

**CITY OF GREELEY, COLORADO
ORDINANCE NO. 30, 2024**

**AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS
OF THE CITY OF GREELEY AT THE NOVEMBER 5, 2024 COORDINATED
MUNICIPAL ELECTION, A QUESTION REGARDING AN AMENDMENT
TO PART 1, ARTICLE V OF THE GREELEY MUNICIPAL CHARTER
REGARDING FINANCIAL OPERATIONS**

WHEREAS, the Greeley Home Rule Charter is the City's legislative framework; and

WHEREAS, Article I, Section 1-6 of the Charter provides that amendments to the Charter may be framed and submitted to the electorate, by petition to the Council, or by the Council on its own initiative, in accordance with Article XX of the Constitution of the State of Colorado; and

WHEREAS, City management periodically recommends to City Council changes necessary to maintain the City's Home Rule Charter as a current and forward-looking basic law within which the city government, representing the people, can operate;

WHEREAS, the City has experienced significant and continuous growth which necessitates review and adjustment of the City structure;

WHEREAS, of particular importance is ensuring that the structure of the City's financial operations is able to adjust to meet the needs of a growing City; and

WHEREAS, Part 1, Article V of the Charter provides for a Department of Finance which unnecessarily restricts the ability of the City to structure the City's financial operations in a manner that best meets the needs of a growing City; and

WHEREAS, City Council has determined that it is in the best interests of the City to present to the registered electors of the City of Greeley the opportunity to make a change to the Charter to enable the financial operations of the City to be structured appropriately.

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

Section 1. There is hereby placed on the ballot of the Coordinated Municipal Election set for November 5, 2024, a question asking the qualified electors of the City of Greeley whether to amend portions of the City of Greeley's Charter regarding the Finance Department.

Section 2. A ballot title shall be placed on the November 5, 2024, Greeley Coordinated Municipal Election ballot in substantially the following form:

Shall Article V of the City's Charter be amended to remove and replace outdated provisions as follows?

- a) Shall Article V be renamed “Financial Operations” instead of “Department of Finance” and shall Part I be renamed “Administration” instead of “Finance”?
- b) Shall the term “Director of Finance” be replaced throughout Part I of Article V with the term “Financial Officer”?

- Yes
- No

Section 3. If the ballot question receives approval of the majority of the registered electors voting at the general election on November 5, 2024, the City of Greeley Charter shall be amended as follows effective November 6, 2024 without further action taken by City Council:

ARTICLE V. ~~DEPARTMENT OF FINANCE~~ FINANCIAL OPERATIONS

PART I. ~~FINANCE~~ ADMINISTRATION

Sec. 5-1. ~~Department created~~ Financial Administration.

~~A Department of Finance is hereby established, the head of which shall be the Director of Finance and~~ There shall be designated a Financial Officer who shall also be the Ex-officio City Treasurer. ~~The Director~~ Financial Officer shall be appointed by the City Manager, by and with the advice and consent of the City Council and shall be subject to removal by the City Manager, upon recommendation to and approval thereof by the City Council. ~~The Director~~ Financial Officer shall be adequately bonded, have training and knowledge in municipal accounting, budgeting, taxation and financial control.

Sec. 5-2. ~~Director of Finance~~ Financial Officer; powers and duties.

~~The Director of Finance~~ Financial Officer shall have charge of the administration of the financial affairs of the City and to that end shall have authority and shall be required to:

- a. Compile financial information and data needed for the City Manager's annual budget report;
- b. Supervise and be responsible for the disbursement of all monies and have control over all expenditures to ensure that appropriations are not exceeded, or payments illegally made;
- c. Design and maintain a general accounting system for the City in accordance with accepted accounting principles, and develop and maintain internal audit controls in accordance with accepted auditing practice;
- d. Prepare for the City Manager statements of receipts and disbursements showing the financial and budgetary condition of the City. Such statements shall be prepared quarterly or monthly if requested by the City Manager;
- e. Prepare annual financial statements as soon as practicable after the end of each fiscal year;
- f. Prepare tax maps and give such notice of taxes and special assessments as may be required;
- g. Collect all taxes, special assessments, license fees and other revenues of the City or for whose collection the City is responsible and receive all money receivable by the City from the County, State or Federal Government, or from any court, or from any office, department,

or agency of the City, or any other agency or office which is not in existence but which may in the future be created or provided for;

h. Take and keep custody over all monies, securities and credits belonging to or under the control of the City; and deposit and invest such monies as directed by the City Council or, absent any such direction, as provided for or authorized by applicable state law.

