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7 MARCH 1, 2011 ANNUAL CITY MEETING--
8 PROPOSED CHARTER CHANGE RE
9 REMOVAL OF CHIEF ADMINISTRATIVE OFFICER
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14 In the year Two Thousand Ten.....

15 Resolved by the City Council of the City of Burlington, as follows:
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17 That WHEREAS, the City Council Charter Change Committee has considered and hereby
18 recommends that the following question be placed on the 2011 Annual City Meeting ballot;

19 NOW, THEREFORE, BE IT RESOLVED that the following question be placed on the
20 ballot of the Annual City Meeting to be held March 1, 2011:

21 “Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended be further
22 amended to amend Sections 122 and 129 thereof to read as follows:

23 Sec. 129. Appointing body or person has power to remove

24 The city council with mayor presiding shall have power, for such causes of incapacity,
25 negligence or bad conduct as to it shall seem sufficient, to suspend or remove from any office
26 any city officer who may be appointed by the city council with mayor presiding and to fill all
27 vacancies in any such office from whatever cause arising. The mayor and each board shall have
28 like power of removal in respect to any officers who may be appointed by them, except as herein
29 otherwise provided, and provided that in case the appointment of such officer is made subject to
30 the approval of the city council or city council with mayor presiding, the removal of such officer
31 shall likewise be made subject to the approval of the city council or city council with mayor
32 presiding, as such appointment was made. Additionally, the city council may, on the initiative of
33 the mayor, by an affirmative vote of at least two-thirds of its entire number, remove at any time
34 at its pleasure any city officer or department head it should determine is no longer effectively

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40 serving the city, and all city officers and department heads shall take and hold office subject to
41 this authority. Notwithstanding the provisions above, the city council may consider a complaint
42 against the chief administrative officer by a minimum of at least seven city councilors who are
43 not all members of the same political party and, by an affirmative vote of at least two-thirds of its
44 entire number, remove the chief administrative officer upon a showing by clear and convincing
45 evidence that the chief administrative officer has engaged in conduct that constitutes misfeasance
46 or malfeasance.

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50 lb/kas/c: Resolutions 2010/Charter Change–Removal of Chief Administrative Officer, Sec. 129 (3-1-11 Annual City Meeting)
51 11/17/10