

Agenda Item #: General Business - D.

Meeting Date: August 8, 2022

Subject: Consideration of Ordinance 929, amending the City Charter regarding the office of Mayor Pro-Tem 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: Currently, Section 2-11 of the City of Dacono Home Rule Charter provides the City Council shall appoint from among its members a Mayor Pro-Tem at the first regular or special meeting following each regular election. Certified election results are often not received by the time the first regular or special meeting is held after each regular election, and therefore newly elected Councilmembers have not yet assumed office. The City Council finds the appointment of a Mayor Pro-Tem should take place after certified election results have been received, so that newly elected Councilmembers are able to participate in such decision.

Additionally, the Home Rule Charter further requires the Mayor Pro-Tem to assure the City Council meets at least once each year with each Board and Commission established by the Charter to discuss matters of mutual interest. The City Council finds that such requirement should be removed from the Home Rule Charter, so the City Council may meet with Boards and Commissions only as often as the efficient conduct of City business may require.

Section 11-11 (h) also references the required annual Board and Commission meeting with City Council and would also be removed by this action.

Recommended Action: Consideration of Ordinance 929, amending the City Charter regarding the office of Mayor Pro-Tem 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. 929

AN ORDINANCE AMENDING THE CITY CHARTER REGARDING THE OFFICE OF MAYOR PRO-TEM AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE NOVEMBER 8, 2022 REGULAR ELECTION.

WHEREAS, Section 2-11 of the City of Dacono Home Rule Charter provides the City Council shall appoint from among its members a Mayor Pro-Tem at the first regular or special meeting following each regular election; and

WHEREAS, certified election results are often not received by the time the first regular or special meeting is held after each regular election, and therefore newly elected Councilmembers have not yet assumed office; and

WHEREAS, the City Council finds the appointment of a Mayor Pro-Tem should take place after certified election results have been received, so that newly elected Councilmembers are able to participate in such decision; and

WHEREAS, the Home Rule Charter further requires the Mayor Pro-Tem to assure the City Council meets at least once each year with each board and commission established by the Charter to discuss matters of mutual interest; and

WHEREAS, the City Council finds that such requirement should be removed from the Home Rule Charter, so the City Council may meet with boards and commissions only as often as the efficient conduct of City business may require.

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

Section 1. Section 2-11 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 2-11. Mayor Pro-Tem.

At the first meeting, regular or special, following ~~each regular election~~ certification of election results, the Council, by at least four (4) affirmative votes, shall appoint a Councilmember as Mayor Pro-Tem for a one (1) year term. The Mayor Pro-Tem shall have the Mayor's powers and perform the Mayor's duties whenever the Mayor is not available. The Mayor Pro-Tem shall also serve as the Charter and Code liaison, tracking the status of periodic Charter, Municipal Code, personnel policy and capital improvements program reviews required by this Charter, ~~and ensuring that the City Council meets at least once each year with each~~

~~board and commission established by this Charter to discuss matters of mutual interest.~~

Section 2. Section 11-11 of the City of Dacono Home Rule Charter is hereby amended to repeal subsection (h).

Section 3. The charter amendment 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 amendment shall take effect.

Section 4. The charter amendment 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 MAYOR PRO-TEM BE AMENDED TO PROVIDE THE COUNCIL SHALL APPOINT FROM AMONG ITS MEMBERS A MAYOR PRO-TEM AT THE FIRST MEETING FOLLOWING CERTIFICATION OF ELECTION RESULTS, AND TO ELIMINATE THE REQUIREMENT THAT THE MAYOR PRO-TEM ENSURE THE CITY COUNCIL MEETS WITH ALL CITY BOARDS AND COMMISSIONS AT LEAST ONCE EACH YEAR?

Section 5. 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 6. 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 IN FULL 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. 929, **“AN ORDINANCE AMENDING THE CITY CHARTER REGARDING THE OFFICE OF MAYOR PRO-TEM 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 provide the City Council shall appoint from among its members a Mayor Pro-Tem at the first regular or special meeting following certification of election results, and to eliminate the requirement that the Mayor Pro-Tem ensure the City Council meets with each City board and commission at least once each year.