

**NOTICE OF ELECTION
CITY OF DACONO, COLORADO**

Notice is hereby given that on Tuesday, November 7, 2023, in the City of Dacono, Colorado, a coordinated mail ballot election with Weld County will be held, at which time the following candidates and Charter amendments will be voted on.

COUNCIL MEMBERS
(Vote for no more than two)

Mike Mathiesen	_____
Rick Gerk	_____
Doris Crespo	_____
Daniel J. Spagnuolo	_____
David O'Day	_____

CITY OF DACONO BALLOT QUESTION (CHARTER AMENDMENT):

SHALL THE CITY OF DACONO HOME RULE CHARTER BE AMENDED TO REQUIRE THE CITY COUNCIL TO APPOINT AND REMOVE THE CITY MANAGER AND OTHER APPOINTED OFFICERS BY RESOLUTION AND REQUIRE THE CITY MANAGER TO DEVOTE THEIR WORK PRIMARILY TO THE CITY AND NOT HOLD ANY ELECTED OR APPOINTED OFFICE OR OTHERWISE ENGAGE IN ACTIVITIES CONTRARY TO THE INTEREST OF THE CITY?

Sec. 7-6 General; Other Departments.

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

Sec. 7-7 City Manager.

(a) The Council may by resolution appoint a City Manager to serve at the pleasure of the Council. The appointment or removal of the City Manager shall require a resolution of the Council adopted by at least four (4) affirmative votes.

(b) Throughout the duration of the appointment of any City Manager appointed by the Council:

- (1) Neither the Council, nor any elected official, nor any Council committee, shall dictate the appointment of any person to or removal of any person from the employment of the City Manager except as otherwise provided in this Charter, or in any other way interfere with such employment;
- (2) Except for the purpose of inquiry, the Council, each elected official, and each Council committee, shall deal with the administrative service solely through the City Manager, and neither the Council, nor any elected official, nor any Council committee, shall give orders to any employee of the City; and
- (3) Except for the purpose of inquiry, the Council, each Councilmember, and each Council committee, shall deal with the City Manager solely through the Mayor.
- (4) During the period of appointment, the City Manager shall not be an employee of, or perform any services for compensation from, any person or entity other than the City, or hold any elected or appointed office, unless the Manager has first obtained the approval of the City Council; provided, however, the City Manager may serve in a leadership role of any professional organization of which the City or the City Manager is a member, as long as such activity is not contrary to the interest of the City.

CITY OF DACONO BALLOT QUESTION (CHARTER AMENDMENT):

SHALL THE CITY OF DACONO HOME RULE CHARTER BE AMENDED TO INCORPORATE AN OPEN GOVERNMENT POLICY; REQUIRE COUNCILMEMBERS AND MEMBERS OF BOARDS AND COMMISSIONS TO ATTEND PERIODIC TRAINING REGARDING OPEN GOVERNMENT; INCLUDE REQUIREMENTS FOR OPEN MEETINGS, NOTICES, AND AGENDAS; PROVIDE THAT SPECIAL MEETING NOTICES MAY BE DELIVERED TO COUNCILMEMBERS BY EMAIL; LIMIT DISCUSSION AND FORMAL ACTION AT MEETINGS TO ITEMS INCLUDED ON MEETING AGENDAS EXCEPT WHEN AN EMERGENCY REQUIRES IMMEDIATE ACTION; AND REQUIRE DISCLOSURES WHEN RELATIVES OF COUNCILMEMBERS AND MEMBERS OF BOARDS AND COMMISSIONS APPEAR BEFORE SUCH BODIES?

Sec. 1-6 Open Government Policy.

(a) Each Councilmember and each member of a permanent board or commission shall participate in at least one City-sponsored open government-related seminar, workshop, or other program within six months following their election or appointment and at least once every two years thereafter. Such program shall provide information on at least the following topics relating to municipal government: the theories and policies underlying the laws relating to ethics, open government and open meetings, open records.

(b) The City shall publish, and periodically update as necessary, a summary of the laws governing open meetings and such summary shall be provided to each Councilmember and each member of a permanent board or commission and posted on the City's website.

Sec. 1-7 Meetings Open to the Public; Meeting Notices and Agendas.

(a) As used in this Section, "public body" means the City Council and any board, committee, commission, authority, or other advisory, policy-making, rule-making, or formally constituted body of the City and "meeting" means any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication.

(b) Any meeting of a public body shall be preceded by the posting at City Hall and on the City's website the notice of and agenda for the meeting at least twenty-four (24) hours in advance of the meeting.

(c) The agenda for any non-emergency meeting of a public body shall contain an itemized list of all subjects on which substantive discussions are reasonably expected or which may be the subject of formal action.

(d) No public body shall engage in substantive discussions relating to, or take formal action on, any subject at a non-emergency meeting when that subject was not listed on the agenda for that meeting and is not substantially related to any subject listed on the agenda; provided, however, that the City Council may engage in substantive discussions and take formal action on a matter of public business not on the agenda upon a finding by the presiding officer that: (1) such discussions or action will promote the general welfare of the City; (2) it is important that the matter be acted upon before the next City Council meeting; and (3) it would be injurious to the City to await action on the matter until the next City Council meeting.

(e) For purposes of this Section, a subject is not substantially related to a subject listed on the agenda when a person reading the agenda before the meeting would not have reasonably expected that the subject would be substantively discussed or formally acted upon at the meeting.

Sec. 1-8 Transparency and Required Disclosures.

