

BYLAWS OF THE PUBLIC WORKS COMMISSION

Article 1 – Authorization

A. Purpose

The purpose of the Public Works Commission is to examine the long-term impacts of the Town's programs.

Town Council has appointed individuals to serve on the Public Works Commission. These Bylaws shall govern the public meetings and operations of the Commission.

B. Powers

The Commission shall be advisory to the Town Council with respect to the following powers and duties:

1. To make recommendations to the Town Council on matters concerning the master planning of capital improvements, and development of policies concerning the Town's infrastructure, and various functions of the Town programs and facilities;
2. To make recommendations to the Town Council concerning methodologies and procedures to be adopted by the Town Council;
3. To advise the Town Council on planning and strategies to implement and accomplish established long-term goals and service levels;
4. To make recommendations to the Town Council on matters concerning the planning of capital improvements to facilitate transit, and development of policies concerning public and private transit for the Town;
5. To provide oversight on the operations and administration of the Town's locally operated transit system, on maintaining or changing level of service, and on approving large transit system capital expenditures, and to advise and give recommendation to Town Council on transit opportunities for the Town and its citizens;
6. To examine alternative modes of transportation, such as bicycling, walking, carpooling, that will help reduce automobile usage;
7. To propose implementation strategies for increasing transit and alternative modes usage.
8. To make recommendations to the Public Works Department concerning operations, management, master planning of capital improvements, and the implications thereof on the annual budget.
9. To grant or deny variances to the Public Works Regulations, as set forth more fully in the Public Works Technical Criteria Manual.

The Commission shall not direct Public Works staff. All requests will be directed to the Public Works Director.

The Commission shall have the authority to establish task forces for the purpose of reviewing specific projects and/or programs. Task force meetings shall not be open to the public.

Article 2 – Organization

A. Officers

The officers of the Commission shall be the Chair and a Vice-Chair. In the absence of both the Chair and Vice-Chair, the members present at such meeting may designate a Chair pro-tem to preside over the meeting. The Chair and Vice-Chair shall be elected by majority vote from the Commission at the first meeting held in June of each year. Terms for officers shall be for one year.

The Chair shall be the executive officer of the commission and shall preside over all meetings of the Commission, call special meetings and workshop sessions of the Commission as needed, sign documents of the Commission, cancel regular meetings, and see that all actions of the Commission are properly taken.

The Vice-Chair shall be empowered with the same duties and authorities as the Chair in the absence of the Chair.

B. Staff

The Public Works Department, under the direction of the Public Works Director, shall provide necessary technical and advisory support to the Commission.

C. Membership and Terms

For the initial year of the Commission (2004-2005) the Commission shall have 8 members. Thereafter, the Commission shall consist of seven (7) members, each of which shall be appointed by the Town Council. Members shall serve staggered three (3) year terms; not to exceed two (2) consecutive terms. Terms of less than full 3-year terms for terms appointed in 2004 shall not constitute a term for purposes of the two-term limitation set forth herein. All members of the Commission shall serve without compensation, but may be entitled to reasonable reimbursement expenses when necessary.

D. Personal Conduct

Each member of the Commission shall exhibit the highest degree of professionalism and commitment to public service possible through the thorough and impartial examination of all matters before the Commission. Members shall make every effort to avoid any appearance of conflict or impropriety in their dealings with the public and each other. Members shall avoid using their position on the Commission in matters related to personal gain.

Members shall comply with the Code of Conduct, Castle Rock Municipal Code Chapter 2.05.

E. Application of Laws

The Commission shall conform to all Castle Rock Municipal codes and regulations, as well as any Colorado statute which may apply to members' conduct or activity, or the Commission as a whole.

Article 3 – Procedure

A. Regular Meetings

Regular meetings shall be held on the first Monday of each month, excluding legal holidays. All regular meetings will be held at 5:30 p.m., at the Service Center, 4175 N. Castleton Court, Castle Rock, Colorado, unless otherwise designated. All Commission meetings shall be open to the public and public comment on any agenda item is welcomed. At the beginning of each meeting, public comment shall be allowed on any item not on the agenda.

B. Special Meetings

Special meetings may be called by the Chair or two members of the Commission. The Chair or two members calling the special meeting shall fix the place and time for the special meeting, and shall give the members at least 24 hours notice of the special meeting.

