

**TOWN OF CASTLE ROCK
BOARD OF ADJUSTMENT
BYLAWS**

The Board of Adjustment of the Town of Castle Rock has been established by the Town Council to hear various matters, set forth in Chapter 17.06 of the Castle Rock Municipal Code. The Board of Adjustment is empowered to promulgate its own rules and regulations necessary to carry into effect the provisions of Title 17 and Title 19 of the Castle Rock Municipal Code. Pursuant to the authority granted to the Board of Adjustment by the Castle Rock Municipal Code Section 17.06, the Board of Adjustment hereby adopts the following bylaws to govern its conduct and procedures.

Article 1 – Authorization

A. Purpose

The Board of Adjustment shall have the following powers and duties, all of which shall be exercised, subject to the laws of the State and subject to appropriate conditions and safeguards, in harmony with the purpose and intent of Titles 17 and 19 of the Castle Rock Municipal Code, the policies of the Town Council, and in accordance with the public interest and the most appropriate development of the neighborhood.

B. Powers

The Board of Adjustment shall have the following powers:

1. To hear and decide appeals from, and review any order, requirement, decision or determination made by an administrative official charged with enforcement of the regulations established by this Title;
2. To hear and decide appeals on specific cases for a variance to the following:
 - a. Minimum area of lot;
 - b. Minimum width of lot;
 - c. Maximum height of buildings;
 - d. Minimum front yard;
 - e. Minimum side yard;
 - f. Minimum rear yard;
 - g. Minimum off-street parking requirements;

- h. Title 19 Sign Code Regulations, except as limited under subsection 19.04.080.H, CRMC;
- i. Minimum landscape requirements;
- j. Maximum fence height; and
- k. Title 17.58 (Illumination) of this Title.

3. To hear and decide appeals for reasonable accommodation, including but not limited to reasonable accommodation for persons with a disability.

C. Making Decisions

In making its decision on a variance application, the Board shall consider the following and find:

- a. The strict enforcement of the provisions of this Code will result in practical difficulties or unnecessary hardship to the applicant, inconsistent with the intent and purpose of this Code;
- b. The practical difficulties or unnecessary hardship were not created by the applicant;
- c. Unique physical conditions or exceptional topography exist on the subject property and similar unique conditions do not exist on neighboring properties;
- d. The property is unable to be reasonably developed in conformity with the provisions of this Code due to unique physical conditions or exceptional topography;
- e. The variance, if granted, will not substantially alter the character of the neighborhood in which the property is located, or impair the use or development on adjacent property; and
- f. The variance, if granted, will not create an adverse effect on public health, safety and welfare or cause harm to adjacent properties.

D. Decision of the Board

The decision of the Board shall be final, subject to judicial review.

Article 2 - Organization

A. Officers

The officers of the Board of Adjustment 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 Board 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 Board and shall preside over all meetings of the Board, call special meetings and workshop sessions of the Board as needed, sign documents of the Board, cancel regular meetings, and see that all actions of the Board 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 Development Services Department, under the direction of the Development Services Director, shall provide necessary technical and advisory support to the Board and, through the Town, shall retain needed outside consultants to assist the Board.

C. Membership

The Board shall consist of five members, all of whom shall be residents of the Town of Castle Rock. The members shall be appointed by the Town Council pursuant to Chapter 17.06 of the Castle Rock Municipal Code. Each publicly appointed member shall serve staggered terms for a period of two years. All terms shall run from June 1 through May 31 of the second year. Citizens are eligible to serve a maximum of 3 terms for a total of six years. All members of the Board shall serve without compensation.

D. Removals and Vacancies

Members shall serve at the pleasure of the Town Council and may be removed with or without cause by majority vote of the Town Council at any time for any reason. Vacancies which may occur shall be filled by the Town Council for the remainder of the unexpired term.

E. Personal Conduct

Each member of the Board shall exhibit the highest degree of professionalism and commitment to public service possible through the thorough and impartial examination of all matters before the Board. 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 Board in matters related to personal gain.

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

F. Application of Laws

The Board 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 Board as a whole.

Article 3 - Procedure

A. Regular Meetings

Regular meetings shall be held on the first Thursday of each month, excluding holidays. All regular meetings will be held at 6:00 p.m. at Town Hall, 100 N. Wilcox Street, Castle Rock, Colorado, unless otherwise designated. All meetings shall be open to the public. In the event the Board has no hearings scheduled for any regular meeting, the Development Services Director or designee may cancel the regular meeting. The Board shall have a minimum of one regular meeting per year.

B. Special Meetings

Special meetings may be called by the Development Services Director or designee, Chair or two members of the Board. The Chair or two members calling the special meeting shall fix the place and time for the special meeting, and shall give the members 24 hours' notice of the special meeting, as provided below in Article 3 (C).

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 Board 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 concurrence of three members present at a meeting at which a quorum is present shall be the act of the Board.

F. Minutes and Records

Minutes of all meetings of the Board shall be kept. The Development Services Department shall maintain all of the records of the Board and shall transmit them timely to the Board for their review and approval.

G. Executive Sessions

The Board 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 matter set forth in the Colorado Open Meetings Law.

H. Hearing Procedures

The Board shall follow the following procedure for all public hearings:

1. Call to order.
2. State brief purpose of the hearing and identify the applicant. Ask for proof of public notice and read it into the minutes.
3. Ask for staff report.
4. Ask for applicant's comments including a description of any displayed graphic materials.
5. Open the Public Hearing and announce the following procedures for taking public comment:
 - a. Any person wishing to speak shall be given an opportunity to make their statements. Persons wishing to speak should place their name on the public hearing sign-up sheet. The order of public testimony will be taken from the sign-up sheet, unless a compelling reason is given to take a person's testimony at an earlier point.
 - b. Before speaking, please identify yourself for the record by stating your name, place of residence, your association with the action before the Board, and any financial or personal interest you may have in that action. If you do not live within the municipal limits of Castle Rock, please state so for the record. Provide your testimony. In the interest of time, please indicate that you agree with another's testimony rather than restating it.
 - c. If you have any material to support your testimony such as pictures, petitions and maps, please present them to the Chair so that they may become part of the record.
6. Allow the applicant an opportunity to present any rebuttal testimony or evidence in response to public comment, testimony, or questions.
7. The Board shall then be given an opportunity to ask questions of the applicants, staff, or any public presenting testimony.

8. Close the public hearing. Once the public hearing is closed, the Board may discuss the application for purposes of preparing a motion on the application.
9. Board motion and vote – the Board may act on the item being heard by recommending approval, approval with conditions, denial, or continuation to a date certain.

I. Robert's Rules

Any matter not addressed by these Bylaws shall be governed by Robert's Rules of Order.

Article 4 - Amendments

These Bylaws may be amended by an affirmative vote of four members of the Board during a regular or special meeting. There shall be at least a five day period between the initial proposal of an amendment and the final vote of the amendment.

Article 5 - Approvals

The above Bylaws for the Town of Castle Rock Board of Adjustment have been duly considered and reviewed and are hereby adopted by the Board of Adjustment this ____ day of June 7, 2018.

ATTEST:

Vice-Chair

BOARD OF ADJUSTMENT

Chair

Bylaws of the Town of Castle Rock

Board of Building Appeals

Article 1 – Authorization

A. Purpose

The purpose of the Board of Building Appeals (Board) is to hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of the Town-adopted building codes and regulations, as well as the Town's contractor registration ordinances.

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

B. Powers

The Board shall have the following powers and duties:

1. The Board shall hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of the Town-adopted building codes and regulations, as well as the Town's contractor registration ordinances.
2. The Board shall have no authority relative to interpretation of the administrative provisions of the currently adopted Building Code, as adopted by the Town, nor shall the Board be empowered to waive requirements of the currently adopted Building Code, as adopted by the Town.