The City Council finds that transparency regarding the source of information provided to the Council and other boards and commissions of the City is essential to good decision-making and upholding the public trust. Each person who appears before the Council or a board or commission of the City who is a relative of a member of such body shall disclose such relationship at the time of such appearance. The Mayor, each Councilmember, and each member of a City board or commission has an affirmative duty to inform the Council, board or commission when they have personal knowledge that the person appearing before them is a relative of a member of such body, if such relationship is not disclosed by the person appearing before them. For purposes of this Section, "relative" shall have the same meaning as set forth in Section 2-7(f) of this Charter.

Sec. 2-7 Vacancies.

(f) No relative of a Councilmember or the Mayor may be appointed to fill a vacancy in the Council. "Relative" means any person related to a Councilmember or the Mayor by blood, marriage, or domestic partnership, in any of the following degrees: parents, spouse, children, brothers, sisters, parents-in-law, nephews, nieces, aunts, uncles, first cousins, grandparents, grandchildren, and children-in-law. A separation between spouses shall not be deemed to terminate relationships described herein. Each Councilmember and the Mayor has an affirmative duty to inform the City Council when they have personal knowledge that a relative of the Mayor or a Councilmember has applied to fill a vacancy in the Council, and failure to do so shall be deemed a breach of the public trust.

Sec. 3-2 Special Meetings and Business at Special Meetings.

(a) Special meetings shall be called by the City Clerk on the written request of the Mayor or of any two (2) Councilmembers. A special meeting shall be held on at least forty-eight (48) hours written notice to each elected official, served personally or ~~left at the official's usual place of residence~~ sent to the official's City email address, except that a special meeting may be held on shorter notice if the entire Council is present or has waived notice thereof in writing. Notice of a special meeting shall be posted at City Hall and on the City's website.

CITY OF DACONO BALLOT QUESTION (CHARTER AMENDMENT):

SHALL THE CITY OF DACONO HOME RULE CHARTER BE AMENDED TO PROVIDE THAT COUNCILMEMBERS TAKE OFFICE AT THE FIRST REGULAR OR SPECIAL MEETING FOLLOWING CERTIFICATION OF THE RESULTS OF THEIR ELECTION; A MAYOR PRO-TEM SHALL BE APPOINTED BY THE CITY COUNCIL FOLLOWING CERTIFICATION OF THE RESULTS OF EACH REGULAR OR SPECIAL ELECTION; AND THE MAYOR PRO-TEM MAY BE REPLACED AT ANY TIME WITH ANOTHER COUNCILMEMBER BY AT LEAST FOUR (4) AFFIRMATIVE VOTES OF THE COUNCIL?

Sec. 2-3 Term.

(b) Elected officials shall take office at the first meeting, regular or special, following certification of the results of their election and shall continue in office until their successors have been elected or appointed and have complied with Section 2-8, or a vacancy is earlier established.

Sec. 2-11 Mayor Pro-Tem.

At the first meeting, regular or special, following certification of the results of each regular or special election at which one or more Councilmembers are elected, the Council, by at least four (4) affirmative votes, shall appoint a Councilmember as Mayor Pro-Tem ~~for a one (1) year term~~. The Mayor Pro-Tem shall have the Mayor's powers and perform the Mayor's duties whenever the Mayor is not available. The Mayor Pro-Tem shall also serve as the Charter and Code liaison, tracking the status of periodic Charter, Municipal Code, personnel policy and capital improvements program reviews required by this Charter, and ensuring that the City Council meets at least once each year with each board and commission established by this Charter to discuss matters of mutual interest. The Mayor Pro-Tem shall hold such position at the pleasure and in the service of the City Council and may be replaced with another Councilmember at any time by at least four (4) affirmative votes of the Council.

CITY OF DACONO BALLOT QUESTION (LIBRARY DISTRICT INCLUSION):

SHALL THE CITY OF DACONO, COLORADO BE INCLUDED IN THE HIGH PLAINS LIBRARY DISTRICT, FOR WHICH THE CURRENT RATE OF PROPERTY TAX LEVIED IS 3.177 MILLS?

Voting will take place by mail ballot. The following ballot drop-off locations are available 24 hours beginning October 16, 2023, and on Election Day, November 7, 2023 until 7:00 p.m.:

Carbon Valley Recreation Center, 701 5th St, Frederick
Erie Community Center, 450 Powers St, Erie
Fort Lupton Aims Campus, 260 College Avenue, Fort Lupton
Southwest Weld County Services Complex, 4209 WCR 24½, Longmont (Del Camino)

The following voter service centers and polling centers, where ballots may be dropped off and other voter services are offered, are available Monday through Friday (8 a.m. to 5 p.m.) beginning October 30, 2023, Saturday, November 4, 2023 (8 a.m. to 12 p.m.) and on Election Day, November 7, 2023 (7 a.m. to 7 p.m.):

Fort Lupton Aims Campus, 260 College Avenue, Fort Lupton
Southwest Weld County Services Complex, 4209 WCR 24½, Longmont (Del Camino)
Trinity Lutheran Church/School, 3000 35th Ave, Greeley

The following voter service centers and polling centers, where ballots may be dropped off and other voter services are offered, are available on Monday, November 6, 2023 (8 a.m. to 5 p.m.), and on Election Day, Tuesday, November 7, 2023 (7 a.m. to 7 p.m.):

Aims College Cornerstone Building, 5401 W 20th St, Greeley
UNC Campus Commons 1051 22nd St, Greeley

The following early ballot drop-off location, where ballots may be dropped off, is available Monday through Friday (8 a.m. to 5 p.m.) from October 16, 2023 through November 6, 2023, Saturday, November 4, 2023 (8 a.m. to 12 p.m.) and on Election Day, Tuesday, November 7, 2023 (7 a.m. to 7 p.m.):

Weld County Election Office, 1250 H St, Greeley

*Additional 24-hour drop-off locations and voter service centers and polling centers are available on the County's website: <https://www.weldgov.com/>

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