C. Notice of Meetings

Notice to the members of each regular meeting shall be deemed given by these Bylaws. Notice to the public of regular or special meetings shall be given in compliance with the Colorado Open Meetings Law, C.R.S. Section 24-6-401, *et seq.*, as from time to time amended. Notice of special meetings shall be given to members at least 24 hours in advance by either (1) announcing the special meeting at a regular meeting; or (2) transmitting electronic mail or fax, in all cases directed to the member at his or her residence or place of business.

D. Quorum

A majority of the members of the Commission shall constitute a quorum for the transaction of business at any meeting, provided that if less than a majority of the members are present at said meeting, a majority of the members who are present may adjourn the meeting to another time without further notice.

E. Manner of Acting

The act of a majority of the members present at a meeting at which a quorum is present shall be the act of the Commission.

F. Minutes and Records

Minutes of all meetings of the Commission shall be kept. The Public Works Department shall maintain all of the records of the Commission.

G. Executive Sessions

The Commission may go into executive session for any reason allowed under the Colorado Open Meetings Law, C.R.S. Section 24-6-401, *et seq.*, as from time to time amended. Executive sessions shall be called in the manner set forth in the Colorado Open Meetings Law.

Article 4 – Amendments

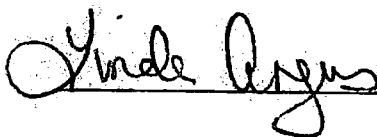
These Bylaws may be amended by a majority vote of the members of the Commission during a regular or special meeting. The Commission shall adopt its bylaws, which shall become final upon approval of the Town Council of the Town of Castle Rock.

Article 5 – Approvals

The above Bylaws for the Town of Castle Rock Public Works Commission have been duly considered and reviewed, and are hereby adopted by the Commission this 6 day of May, 2013.

ATTEST:

PUBLIC WORKS COMMISSION:

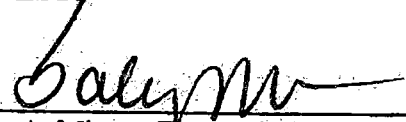


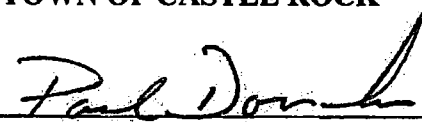


Approved by Town Council this 21st day of May, 2013

ATTEST:

TOWN OF CASTLE ROCK


Sally A. Misare, Town Clerk


Paul Donahue, Mayor

PUBLIC WORKS COMMISSION CHARTER

A. Purpose

The purpose of the Public Works Commission is to examine the long-term impacts of the Town's public works programs.

B. Powers and Duties

The Commission shall be advisory to the Town Council with respect to the following powers and duties:

1. To make recommendations to the Town Council on matters concerning the master planning of capital improvements, and development of policies concerning the Town's infrastructure, and various functions of the Town programs and facilities;
2. To make recommendations to the Town Council concerning methodologies and procedures to be adopted by the Town Council;
3. To advise the Town Council on long term public planning and strategies to implement and accomplish established long-term goals and service levels;
4. To make recommendations to the Town Council on matters concerning the planning of capital improvements to facilitate transit, and development of policies concerning public and private transit for the Town;
5. To advise the Town Council on transit opportunities for the Town and its citizens;
6. To examine alternative modes of transportation, such as bicycling, walking, car-pooling, that will help reduce automobile usage;
7. To propose implementation strategies for increasing transit and alternative modes usage.
8. To make recommendations concerning operations, management, master planning of capital improvements, public works regulations, and the implications thereof on the annual budget.
9. To grant or deny variances to the Public Works Regulations, as set forth more fully in the Public Works Technical Criteria Manual.

The Commission shall have the authority to establish task forces for the purpose of reviewing specific projects and/or programs. Task force meetings shall not be open to the public.

C. Membership

For the initial year of the Commission (2004-2005) the Commission shall have 8 members. Thereafter, the Commission shall consist of seven (7) members. In so far as practical,

composition of the Commission shall reflect the seven (7) Town Council districts. Members of the Commission will be appointed by the Town Council, and shall live within the Town limits while serving on the Commission. All members of the Commission shall serve without compensation, but may be entitled to reasonable reimbursement expenses when necessary.

D. Terms

Members of the Commission shall serve staggered terms as set forth in the Bylaws. No person shall serve more than two consecutive terms. Terms of less than full 3-year terms for terms appointed in 2004 shall not constitute a term for purposes of the two-term limitation set forth herein.