Article 2 – Organization

A. Officers

The officers of the Board 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 Board 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 Board and shall preside over all meetings of the Board, call special meetings and workshop sessions of the Board as needed, sign documents of the Board, cancel regular meetings, and see that all actions of the Board 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 Development Services Building Division, under the direction of the Chief Building Official, shall provide necessary technical and advisory support to the Board and, through the Town, shall retain needed outside consultants to assist the Board, as appropriate and budgeted.

C. Membership

The Board shall consist of five members, each of which shall be appointed by the Town Council. Members shall serve staggered two-year terms. No member shall serve for more than three consecutive terms or six years. Partial terms shall be considered full terms. Members must wait four years after their term has expired to reapply for a position on the Board. All members of the Board shall serve without compensation.

D. Personal Conduct

Each member of the Board shall exhibit the highest degree of professionalism and commitment to public service possible through the thorough and impartial examination of all matters before the Board. 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 Board 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 Board shall conform to all Castle Rock Municipal codes and regulations, as well as any Colorado statute which may apply to members' conduct and activity, or the Board as a whole.

Article 3 – Procedure

A. Regular Meetings

Regular meetings shall be held quarterly on the first non-holiday Monday of the months of March, June, September and December. All regular meetings will be held at 6:00 p.m., at Town Hall, 100 N. Wilcox St., Castle Rock, Colorado, unless otherwise designated. All meetings shall be open to the public.

B. Special Meetings

Special Meetings may be called by the Chair or two members of the Board. 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. Unusual Circumstances of Meetings

In the event of unusual circumstances at a meeting, such as a power outage or other natural or manmade interruptions, the Board has the prerogative to take a short recess to make a decision about how to proceed. If the interruption is longer than thirty minutes, or if circumstances make it impossible to conduct the meeting in a normal fashion, then the public hearing(s) will be continued to a later date.

D. 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.

E. Quorum

A majority of the members of the Board 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.

F. 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 Board.

G. Minutes and Records

Minutes of all meetings of the Board shall be kept. The Development Services Department shall maintain all of the records of the Board.

H. Executive Sessions

The Board 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 – Hearing Procedure

The Board shall follow the following procedure for all public hearings:

1. Call to order.

2. State brief purpose of the hearing and identify the applicant. Ask for proof of public notice and read it into the minutes.
3. Ask for staff report.
4. Ask for applicant's comments, including a description of any displayed graphic materials.
5. Open the Public Hearing and announce the following procedures for taking public comment:
 - a. Any person wishing to speak shall be given an opportunity to make their statements. Persons wishing to speak should place their name on the public hearing sign-up sheet. The order of public testimony will be taken from the sign-up sheet, unless a compelling reason is given to take a person's testimony at an earlier point.
 - b. Before speaking, persons shall identify themselves for the record by stating their name and place of residence. If the person does not live within the municipal limits of Castle Rock, the person shall so state for the record. Persons speaking shall indicate any financial or personal interest in the action they may have before the Board.
 - c. If persons testifying have any material to support the testimony such as pictures, petitions and maps, such materials should be presented to the Chair so that they may become part of the record.
6. Allow the applicant an opportunity to present any rebuttal testimony or evidence in response to public comment, testimony, or questions.
7. The Board shall then be given an opportunity to ask questions of the applicants, staff, or any public presenting testimony.
8. Close the public hearing. Once the public hearing is closed, the Board may discuss the application for purposes of preparing a motion on the application.
9. Board motion and vote – the Board may act on the item being heard by recommending approval, approval with conditions, denial, or continuation to a date certain.

Article 5 – Amendments

These Bylaws may be amended by a majority vote of the members of the Board during a regular or special meeting. In no event shall the Bylaws be amended to be inconsistent with any Town ordinance.

Article 6 – Approvals

The above Bylaws for the Town of Castle Rock Board of Building Appeals have been duly considered and reviewed, and are hereby adopted by the Board this 27th day of JUNE, 2016.

ATTEST:



Board of Building Appeals Vice-Chair

BOARD OF BUILDING APPEALS



Board of Building Appeals Chair

T:\Development Review\Board of Building Appeals\Bylaws

CHARTER OF THE CASTLE ROCK WATER COMMISSION

A. Purpose

The purpose of the Castle Rock Water Commission is to provide guidance regarding service affordability and availability, and to conduct special investigations to ensure water, wastewater, and stormwater customers receive quality services and pay fair prices.

B. Powers and Duties

The Commission shall be advisory and make recommendations to the Town Council relative to activities that affect customers. This would include 1) user charges, 2) impact fees, 3) projects; 4) changes to regulations, 5) conservation, and 6) level of service.

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

The Commission shall consist of seven (7) members, each of which shall be appointed by the Town Council. One member of the commission may be a non-resident "ratepayer". Ratepayer is defined as a homeowner, property owner or business owner within the Town's service area. . Members shall serve no more than three consecutive two year staggered terms. 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.

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 two Commission meetings in any twelve-month period. Upon missing a third meeting 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.

Council approved January 17, 2017

Bylaws of the Castle Rock Water Commission

Article 1 – Authorization

A. Purpose

The purpose of the Castle Rock Water Commission is to provide guidance regarding service affordability and availability, and to conduct special investigations to ensure water, wastewater, and stormwater customers receive quality services and pay fair prices.

B. Powers

The Commission shall be advisory and make recommendations to the Town Council relative to activities that affect customers. This would include 1) user charges, 2) impact fees, 3) projects; 4) changes to regulations, 5) conservation, and 6) level of service.

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

Castle Rock Water, under the direction of the Director, shall provide necessary technical and advisory support to the Commission.

C. Membership and Terms

The Commission shall consist of seven (7) members, each of which shall be appointed by the Town Council. One member of the commission may be a non-resident "ratepayer". Ratepayer is defined as a homeowner, property owner or business owner within the Town's service area. . Members shall serve no more than three consecutive two-year staggered terms. A partial term is defined as any period of time less than two years and shall be counted as a full term. A citizen must wait four years (two full terms) prior to re-applying to serve on the Commission for which the member was disqualified

to serve due to term limits. 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 quarterly on the 4th Wednesday. All regular meetings will be held at 6:00 p.m., at Castle Rock Water, 175 Kellogg Ct., Castle Rock, Colorado, unless otherwise designated. All Commission meetings shall be open to the public.

B. Special Meetings

Special meetings may be called by the Chair or by 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 48 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 48 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 sitting 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.

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 Castle Rock Water Commission have been duly considered and reviewed, and are hereby adopted by the Commission this ___ day of _____, 2017.

ATTEST:

CASTLE ROCK WATER COMMISSION

Sally A. Misare, Town Clerk

Charles Fletcher, Chair

Approved by Town Council this 17th day of January, 2017.

ATTEST:

TOWN OF CASTLE ROCK



Sally A. Misare, Town Clerk



Jennifer Green, Mayor

F. Minutes and Records

Minutes of all meetings of the Commission shall be kept.

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.

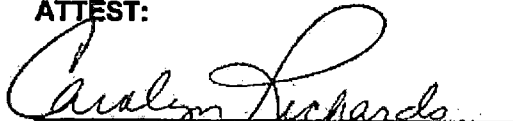
Article 4 – Amendments

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 Castle Rock Water Commission have been duly considered and reviewed, and are hereby adopted by the Commission this 31 day of January, 2017.

ATTEST:


Carolyn Richards, Admin. Assistant

CASTLE ROCK WATER COMMISSION


Charles Fletcher, Chair

Approved by Town Council this _____ day of _____, 2017.

