 of the City of Littleton on the 25th day of August, 2020, passed on first reading by a vote of 7
127 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the
128 Municipal Courthouse and on the City of Littleton Website.

129 PUBLIC HEARING on the Ordinance to take place on the 1st day of September,
130 2020, in the Council Chamber¹, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado,
131 at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

132 PASSED on second and final reading, following public hearing, by a vote of 5 FOR
133 and 2 AGAINST on the 1st day of September, 2020 and ordered published by posting at Littleton
134 Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

135 ATTEST:

136 DocuSigned by:
137 Colleen Norton
138 Colleen L. Norton
139 CITY CLERK

DocuSigned by:
Jerry Valdes
Jerry Valdes
MAYOR

142 APPROVED AS TO FORM:
143 DocuSigned by:
144 Reid Betzing
145 Reid Betzing
146 CITY ATTORNEY



150 ¹ Due to COVID19, the City of Littleton is providing virtual coverage of city council meetings to protect the health
151 of citizens, council members and staff. Meetings will not be held in the council chamber until further notice.
152