

ORDINANCE NO. 852

AN ORDINANCE AMENDING THE CITY CHARTER TO ELIMINATE THE PERSONNEL BOARD AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE NOVEMBER 6, 2018 REGULAR ELECTION.

WHEREAS, Sections 11-1 and 11-2 of the City of Dacono Home Rule Charter establish a Personnel Board that serves as an advisory board to the City Council on personnel matters; and

WHEREAS, the advisory functions of the Personnel Board are set forth in other provisions of the Home Rule Charter, including Sections 7-1, 7-6 and 7-7; and

WHEREAS, the City Council finds that it is in the best interest to eliminate the Personnel Board as personnel matters are typically addressed by City staff, City Council or legal counsel, as appropriate; and

WHEREAS, the City Council finds the elimination of the Personnel Board as set forth herein should be referred to the voters for their approval.

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

Section 1. Sections 11-1 (Personnel Board) and 11-2 (Functions of Personnel Board) of the City of Dacono Home Rule Charter are hereby repealed in their entirety.

Section 2. Sections 7-1(a), (b) and (c) of the City of Dacono Home Rule Charter are hereby amended to read as follows (words to be deleted are ~~stricken through~~; words to be added are underlined):

Section 7-1. Personnel Policies.

(a) Subject to the limitations of this Charter, the City Council shall prepare and adopt, and may amend from time to time, rules, regulations, and policies regarding personnel matters of general applicability to employees. ~~No such rules, regulations, and policies shall be adopted or amended until after they are reviewed by the Personnel Board established pursuant to Section 11-1.~~

(b) All rules, regulations, and policies regarding personnel matters shall be reviewed by the City Council ~~and the Personnel Board~~ at least once every two (2) years for possible revisions.

(c) ~~The Personnel Board or the~~ City Council may at any time recommend revisions to the City's rules, regulations, and policies regarding

personnel matters.

Section 3. Section 7-6(b) 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 7-6. - General; Other Departments.

(b) The City Clerk, Treasurer, Police Chief, Public Works Superintendent, and each Department Director of any department established pursuant to Subsection (a) of this Section, shall be appointed by the Council ~~after consideration of the recommendations of the Personnel Board~~. Appointment to or removal from any such position shall require at least four (4) affirmative votes, and any such removal shall be for cause only.

Section 4. Section 7-7(a) 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 7-7. City Manager.

(a) The Council may appoint a City Manager to serve at the pleasure of the Council, ~~after consideration of the recommendations of the Personnel Board~~. The appointment or removal of the City Manager shall require at least four (4) affirmative votes.

Section 5. Section 11-2 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 11-12. - Boards and Commissions - Alternate Members Permitted.

Notwithstanding any other provision of this Article, the Council may appoint, to each board or commission ~~other than the Personnel Board~~, not more than two (2) alternate members. Each such alternate member shall meet the same qualifications for appointment as any regular member. No such alternate member shall have any voting powers except when serving in the stead of a regular member when such regular member is absent, or during the period of vacancy in a position held by a regular member.

Section 6. The charter amendments provided for herein shall be submitted to a vote of the registered electors at the November 6, 2018 regular municipal election to determine whether the amendment shall take effect.

Section 7. The charter amendments provided for herein shall not take effect unless and until a majority of the registered voters voting at the November 6, 2018 regular election vote “yes” in response to the following ballot title:

SHALL THE CITY OF DACONO HOME RULE CHARTER BE AMENDED TO ELIMINATE THE PERSONNEL BOARD AND TO REMOVE ALL REFERENCES THERETO?

Section 8. 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.

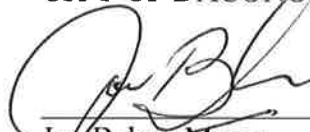
Section 9. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance, or any portion hereof, are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED PUBLISHED AND POSTED BY TITLE THIS 23rd DAY OF JULY, 2018.

PUBLIC HEARING AND SECOND READING WILL BE THE 13th DAY OF AUGUST, 2018 AT 6:00 P.M. AT DACONO CITY HALL, 512 CHERRY STREET, DACONO, CO.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE THIS 13th day of August, 2018.

CITY OF DACONO, COLORADO



Joe Baker, Mayor

ATTEST:



Valerie Taylor, City Clerk

Summary of Ordinance No. 852, **“AN ORDINANCE AMENDING THE CITY CHARTER TO ELIMINATE THE PERSONNEL BOARD AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE NOVEMBER 6, 2018 REGULAR ELECTION.”**: Submits to the registered electors at the November 6, 2018 regular election amendments to the City’s Home Rule Charter that have the effect of eliminating the Personnel Board and all references thereto.