ATTEST:

TOWN OF CASTLE ROCK

Sally A. Misare, Town Clerk

Jennifer Green, Mayor

**TOWN OF CASTLE ROCK
DESIGN REVIEW BOARD
BYLAWS**

The Design Review Board of the Town of Castle Rock has been established by the Town Council to serve the Town Council. Castle Rock Municipal Code Section 17.42.090. The Design Review Board is empowered to promulgate its own internal rules and regulations not in conflict with the ordinances of the Town, and to provide a public forum for the further development and orderly growth of the Downtown region of Castle Rock as outlined in Castle Rock Municipal Code Section 17.42.100. Pursuant to the authority granted to the Design Review Board, the Design Review Board hereby adopts the following bylaws to govern its conduct and procedures.

Article 1 – Authorization

A. Purpose

The purpose of the Design Review Board is to review applications that require a site plan under Chapter 17.38 for compliance with this Chapter 17.52, including but not limited to setbacks (17.42.060), building height and crown (17.42.070), design standards (17.42.080), and variance requests. The Design Review Board is also to assist, advise and coordinate with the Town Council the implementation of the Downtown Master Plan, Historic Preservation Plan and other duties that maybe assigned by the Town Council.

B. Powers

The Design Review Board shall have the powers granted to it by Chapter 17.42 of the Town of Castle Rock's municipal code.

C. Duties

The Design Review Board shall communicate, coordinate and advise the Town Council of its activities and accomplishments, hold public meetings in conjunction therewith, promulgate its own internal rules and regulations not in conflict with the ordinances of the Town, and provide a public forum for the further development and orderly growth of the downtown region.

Article 2 – Organization

A. Officers

The officers of the Design Review Board 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 Design Review Board at the first meeting held after

Board and Commission appointments by Town Council of each year. Terms for officers shall be for one year.

The Chair shall be the executive officer of the Board and shall preside over all meetings of the Board, call special meetings and workshop sessions of the Board as needed, sign documents of the Board, cancel regular meetings, and see that all actions of the Board 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 Planning Department, under the direction of the Planning Director, shall provide necessary technical and advisory support to the Board and, through the Town, shall retain needed outside consultants to assist the Board.

C. Membership

The Board shall consist of seven members, each of which shall be appointed by the Town Council pursuant to Chapter 17.42.090 of the Castle Rock Municipal Code.

D. Removals and Vacancies

Members shall serve at the pleasure of the Town Council and may be removed by the Town Council at any time for any reason. Vacancies which may occur shall be filled by the Town Council for the remainder of the unexpired term.

E. Personal Conduct

Each member of the Board shall exhibit the highest degree of professionalism and commitment to public service possible through the thorough and impartial examination of all matters before the Board. 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 Board in matters related to personal gain.

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

F. Application of Laws

The Board 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 Board as a whole.

Article 3 – Procedure

A. Regular Meetings

Regular meetings shall be held on the second and fourth each month, excluding legal holidays. All regular meetings of the Design Review Board shall commence at 6:00 p.m. and continue until 9:30 p.m., unless sooner concluded. The meeting may be extended beyond 9:30 p.m. by a unanimous vote of the Design Review Board members present. Meetings are held in the Council Chambers at Town Hall, 100 N. Wilcox Street, Castle Rock, Colorado, unless otherwise designated. All meetings shall be open to the public. Any regular meeting of the Board may be cancelled by the Chair in the event there are no public hearing or discussion/action items for the meeting's agenda.

B. Special Meetings

Special meetings may be called by the Chair or two members of the Board. The Chair or two members calling the special meeting shall fix the place and time for the special meeting, and shall give the members 24 hours notice of the special meeting, as provided below in Article 3 (D).

C. Unusual Circumstances of Meetings

In the event of unusual circumstances at a meeting, such as a power outage or other natural or manmade interruptions, the Board has the prerogative to take a short recess to make a decision about how to proceed. If the interruption is longer than thirty minutes, or if circumstances make it impossible to conduct the meeting in a normal fashion, then the public hearing(s) will be continued to a later date.

D. 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.

E. Quorum

A majority of the members of the Board 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.

F. 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 Board.

G. Minutes and Records

Minutes of all meetings of the Board shall be kept. The Planning Department shall maintain all of the records of the Board and shall transmit them timely to the Board for their review and approval.

H. Executive Sessions

The Board 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.

I. Hearing Procedures

The Board shall follow the following procedure for all public hearings:

1. Call to order
2. State brief purpose of the hearing and identify the applicant. Ask for proof of public notice and read it into the minutes.
3. Ask for staff report.
4. Ask for applicant's comments including a description of any displayed graphic materials.
5. Open the Public Hearing and announce the following procedures for taking public comment:
 - a. Any person wishing to speak shall be given an opportunity to make their statements. Persons wishing to speak should place their name on the public hearing sign-up sheet. The order of public testimony will be taken from the sign-up sheet, unless a compelling reason is given to take a person's testimony at an earlier point.
 - b. Before speaking, please identify yourself for the record by stating your name, place of residence, your association with the action before the Board, and any financial or personal interest you may have in that action. If you do not live within the municipal limits of Castle Rock, please state so for the record. Provide your testimony. In the interest of time, please indicate that you agree with another's testimony rather than restating it.
 - c. If you have any material to support your testimony such as pictures, petitions and maps, please present them to the Chair so that they may become part of the record.
6. Allow the applicant an opportunity to present any rebuttal testimony or evidence in response to public comment, testimony, or questions.
7. The Board shall then be given an opportunity to ask questions of the applicants, staff, or any public presenting testimony.

8. Close the public hearing. Once the public hearing is closed, the Board may discuss the application for purposes of preparing a motion on the application.
9. Board motion and vote – the Board may act on the item being heard by giving approval, approval with conditions, denial, or continuation to a date certain.

J. Robert's Rules.

Any matter not addressed by these Bylaws shall be governed by Robert's Rules of Order.

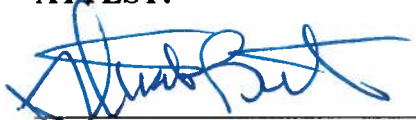
Article 4 – Amendments

These Bylaws may be amended by an affirmative vote of four members of the Board during a regular or special meeting. There shall be at least a five day period between the initial proposal of an amendment and the final vote of the amendment.

Article 5 – Approvals


The above Bylaws for the Town of Castle Rock Design Review Board have been duly considered and reviewed, and are hereby adopted by the Board this 28th day of September, 2016.

ATTEST:



Stuart Butler
Vice Chair

DESIGN REVIEW BOARD:



Jason Bower
Chair

T:\Development Review\Design Review Board\Bylaws 08.26.16 DRAFT – Changes by HH

Town of Castle Rock Election Commission
ELECTION COMMISSION REGULATIONS
(Adopted January 27, 2021)

Pursuant to the powers vested in the Election Commission by Section 4-4 of the Castle Rock Municipal Charter, and C.R.S. Section 31-10-105, the following regulations are hereby adopted for the Castle Rock Election Commission:

I. Officers and Terms

- A. The Commission is a non-partisan appointed commission that has charge of certain election-related activities and duties pursuant to Section 4-4(a) of the Castle Rock Municipal Charter.
- B. The officers of the Commission shall be the chair and 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 of the Commission at the first meeting held each year. Terms for officers shall be for one year.
- C. The chair shall be the executive officer of the Commission and shall preside over all meetings of the Commission, call meetings of the Commission as needed, sign documents of the Commission, cancel 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.
- D. The Town Clerk shall provide necessary technical and advisory support to the Commission, and, through the Town, shall retain needed outside consultants to assist the Commission. The Town Clerk shall have all necessary powers set forth in the Town's charter and any regulations adopted by the Commission.