E. Removal

Members shall serve at the pleasure of the Town Council, and may be removed by Town Council at any time for any reason.

F. Vacancies

In the event a vacancy occurs on the Commission for any reason, Town Council shall fill the vacancy for the remaining unexpired term.

G. Absences

To assure the orderly conduct of business of the Commission, member attendance is vital. Except for emergency absences, medical condition absences, and absences resulting from military leave of less than two continuous months, no commission member shall miss more than three Commission meetings in any twelve-month period. Upon missing a fourth absence within one year, other than for an emergency, medical condition, or military leave of less than two months, as determined by the Chair, the Commission member shall be deemed to have resigned, and Town Council shall appoint a replacement for the unexpired term. Nothing herein prohibits Town Council from reappointing the resigned member under this paragraph.

H. Amendments

Town Council may amend this Commission Charter from time to time.

I. Compliance with Laws

The Commission shall comply with all statutes, Town ordinances and regulations pertaining to the operation of the Commission and its meetings.

J. Bylaws

The Commission shall adopt its bylaws, which shall become final upon approval of the Town Council of the Town of Castle Rock.

RESOLUTION NO. 2013-35

**A RESOLUTION APPROVING AN AMENDMENT
TO THE PUBLIC WORKS COMMISSION
CHARTER AND BYLAWS**

WHEREAS, the Town Council of the Town of Castle Rock previously established a Public Works Commission by Resolution 2004-90 and as more fully set forth in Exhibit 1 known as the Charter;

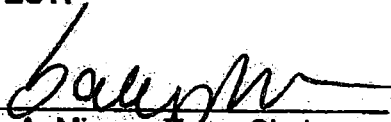
WHEREAS, the Public Works Commission voted unanimously on May 6, 2013 to make changes to the Charter and Bylaws; and

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK AS FOLLOWS:

Section 1. Approval of Charter and Bylaws. Town Council hereby approves the Charter and Bylaws for the Public Works Commission, attached hereto as Exhibits 1 and 2.


PASSED, APPROVED AND ADOPTED this 21ST day of May, 2013, by the Town Council of the Town of Castle Rock, Colorado, on first and final reading by a vote of 7 for and 0 against.

ATTEST:



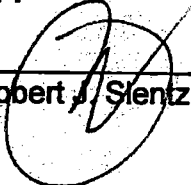
Sally A. Misare, Town Clerk

TOWN OF CASTLE ROCK



Paul Donahue, Mayor

Approved as to form:



Robert J. Slentz, Town Attorney

Approved as to content:



Robert Goebel, P.E., Public Works Director



AGENDA MEMORANDUM

To: Honorable Mayor and Members of Town Council
From: Robert Goebel, P.E., Director of Public Works
Title: Resolution No. 2013-35: A Resolution Approving an Amendment to the Public Works Commission Charter and Bylaws

Executive Summary

In preparation for reviewing the current "State of the Commission" with Town Council at the April 2 Council meeting, the Public Works Commission reviewed the existing Charter and By-laws documents and discussed potential changes at their February 4 meeting. The consensus was that some minor adjustments be made to portions of the Charter/By-laws to improve on clarity. These suggested changes are as follows:

- The Public Work Commission Charter (Exhibit 1) labeled as "Charter"
- Section B, Item 9 of the Charter: Regulations changed to Technical Criteria Manual (we no longer have Regulations)
- Section B, Item 3 of the Bylaws: Omit "long term". Items are brought to the Commission are not always "long term" planning.
- Section B, Item 9 of the Bylaws: Regulations changed to Technical Criteria Manual (we no longer have Regulations)
- Sentence added under Section B of the Bylaws - The Commission shall not direct Public Works staff. All requests will be directed to the Public Works Director or their designee.
- Section F of the Bylaws: This was an incomplete sentence –add a period after the word "kept".

The current Charter (**Exhibit 1**) and Bylaws (**Exhibit 2**) are attached with the above suggested changes outlined in yellow. These changes were made by the Public Works Commission at their May 6 meeting.

Staff Recommendation

The above changes have been approved by the Town's Legal Department and staff recommends that these changes be made.

Proposed Motion

I move to approve Resolution No. 2013-35: A Resolution Approving an Amendment to the Public Works Commission Charter and Bylaws.

Attachments

Attachment A: Resolution