

Agenda Item #: General Business - C.
Meeting Date: August 8, 2022

Subject: Consideration of Ordinance 928, amending Section 7-5 of the City Charter regarding the job title for the Public Works Director and providing for the submission of the Ordinance to a vote of the registered electors at the November 8th, 2022 regular election, on first reading.

Presenter: A.J. Euckert, City Manager

Background: Section 7-5 of the City of Dacono Home Rule Charter established the Public Works Department. The title for the position leading the Department is Public Works Superintendent. The City Council finds it to be in the best interest of the City to amend the Home Rule Charter to reflect the Department Head title for the Public Works Department as "Public Works Director" to more accurately reflect the duties and responsibilities of a professional holding such position.

Recommended Action: Consideration of Ordinance 928, amending Section 7-5 of the City Charter regarding the job title for the Public Works Director and providing for the submission of the Ordinance to a vote of the registered electors at the November 8th, 2022 regular election, on first reading.

ORDINANCE NO. 928

AN ORDINANCE AMENDING SECTION 7-5 OF THE CITY CHARTER REGARDING THE JOB TITLE FOR THE PUBLIC WORKS DIRECTOR AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE NOVEMBER 8, 2022 REGULAR ELECTION.

WHEREAS, Section 7-5 of the City of Dacono Home Rule Charter established the City's Public Works Department, consisting of the Public Works Superintendent and any personnel subordinate to the Public Works Superintendent; and

WHEREAS, the City Council finds it to be in the best interest of the City to amend the Home Rule Charter to reflect the department head title for the Public Works Department as "Public Works Director" to more accurately reflect the duties and responsibilities of a professional holding such position.

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

Section 1. Section 7-5 of the City of Dacono Home Rule Charter is hereby amended to read as follows (words to be deleted are ~~stricken through~~; words to be added are underlined):

Section 7-5. Public Works Department.

- (a) The Public Works Department is hereby established, consisting of the Public Works ~~Superintendent~~ Director and any personnel subordinate to the Public Works ~~Superintendent~~ Director.
- (b) The Public Works ~~Superintendent~~ Director shall be responsible to the Council for the proper administration of the Public Works Department and shall be responsible for performance of the following functions and duties:
 - (1) Managing the construction, reconstruction, and maintenance of all general public improvements in the City, including but not limited to the street system, utility systems, and public facilities of the City; and
 - (2) Performance of such other duties as may be required by this Charter, and the ordinances and resolutions of the Council.

Section 2. The charter amendments provided for herein shall be submitted to a vote of the registered electors at the November 8, 2022 regular municipal election to determine whether the amendments shall take effect.

Section 3. The charter amendments provided for herein shall not take effect unless and until a majority of the registered voters voting at the November 8, 2022 regular election vote “yes” in response to the following ballot title:

SHALL THE CITY OF DACONO HOME RULE CHARTER CONCERNING THE PUBLIC WORKS DEPARTMENT BE AMENDED TO REFLECT THE JOB TITLE OF PUBLIC WORKS DIRECTOR IN ORDER TO MORE ACCURATELY REFLECT THE DUTIES AND RESPONSIBILITIES OF A PROFESSIONAL HOLDING SUCH POSITION?

Section 4. If any article, 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 passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5. 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.

INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED PUBLISHED AND POSTED BY TITLE THIS 8th day of August, 2022.

PUBLIC HEARING AND SECOND READING WILL BE THE 22nd day of August, 2022 AT 6:00 P.M. AT DACONO CITY HALL ANNEX, 512 CHERRY STREET, BUILDING C, DACONO, CO.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE THIS _____ day of _____, 2022.

CITY OF DACONO, COLORADO

Adam Morehead, Mayor

ATTEST:

Valerie Taylor, City Clerk

Summary of Ordinance No. 928, **“AN ORDINANCE AMENDING SECTION 7-5 OF THE CITY CHARTER REGARDING THE JOB TITLE FOR THE PUBLIC WORKS DIRECTOR AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE NOVEMBER 8, 2022 REGULAR ELECTION.”**: Submits to the registered electors at the November 8, 2022 regular election an amendment to the City’s home rule charter to change the job title Public Works Superintendent to Public Works Director.