II. Meeting Procedures

- A. At least 24 hours' notice shall be given of the meeting. At a minimum, the notice shall be posted in compliance with CRS 24-6-402(2)(c) and the Town Council Resolution annually approved designating the public posting for posting notices.
- B. Meetings shall be called by the chair or vice chair, or by the Town Clerk with the concurrence of either the chair or vice chair. Commission members shall be notified by electronic mail of any meeting at least 24 hours in advance of the meeting.
- C. 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. The act of a majority of members present at a meeting at which a quorum is present shall be the act of the Commission, except for decisions on the change in district boundaries, which shall require an affirmative vote of no less than 3/4 of the Commission members in attendance, but in no event no less than three affirmative votes.

- D. Each meeting shall be recorded, and action minutes shall be prepared for review and approval by the Commission. Any written comments or materials provided to the Commission or to a Commission member by the public or by the Town staff shall be made available to all members of the Commission, and to any member of the public requesting a copy of the comments or materials.
- E. The Commission encourages the presentation of differing public viewpoints at its meetings, and will give a reasonable opportunity for public comment at each meeting. If a large number of persons desire to speak at a meeting, the Commission may establish time limits for each speaker so that, to the extent practicable, all persons desiring to speak can be accommodated.
- F. The Commission shall maintain neutrality and impartiality when considering issues related to the conduct of elections or changes to district boundaries. Members may participate in election campaigns on an individual basis, so long as they are able to maintain impartial with regard to issues before the Commission. Members shall conduct themselves according to the Town's code of conduct, Chapter 2.05 of the Castle Rock Municipal Code.
- G. The Commission may recess into executive session for the purposes of conference with the Commission's attorney for legal advice on specific legal questions. However, any such executive session shall be conducted in compliance with the Charter and ordinances of the Town and C.R.S. Section 24-4-402(4).

III. Redistricting

In considering district boundary changes, the Commission shall be guided by requirements outlined in Section 4-5 of the Town Charter, along with the following:

- A. The Commission shall maintain neutrality and impartiality in considering changes to district boundaries. The Commission shall not discuss such changes except at a duly convened Commission meeting. If any person attempts to discuss district boundary changes with any Commission member outside a Commission meeting, the Commission member shall not participate in the discussion; instead, the member shall encourage the person to attend a Commission meeting and make comments there, or to provide written comments to the Commission.
- B. The Commission also keeps in mind some practical issues:
 - 1) District boundaries should be consistent with natural or man-made geographical boundaries (such as streets, parks, drainage ways, etc.) where feasible.
 - 2) Communities of interest should be preserved where possible (share a school or keep neighborhoods together).
- C. Any other requirements that the Commission must consider in accordance with constitutional requirements.
- D. In making its final decision concerning any district boundary changes, the Commission shall set forth, in writing, a summary explanation of the pertinent guidelines that were used in making the decision.

- E. A copy shall be maintained of all written materials submitted to or utilized by the Commission in making its final decision concerning any district boundary changes.
- F. The Redistricting Plan and the new District Boundaries will be presented at a Town Council meeting and updated on the Election District Map and with Douglas County Elections.

IV. Other Regulations

- A. In any case where the election procedure is in doubt, the Commission shall prescribe the procedure to be followed.
- B. The Commission shall provide procedures for establishing proof of residency where there is a question of residency of a person who is registered to vote. In addition, the Town Clerk will verify that Town Council Candidates are registered to vote at an address within the Town and in their District in compliance with residency requirements as outlined in Town Charter Section 2-4.
- C. The Commission shall provide for ballots or voting machines, for determination of the winner by lot in the event of a tie vote, for canvass of returns, and for issuance of appropriate certificates.
- D. The Commission shall adopt any other reasonable rules and regulations not inconsistent with the Constitution of the State of Colorado or the Charter and ordinances of the Town, as appropriate.

NOW THEREFORE, BE IT RESOLVED BY THE ELECTION COMMISSION OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:

Section 1. Approval. The Election Commission hereby adopts the Election Commission Regulations to supersede any previous Regulations adopted by the Election Commission.

PASSED, APPROVED AND ADOPTED this 27th day of January 2021 by the Election Commission of the Town of Castle Rock, Colorado by a vote of 5 for and 0 against.

By:

Attest



DocuSigned by:

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CJ Garbo, Chair

DocuSigned by:

296A8A4EDEE34AF...

Lisa Anderson, Town Clerk

HISTORIC PRESERVATION BOARD

BY-LAWS

Adopted August 4, 1994

Amended October 6, 2010 and August 3, 2016

ARTICLE I

Name of the organization shall be the Castle Rock Historic Preservation Board.

ARTICLE II

Authority:

The Board shall derive its authority from Ordinance 2010-19 as amended by the Town Council. In the case of any conflict between these by-laws and Ordinance 2010-19, Ordinance shall prevail.

ARTICLE III

Objectives:

- A. To protect and preserve the town's historic and cultural heritage, as embodied in designated historic, prehistoric, and geological landmarks and districts.
- B. To enhance property values and to stabilize historic neighborhoods and commercial areas.

ARTICLE III

Objectives: (Continued)

- C. To increase the economic and financial benefits to the town and its residents, businesses and visitors through preservation.
- D. To provide educational opportunities and to increase public appreciation of the Town of Castle Rock's unique heritage.
- E. To address historic preservation issues at the local level and integrate them into local, state and federal planning and decision-making processes.

ARTICLE IV

Duties and Responsibilities:

- A. The Board shall set standards and criteria for the inclusion of historic properties, prehistoric sites and geologic landmarks.
- B. The Board shall set standards and procedures for obtaining a landmark alteration certificate prior to any alteration, demolition or moving historic properties as described by Article IV-A
- C. Actions recommended by the Board shall be transmitted to the Town Council or other applicable board, council or person(s) and to town staff.
- D. The Board shall function as a public educational resource.
- E. All of the above duties and responsibilities shall be accomplished within the framework of all applicable town ordinances.

ARTICLE V

Membership:

- A. Appointment to this Board is by the Town Council
- B. The term of office shall be two (2) years. Terms shall be renewable, but no member shall serve more than four consecutive 2-year terms or eight (8) consecutive years. Partial terms shall count as full terms. A citizen must wait four (4) years to re-apply to serve on the Board. Original members were selected for a one (1) year, two (2) year or three (3) year term.
- C. Vacancies in the Board shall be filled by the Town Council in a timely manner.

- D. Membership shall consist of seven members. The makeup of the membership shall be defined by Ordinance 2010-19 Chapter 15.64 as amended.

ARTICLE V

Membership: (Continued)

- E. Attendance at meetings shall be the responsibility of the member. Four consecutive unexcused absences shall constitute resignation.

ARTICLE VI

Officers:

- A. The officers shall consist of a Chair and Vice-Chair. The position of Secretary shall be on a rotating basis of all members so that each member will then be able to fully participate in the majority of meetings. The job of Secretary shall not be recognized if the Town of Castle Rock can provide such a service.
- B. The selection of Chair and Vice-Chair shall be executed by secret ballot whenever a vacancy shall occur. Term of office shall be for one (1) year and may be renewable.
- C. The Chair shall preside at all meetings and hearings of the Board and shall have the duties normally conferred by parliamentary usage, call special meetings, and generally perform other duties as may be prescribed in these by-laws or by ordinance.
- D. The Vice-Chair presides in the absence of the Chair.

ARTICLE VII

Meetings:

- A. Dates and Times: The Board shall meet a minimum of four times a year. Additional meetings shall be held as necessary. All meeting times shall be posted at the town offices. Meetings are open to the public.
- B. Quorum: A quorum consists of four (4) members, a majority.
- C. Conflict of Interest: Any member who has a conflict of interest, as defined by Town policy shall immediately disclose this fact and shall not participate as a Board Member on this item. This fact shall be noted in the meeting minutes.
- D. Record of Proceedings: Minutes of each meeting shall be recorded and filed with the Town Development Services Department after they have been approved by the membership of the Board. They shall reflect pertinent information such as members present, motions, and actions and will be available for public inspection during regular business hours.

