

CITY OF EDGEWATER
ORDINANCE NO. 2023-13
SERIES OF 2023

AN ORDINANCE SETTING THE COMPENSATION OF THE AUDITOR IN CONNECTION WITH THE AUDIT OF THE CITY'S FINANCIAL RECORDS FOR FISCAL YEAR 2021

WHEREAS, pursuant to Subsection 13.5(2) of the City Charter, the City Council has conducted competitive bidding for the auditor's position and desires to engage Hamblin and Associates, LLC (the "Auditor") to perform the City's annual audit for fiscal year 2021; and

WHEREAS, pursuant to Subsection 13.5(1) of the City Charter, the compensation of the auditor shall be set by ordinance; and

WHEREAS, the City Council has determined that it is in the best interests of the City to approve that certain auditor engagement letter between the City and the Auditor dated November 1, 2023, that is attached hereto (the "Letter Agreement").

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

Section 1. The Auditor's compensation for services to be provided to the City under the Letter Agreement shall, pursuant to the Letter Agreement, be at the standard hourly rate of the individual personnel assigned to perform the audit services, plus out-of-pocket costs; provided, however, that the gross compensation for said services, including all costs, shall not exceed Eleven Thousand Two Hundred Dollars (\$11,200.00).

Section 2. Severability. If any 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 adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. Repeal. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4. Safety Clause. The City Council hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City, that it is promulgated for the health, safety, and welfare of the public, that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare, and that this ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 5. Effective Date. This ordinance shall become effective five (5) days after final publication.

INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED PUBLISHED this 14th day of November, 2023.

/s/ John Beltrone
John Beltrone, Mayor

ATTEST:
/s/ L Pedroza
Lenore Pedroza, MMC
City Clerk

PASSED AND ADOPTED ON SECOND READING AND ORDERED PUBLISHED this 5th day of December, 2023.

/s/ Steve Conklin
Steve Conklin, Mayor

ATTEST:
/s/ L Pedroza
Lenore Pedroza, MMC
City Clerk

APPROVED AS TO FORM:

/s/ Carmen Beery
Carmen Beery, City Attorney