Sec. 5-3. Accounting; supervision and control.

The ~~Director of Finance~~ Financial Officer shall exercise proper accounting controls, and to this end the ~~Director of Finance~~ Financial Officer shall:

a. Prescribe the forms of receipts, vouchers, bills or claims to be used by all the offices, departments and agencies of the City Government;

b. Examine and approve or disapprove all contracts, orders and other documents by which the City Government incurs financial obligations, having previously ascertained that monies have been appropriated and allotted and will be available when the obligations shall become due and payable;

c. Audit and approve or disapprove before payment of all bills, invoices, payrolls and other evidences of claims, demands or charges against the City Government and with the advice of the Office of the City Attorney determine the regularity, legality and correctness of such claims, demands or charges;

d. Inspect and audit any accounts or records of financial transactions which may be maintained in any office, department or agency of the City Government apart from or subsidiary to the accounts kept in the ~~Director's~~ Financial Officer's office.

Sec. 5-4. Lapse of appropriations.

Except as hereinafter provided, all appropriations shall lapse at the end of the budget year, to the extent that they shall not have been expended, committed, reserved or lawfully encumbered; however, appropriations for capital projects shall in no event lapse before the end of the second full year after the budget year.

Sec. 5-5. General and special funds.

All revenues of the City shall be accounted for under a general fund and one (1) or more special funds. Revenues which legally are not available for the general operations of the City shall be allocated to special funds. All other revenues shall be allocated to the general fund.

Sec. 5-6. Expenditures.

All expenditures shall be charged to the appropriate budget account under the direction of the ~~Director of Finance~~ Financial Officer. Expenditures may be made by check, electronic transfer or any other legal payment method as provided by ordinance and enacted by the City Council. All expenditures shall be signed or authorized by two (2) City officials, elective or appointive, as designated by ordinance enacted by the City Council.

Sec. 5-7. Reserved

Section 4. The officers of the City are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance.

Section 5. The Council hereby authorizes and directs the City Clerk to certify such ballot measures to the Weld County Clerk and Recorder and hereby sets and fixes the foregoing as the ballot titles by which each ballot issue is to be submitted. The City Clerk, or the Council by resolution, may make such changes in the ballot title set forth above as may be necessary or appropriate to conform to applicable law. Notice of the election, including submission of the ballot issues, shall be given, and the election shall be held and conducted, and the results thereof shall be determined, in conformity with the Uniform Election Code of 1992, the Charter and ordinances of the City, and other applicable provisions of the Constitution (including, without limitation, Article X, Section 20 thereof) and the laws of the State of Colorado.

Section 6. The City hereby exercises its power as a home rule municipality, pursuant to Article XX of the Colorado Constitution, to supersede any and all laws of the State of Colorado which may be in conflict herewith.

Section 7. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this ordinance.

Section 8. This ordinance shall be passed and published pursuant to the procedures set forth in Section 3-17 of the City of Greeley's Charter.

Section 9. Should the ballot question receive approval of the majority of the registered electors voting at the general election on November 5, 2024, it shall be deemed to take effect on November 6, 2024 without further action taken by the City Council.

INTRODUCED, READ, AND ORDERED PUBLISHED THIS 6th DAY OF AUGUST 2024.

PASSED AND ORDERED PUBLISHED BY REFERENCE THIS 20th DAY OF AUGUST 2024.

ATTEST:



CITY OF GREELEY, COLORADO

By:

City Clerk

By:

Mayor