ARTICLE VIII

Committees:

The Chair may appoint committees as necessary.

ARTICLE IX

Parliamentary Authority:

The Board shall use Robert's Rules of Order, as revised, in conducting business affairs.

ARTICLE X

Amendments:

These by-laws may be amended at any regular meeting of the Board on second reading by an affirmative vote of four members of the Board. The Town Council will have the authority to amend these by-laws.

RESOLUTION NO. 2019-005

**A RESOLUTION APPROVING THE LOCAL LIQUOR LICENSING AUTHORITY
FOURTH AMENDED AND RESTATED BYLAWS**

WHEREAS, the Town Council of the Town of Castle Rock established the Liquor Licensing Authority by Ordinance No. 1999-29;

WHEREAS, Town Council approved Ordinance No. 2013-14 authorizing a Hearing Officer to serve as the Local Liquor Licensing Authority to approve all new liquor license applications and perform show cause hearings;

WHEREAS, changes were made to reflect current operating practices;

WHEREAS, the Liquor Licensing Authority approved the changes to the Bylaws on January 8, 2019; and

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

Section 1. Approval of Bylaws. Town Council hereby approves the Local Liquor Licensing Authority Fourth Amended and Restated Bylaws, attached hereto as ***Exhibit 1.***


PASSED, APPROVED AND ADOPTED this 22nd day of January, 2019, 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:

TOWN OF CASTLE ROCK



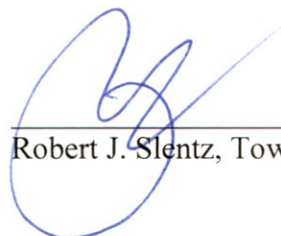
Lisa Anderson, Town Clerk



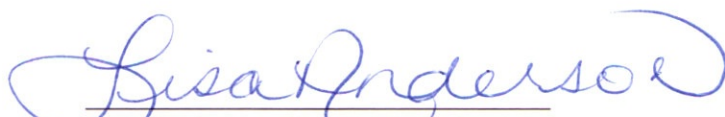
Jason Gray, Mayor

Approved as to form:

Approved as to content:



Robert J. Slentz, Town Attorney



Lisa Anderson, Town Clerk

TOWN OF CASTLE ROCK

LOCAL LIQUOR LICENSING AUTHORITY

FOURTH AMENDED AND RESTATED BYLAWS

1. Applicability of Rules

- A. Applicability. In addition to the ordinances of the Town of Castle Rock and the Colorado Liquor and Beer Codes and related regulations, these rules shall govern all proceedings before the Local Liquor Licensing Authority (the "Authority") of the Town of Castle Rock.
- B. Effective Date. The effective date of these bylaws shall be January 8, 2019.
- C. Amendments. The Authority may amend these bylaws from time to time. Said revisions shall become effective upon approval by the Authority.
- D. Conflicts. If any of these bylaws shall conflict with any provision of the laws of the state or the rules of the state licensing authority pertaining to the Colorado Liquor or Beer Codes and related regulations, the provisions of state law or state regulations shall govern.

II. Hearing Officer

- A. Function. The Authority consists of a Hearing Officer appointed by and shall serve at the pleasure of Town Council per 2.17.010 of the Town of Castle Rock Municipal Code.
- B. Duties. The Authority shall be responsible for conducting public hearings for new liquor licenses, show cause hearings, or any hearing scheduled by the Town Clerk. The Authority would be responsible for signing all documents concerning the Authority's business per Section 2.17 of the Town of Castle Rock Municipal Code. The Authority shall have the power to rule on admissibility of evidence, and make similar hearing related rulings, and when necessary, grant continuances.
- C. Alternate Hearing Officer. In the event the appointed Hearing Officer is unavailable, has a conflict of interest, or is no longer able to continue to serve in that capacity, the Castle Rock Municipal Judge or Alternative Municipal Judges may serve as the Hearing Officer until a formal appointment can be made by Town Council.

III. Staff

- A. Town Clerk. The Town Clerk or her representative shall serve as secretary to the Authority and shall be responsible for preparing summary minutes for all meetings.

The Town Clerk or her representative shall receive all applications and coordinate information on all matters going before the Authority. The Town Clerk or her representative shall administer oaths and issue subpoenas on behalf of the Authority. The Town Clerk may administratively approve all liquor license applications outlined in Chapter 2.17.020 of the Town of Castle Rock Municipal Code.

- B. Town Attorney. The Town Attorney, or his representative, shall attend meetings of the Authority when requested by the Authority. The Town Attorney or his representative shall advise the Authority on legal matters pertaining to the matters being discussed, and shall make recommendations to the Authority and may take part in the discussions, but shall have no vote in the meetings of the Authority.

IV. Public Hearings

A. Hearings on New License Applications.

1. All new license application hearings before the Authority shall be public and shall be conducted in a manner prescribed by the Authority.
2. The applicant shall be entitled to representation by an attorney, but no one other than a licensed attorney may represent the applicant at the hearing.
3. Petitions may be circulated within the neighborhood under consideration by a one of the petition companies listed on the Town website. Said petitions shall be submitted to the town clerk no later than two business days before the hearing.

B. Show Cause Hearings.

1. Upon complaint or upon the Authority's motion, the Authority shall consider whether evidence, if substantiated, would constitute a violation of the Colorado Liquor or Beer Codes and related regulations. The Authority shall set a time and place for a hearing of the matter and shall give the licensee or permit holder timely notice of the date and time established for a show cause hearing at which time the licensee or permit holder will be required to show cause why a penalty should not be imposed if a violation is found.
2. Such notice shall contain a brief description of the grounds for conducting the hearing. The hearing shall be held as soon as is reasonably possible, but in no event shall it be held sooner than fourteen (14) days after notice has been mailed or delivered to the licensee or permit holder.
3. All show cause hearings before the Authority shall be public and shall be conducted in a manner prescribed by the Authority.

4. The municipal prosecutor or outside counsel may represent the Town and have the ability to negotiate plea agreements including, but not limited, to a fine in lieu of suspension or any reasonable remedy under the law.
5. The licensee or permit holder shall be entitled to representation by an attorney, but no one other than a licensed attorney may represent the licensee or permit holder at the hearing.
6. Any party shall have the opportunity to cross-examine any witness presented by another party.
7. At the conclusion of a hearing, the Authority may immediately render a verbal decision on the record, or may take the case under advisement and render a written decision thereafter.
8. If, prior to the public hearing, the licensee or permit holder and the prosecuting attorney reach agreement as to the alleged violations and penalty, they may jointly present such stipulation to the Authority at, or prior to, the public hearing. The Authority may, in its discretion, accept or reject the stipulation. If said stipulation is rejected, the show cause hearing shall proceed.
9. The Authority may consider sentencing guidelines as promulgated by the Authority in determining the appropriate sentence for licensees or permit holders found in violation of the Colorado Liquor or Beer Codes or related regulations.

V. Conflicts of Interest and Impartiality

- A. The state statutes prohibit the Authority from performing an official act that directly and substantially affects to their economic benefit a business or undertaking in which they have a substantial financial interest or are engaged as counsel, consultant, representative or agent. Although the Authority may seek legal advice from the Authority Attorney, it is the responsibility of the Authority to identify and disclose any such statutory conflicts, or potential conflicts, of interest in advance of any hearing or application that comes before the Authority and to refrain from voting when required by law.
- B. The Authority shall not independently investigate matters or applications that are to appear before the Authority in its quasi-judicial capacity, and shall avoid *ex parte* contacts regarding such quasi-judicial matters and applications. Any and all *ex parte* contacts shall be disclosed on the record of the proceeding and the Authority shall state whether such contact will influence his or her decision or otherwise impact the Authority's ability to render a decision based solely on the evidence presented at the quasi-judicial hearing. If the *ex parte* contact would cause a reasonable person to conclude that the Authority is no longer impartial, the

Authority shall recuse himself or herself, not participate in the quasi-judicial hearing.

VI. Approvals

The above Bylaws for the Town of Castle Rock Liquor Licensing Authority have been duly considered and reviewed, and are hereby adopted by the Authority this 8th day of January, 2019.

ATTEST:

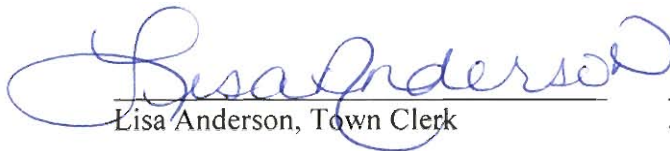

Lisa Anderson, Town Clerk

LIQUOR LICENSING AUTHORITY:

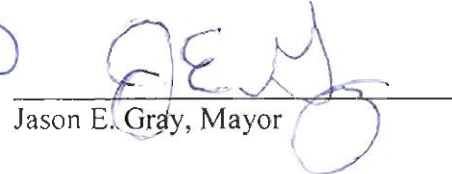

Hearing Officer

Approved by Town Council this 22nd day of January, 2019.

ATTEST:


Lisa Anderson, Town Clerk

TOWN OF CASTLE ROCK


Jason E. Gray, Mayor

Approved as to Form:


Elizabeth B. Allen, Authority Attorney



Town of Castle Rock

Agenda Memorandum

Agenda Date: 1/22/2019

Item #: 11. File #: RES 2019-005

To: Honorable Mayor and Members of Town Council

From: Lisa Anderson, Town Clerk

Resolution Approving the Local Liquor Licensing Authority Fourth Amended and Restated Bylaws

Executive Summary

The Local Liquor Licensing Authority previously consisted of residents appointed by Town Council; however, in 2015 Town Council authorized a Hearing Officer to serve as the Local Liquor Licensing Authority to approve all new liquor license applications and perform show cause hearings. Town Council also authorized the Town Clerk to approve all other licenses administratively.

Attached are the Local Liquor Licensing Authority Bylaws that have been amended to reflect these changes.

Proposed Motion

"I move to approve the Resolution as introduced by title."

Attachments

Attachment A: Resolution
Exhibit 1: Bylaws

RESOLUTION NO. 2005- 38

A RESOLUTION AMENDING THE ESTABLISHMENT OF THE PARKS AND RECREATION COMMISSION AND APPROVING AN AMENDMENT TO THE PARKS AND RECREATION COMMISSION BYLAWS

WHEREAS, the Town Council of the Town of Castle Rock has identified the need to make certain amendments to Resolution No. 2002 – 30, as previously amended by Resolution 2002 - 149, establishing the Parks and Recreation Commission with respect to membership, and to approve amendment to the Parks and Recreation Commission Bylaws regarding membership.

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

Section 1. Charter Amendment. The Charter of the Parks and Recreation Commission adopted by Resolution No. 2002-30 and amended by Resolution No. 2002-149 is hereby amended by amending Section C, Membership, to read in its entirety as follows:

C. Membership

The Commission shall consist of seven members, one of whom shall be a member from the Teen Advisory Group, to be selected by the Teen Advisory Group, subject to Town Council approval. The remaining six 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 salary, but may be entitled to reasonable reimbursement expense when necessary.

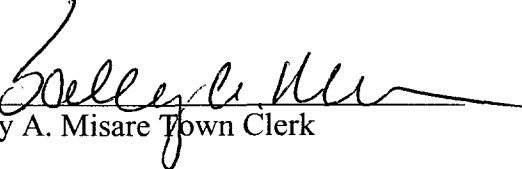
Section 2. Bylaws Amendment. The Bylaws of the Parks and Recreation Commission are hereby amended by amending Article 2, Section C, Membership, to read in its entirety as follows:

C. Membership

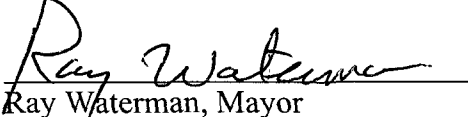
The Commission shall consist of seven members, one of whom shall be a member from the Teen Advisory Group, to be selected by the Teen Advisory Group, subject to Town Council approval; and shall serve a one-year term. The remaining six members of the Commission will be appointed by the Town Council, and shall serve staggered two-year terms. All members of the Commission shall serve without compensation.

PASSED, APPROVED AND ADOPTED this 26th day of April, 2005, 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.

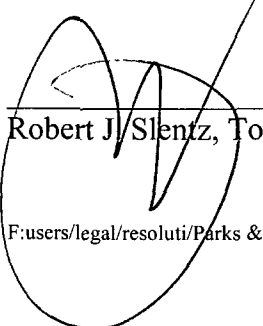
ATTEST:


Sally A. Misare Town Clerk


TOWN OF CASTLE ROCK


Ray Waterman, Mayor

Approved as to form:


Robert J. Slentz, Town Attorney
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Approved as to content:


Rob Hanna, Parks and Recreation Director

TOWN COUNCIL EXECUTIVE SUMMARY

TITLE: Amendment to Parks and Recreation Commission Bylaws

PREPARED BY: Kim Bartuccio, Assistant Director of Parks and Recreation

DATE: April 26, 2005

Purpose

The purpose is to involve the youth of the community in guiding the Parks and Recreation Department in an official capacity by including a representative from the Teen Advisory Group (T.A.G.) as a voting member of the Parks and Recreation Commission.

Key Issues

The Parks and Recreation Commission consists of seven members and there is currently a vacancy. If approved, a member of the Teen Advisory Group will fill the vacancy on the Parks and Recreation Commission.

Key Information

The goal of the Teen Advisory Group is to act as a "voice" for the youth in the Castle Rock community by expressing their opinions and ideas as they relate to the Recreation Department and the Town of Castle Rock. T.A.G. is always looking to expand their involvement with the Parks and Recreation Department and feel as though this would be an excellent opportunity to do that and are excited about the possibility. T.A.G. members looking to fill the vacancy on the Parks and Recreation Commission will submit a letter of interest and interviews will be held with Teen Advisory members and Staff to determine the most qualified member. A minimum number of years as a T.A.G. member is not required but experience is preferred. The Parks and Recreation Director will forward a recommendation to Town Council for appointment.

Recommendation

Approve an amendment to the Parks and Recreation Commission bylaws to include a member of the Teen Advisory Group as a voting member of the Parks and Recreation Commission. The term of this appointment would be one year. The Parks and Recreation Commission recommend approval of this amendment.

**TOWN OF CASTLE ROCK
PLANNING COMMISSION
AMENDED AND RESTATED BYLAWS**

The Planning Commission of the Town of Castle Rock has been established by the Town Council to serve in an advisory capacity to the Town Council. Castle Rock Municipal Code Section 2.16.110. The Planning Commission is empowered to promulgate its own internal rules and regulations not in conflict with the ordinances of the Town, and to provide a public forum for the further development and orderly growth of the Town. Castle Rock Municipal Code Section 2.16.040. Pursuant to the authority granted to the Planning Commission, the Planning Commission hereby adopts the following bylaws to govern its conduct and procedures.

Article 1 – Authorization

A. Purpose

The purpose of the Planning Commission is to assist, advise and coordinate with the Town Council the comprehensive study and review of the planning, zoning and growth of the municipality, as more specifically set forth in Chapter 2.16 of the Castle Rock Municipal Code, and as provided in additional ordinances, rule and regulations of the Town promulgated by the Town Council. The Planning Commission shall encourage coordinated and harmonious development of the municipality. The Planning Commission shall exercise all of the powers and duties granted to a municipal zoning commission under Part 3, Article 23, Title 31, C.R.S., and Chapter 2.16 of the Castle Rock Municipal Code.

B. Powers

The Commission shall have the following powers:

- A. The Commission shall be empowered and authorized to review, act upon and advise the Town Council with respect to all zoning, rezoning, planning, subdividing, platting, annexation and other related activities as provided in the zoning and subdivision ordinances of the Town.
- B. The Commission is empowered to make and submit to the Town Council for the Council's approval a master plan for the physical development of the municipality, as provided in section 2.16.030.B of the Castle Rock Municipal Code.
- C. The Commission is empowered to take a leadership role in convening joint meetings with other Town Boards and Commissions, as necessary, for information sharing, dialog, and other things of mutual benefit and benefit to the Town.
- D. The Commission is empowered with any and all further powers delineated within Parts 2 and 3, Article 23, Title 31, C.R.S.

E. Duties

The Commission shall communicate, coordinate and advise the Town Council of its activities and accomplishments, hold public meetings in conjunction therewith, promulgate its own internal rules and regulations not in conflict with the ordinances of the Town, and provide a public forum for the further development and orderly growth of the Town.

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 Planning Division, under the direction of the Development Services Director, shall provide necessary technical and advisory support to the Commission and, through the Town, shall retain needed outside consultants to assist the Commission.

C. Membership

The Commission shall consist of seven members, each of which shall be appointed by the Town Council pursuant to Chapter 2.16 of the Castle Rock Municipal Code. Members will be appointed to serve staggered two-year terms. No member shall serve more than three consecutive two-year terms ("Term Limit"). A partial term shall be counted as a full term served. A partial term is defined as any period of time less than two years. Any member who has served six consecutive years by the end of their term will not be eligible for reappointment for a new term. Members must wait four years prior to re-applying to serve again on the Planning Commission; however, they are eligible to serve on other Boards or Commissions immediately. All members of the Commission shall serve without compensation.

D. Removals and Vacancies

Members shall serve at the pleasure of the Town Council and may be removed by the Town Council at any time for any reason. Vacancies which may occur shall be filled by the Town Council for the remainder of the unexpired term.

E. 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.

F. 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 second and fourth Thursdays of each month, excluding legal holidays. All regular meetings of the Planning Commission shall commence at 6:00 p.m. and continue until 9:30 p.m., unless sooner concluded. The meeting may be extended beyond 9:30 p.m. by a unanimous vote of the Planning Commission members present. Meetings are held in the Council Chambers at Town Hall, 100 N. Wilcox Street, Castle Rock, Colorado, unless otherwise designated. All meetings shall be open to the public. Any regular meeting of the Commission may be cancelled by the Chair in the event there are no public hearing or discussion/action items for the meeting's agenda. However, the Commission shall hold at least one regular meeting per month.

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 24 hours notice of the special meeting, as provided below in Article 3 (D).

C. Unusual Circumstances of Meetings

In the event of unusual circumstances at a meeting, such as a power outage or other natural or manmade interruptions, the Commission has the prerogative to take a short recess to make a decision about how to proceed. If the interruption is longer than thirty minutes, or if circumstances make it impossible to conduct the meeting in a normal fashion, then the public hearing(s) will be continued to a later date.

D. 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.

E. 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.

F. 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.

G. Minutes and Records

Minutes of all meetings of the Commission shall be kept. The Planning Division shall maintain all of the records of the Commission and shall transmit them timely to the Commission for their review and approval.

H. 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.

I. Hearing Procedures

The Commission shall follow the following procedure for all public hearings:

1. Call to order
2. State brief purpose of the hearing and identify the applicant. Ask for proof of public notice and read it into the minutes.
3. Ask for staff report.
4. Ask for applicant's comments including a description of any displayed graphic materials.
5. Open the Public Hearing and announce the following procedures for taking public comment:
 - a. Any person wishing to speak shall be given an opportunity to make their statements. Persons wishing to speak should place their name on the public hearing sign-up sheet. The order of public testimony will be taken from the sign-up sheet, unless a compelling reason is given to take a person's testimony at an earlier point.
 - b. Before speaking, please identify yourself for the record by stating your name, place of residence, your association with the action before the Commission, and any financial or personal interest you may have in that action. If you do not live within the municipal limits of Castle Rock, please state so for the record. Provide your testimony. In the interest of time, please indicate that you agree with another's testimony rather than restating it.
 - b. If you have any material to support your testimony such as pictures, petitions and maps, please present them to the Chair so that they may become part of the record.
6. Allow the applicant an opportunity to present any rebuttal testimony or evidence in response to public comment, testimony, or questions.
7. The Commission shall then be given an opportunity to ask questions of the applicants, staff, or any public presenting testimony.
8. Close the public hearing. Once the public hearing is closed, the Commission may discuss the application for purposes of preparing a motion on the application.
9. Commission motion and vote – the Commission may act on the item being heard by recommending approval, approval with conditions, denial, or continuation to a date certain.

J. Robert's Rules.

Any matter not addressed by these Bylaws shall be governed by Robert's Rules of Order.

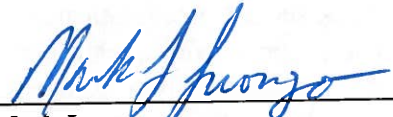
Article 4 – Amendments

These Bylaws may be amended by an affirmative vote of four members of the Commission during a regular or special meeting. There shall be at least a five day period between the initial proposal of an amendment and the final vote of the amendment.

Article 5 – Approvals


The above Bylaws for the Town of Castle Rock Planning Commission have been duly considered and reviewed, and are hereby adopted by the Commission this 25th day of June, 2015.

ATTEST:



Mark Luongo
Vice Chair

PLANNING COMMISSION:



Michael Fronczak
Chair

Amended and Restated Bylaws of the Public Art Commission

Article 1 – Authorization

A. Purpose

The purpose of the Public Art Commission is to advise the Town on recommendations concerning the acquisition of an art collection for public places in the Town of Castle Rock, including Town buildings and parks. The Commission will set priorities and goals for acquiring public art, seek out appropriate public art, and recommend to the Town Manager or Town Council, as appropriate under the Purchasing Code and policies, for the acquisition of public art.

These Bylaws shall govern the public meetings and operations of the Commission.

B. Powers

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

1. To make recommendations to the Town Manager or Town Council as appropriate on the acquisition of public art;
2. To solicit artists for submitting proposals for public art in the Town of Castle Rock.
3. To establish a donation program for citizens and businesses to donate funds for the acquisition of public art.
4. To establish policies and guidelines for the parameters for public art, specifications needed for particular art locations, policies on accepting cash or in kind art contributions, and policies on loans of public art.
5. To create subcommittees and art juries for the selection of public art.

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. Membership

The Commission shall consist of seven members, each of which shall be appointed by Town Council. Members shall serve staggered two year terms. All members of the Commission shall serve without compensation.

C. 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.

D. 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 monthly. All regular meetings will be held on the second Thursday of each month at 12:00 p.m., at Town Hall, 100 N. Wilcox Street, Castle Rock, Colorado, unless otherwise designated. All meetings shall be open to the public.

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. Committees and Juries.

The Commission may establish committees, subcommittees, and art juries for the selection of public art. Jury meetings to review and vote on public art shall not be open to the public.

E. 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.

F. 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.

G. Minutes and Records

Minutes of all meetings of the Commission shall be kept.

H. 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 no bylaws, which shall become final upon approval of the Town Council of the Town of Castle Rock.

Article 5 – Approvals

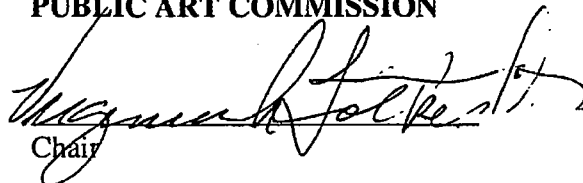
The above Bylaws for the Town of Castle Rock Public Art Commission have been duly considered and reviewed, and are hereby adopted by the Commission this 11~~th~~ day of March, 2004.

ATTEST:

PUBLIC ART COMMISSION



Vice Chair

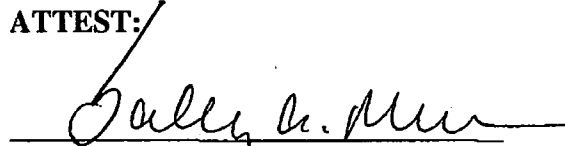


Chair

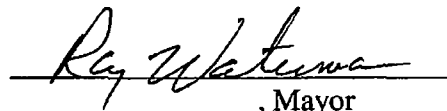
Approved by Town Council this 27~~th~~ day of April, 2004.

ATTEST:

TOWN OF CASTLE ROCK



Sally A. Misare Town Clerk



, Mayor

EXHIBIT 1

PUBLIC ART COMMISSION

A. Purpose

The purpose of the Public Art Commission is to advise the Town on recommendations concerning the acquisition of an art collection for public places in the Town of Castle Rock, including Town buildings and parks. The Commission will set priorities and goals for acquiring public art, seek out appropriate public art, and recommend to the Town Manager or Town Council, as appropriate under the Purchasing Code and policies, for the acquisition of public art.

B. Powers and Duties

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

1. To make recommendations to the Town Manager or Town Council as appropriate on the acquisition of public art;
2. To solicit artists for submitting proposals for public art in the Town of Castle Rock.
3. To establish a donation program for citizens and businesses to donate funds for the acquisition of public art.
4. To establish policies and guidelines for the parameters for public art, specifications needed for particular art locations, policies on accepting cash or in kind art contributions, and policies on loans of public art.
5. To create subcommittees and art juries for the selection of public art.

C. Membership

The Commission shall consist of seven members. Town Council shall appoint seven members who shall be citizens and/or artists in the metro community. Members need not live within the Town limits while serving on the Commission.

D. Terms

Members of the Commission shall serve staggered two year terms.

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 any fourth absence within 12 months, 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 Council shall appoint a replacement for the unexpired term. Nothing herein prohibits Council from reappointing the resigning 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. 2004- 76

**A RESOLUTION AMENDING
THE CHARTER AND BYLAWS OF THE PUBLIC ART COMMISSION**

WHEREAS, The Town Council of the Town of Castle Rock established a Public Art Commission in 2001; and

WHEREAS, the Public Art Commission has recommended changes to their charter and bylaws for Council consideration to expand the membership of the Commission; and

WHEREAS, Town Council of the Town of Castle Rock wishes to amend the charter and bylaws for the Public Art Commission, as more fully set forth below and in the attachments.

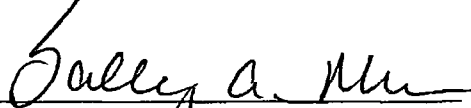
NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK AS FOLLOWS:

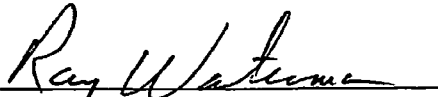
Section 1. Amendment. The Public Art Commission is charter and bylaws are hereby amended as more fully set forth in *Exhibit "1"*.

PASSED, APPROVED AND ADOPTED this 27th day of April, 2004, 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:

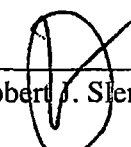
TOWN OF CASTLE ROCK


Sally A. Misare Town Clerk


Ray Waterman, Mayor

Approved as to form:

Approved as to content:


Robert J. Slentz, Town Attorney



Deanne R. Durfee, Deputy Town Attorney

EXHIBIT 1

PUBLIC SAFETY COMMISSION Amended and Restated Charter (2004)

A. Purpose

The purpose of the Public Safety Commission is to advise the Town Council on recommendations concerning levels of service and funding. The Commission will examine the above topics in relation to long-term effects of service to the Town.

B. Powers and Duties

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

Fire Department:

1. To recommend to the Town Council levels of service for the Fire Department as identified through the NFPA (National Fire Protection Association), ISO (Insurance Services Offices) Standards and CFAI (Commission of Fire Accreditation International). Those levels shall be related to manpower, facilities, apparatus, and equipment.
2. To review and make recommendations concerning the strategic plan whose needs have been identified through item 1.
3. To review and make recommendations on annual operating and capital budgets.

Police Department:

1. To assist in the identification of department goals and objectives based on community needs.
2. To study projected effects (5 year plan) of the police service and the ability of the department to meet these future demands.
3. To study and review annually the department's budget and its connection in achieving established goals and objectives.
4. To assist with the identification of those crimes on which police resources will be concentrated. In the allocation of resources, those crimes that are the most serious, stimulate the greatest fear, and cause the greatest economic losses should be afforded the highest priority, and such other issues as the Town Council may refer for recommendation.

5. To assist the Chief of Police in establishing liaison roles with other groups, including community resource groups, other law enforcement agencies and governmental entities.
6. To assist with liaison activities between the police department and the governing body of the Town of Castle Rock.

General:

1. To recommend options for appropriate and proper funding to achieve those levels of service.

C. Membership

The Commission shall consist of up to nine members, but no less than five members. In so far as practical, composition of the Commission shall reflect the 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 salary, but may be entitled to reasonable reimbursement expenses when necessary.

D. Terms

Members of the Commission shall serve staggered two year terms. ~~No person shall serve more than two consecutive terms.~~

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 insure 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~~^{four} meetings in any twelve-month period. Upon any ~~fourth~~^{fifth} absence within 12 months, 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 from the Commission, and Council shall appoint a replacement at its next meeting for the unexpired term. Nothing herein prohibits Council from reappointing the resigning 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.

Commission member shall be deemed to have resigned from the Commission, and Council shall appoint a replacement at its next meeting for the unexpired term. Nothing herein prohibits Council from reappointing the resigning 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.

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

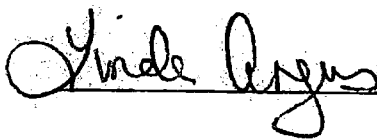
These Bylaws may be amended by a majority vote of the members of the Commission during a regular or special meeting. The Commission shall adopt its bylaws, which shall become final upon approval of the Town Council of the Town of Castle Rock.

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:

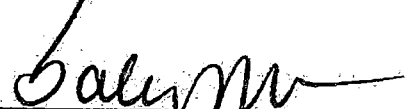


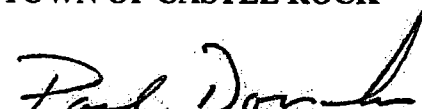


Approved by Town Council this 21st day of May, 2013

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;

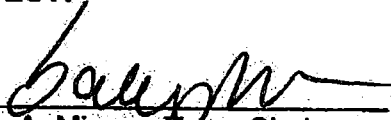
WHEREAS, the Public Works Commission voted unanimously on May 6, 2013 to make changes to the Charter and Bylaws; and

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.

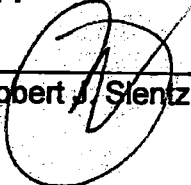
ATTEST:


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



Item # 11

Meeting Date: May 21, 2013

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