

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 770**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, AMENDING
CHAPTER 3 OF THE MEAD MUNICIPAL CODE WITH REGARD TO
APPOINTED BOARDS AND COMMITTEES.**

WHEREAS, it is a commitment of the Board of Trustees to continually review the municipal code and provide appropriate updates to the code; and

WHEREAS, in cooperation with Board of Trustees, staff and the town attorney, the following changes to the municipal code have been recommended for adoption and inclusion in the code as part of the annual update to the codification;

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Chapter 3 of the *Mead Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“CHAPTER 3.
Appointed Boards and Committees.**

ARTICLE I. General Provisions.

Sec. 3-1-10. Creation of advisory boards, commissions and committees.

(a) The Board of Trustees shall be empowered to create advisory boards, commissions, committees and similar panels from time to time in order to further the public health, safety, comfort and welfare of the Town and its constituents by conducting research on and evaluation of issues of public policy, and by making recommendations to the Board of Trustees for further consideration. The term *advisory* means that such panels are subordinate to the Board of Trustees, which has the ultimate legal and financial authority to establish and articulate policy for the Town, and thus such panels are recommending bodies only.

(b) Boards, commissions and committees may be temporary (ad hoc) or permanent in nature. All permanent boards, commissions and committees shall be created by ordinance and shall function in accordance with the provisions of this Code. Temporary committees may be created by the Board of Trustees by simple motion at any time for the consideration of any particular question or matter of limited scope or duration, which need not conform with all of the provisions of this Chapter, except to comply with appropriate state laws or other Town ordinances governing the conduct of public bodies. Members of temporary committees shall be filled by appointment by the Board of Trustees. On the acceptance of a final report from such a temporary committee, said committee shall stand discharged and be dissolved automatically without further vote or action by the Board of Trustees unless otherwise provided for. The Town Manager may appoint a temporary, ad hoc committee to assist and advise the Town Manager and administrative staff on any particular question or matter of limited scope or duration, which need not conform with all of the provisions of this Chapter, except to comply with appropriate state laws or other Town ordinances governing the conduct of public bodies.

Sec. 3-1-20. Appointment, membership.

(a) Each Committee shall consist of five (5) regular members and one (1) citizen alternate member, appointed by the Board of Trustees. Members of the Committee shall be initially appointed for the following terms, and shall serve such terms or until their respective successors, in similar manner, have been appointed and qualified: two (2) for one (1) year, two (2) for two (2) years, and one (1) for three (3) years, effective with the effective date of the ordinance codified herein, except that for the initial appointments, the terms shall be truncated such that the established terms of office will begin on January 1 and expire on December 31 of the year of the term in question until a complete uniform cycle for all five (5) members has been established. Successors to each member so appointed shall serve three-year terms, except that vacancies shall be filled for the unexpired term of the position so vacated.

The one (1) alternate member shall be appointed for a term of two (2) years and be truncated such that the established terms of office will begin on January 1 and expire on December 31 of the year of the term in question. The alternate member shall be counted in determining the quorum of the Committee for the conduct of business if a regular member is absent. The alternate member shall not vote to satisfy an instance wherein a regular member who is in attendance has recused themselves from a vote.

(b) In the event of a vacancy due to term expiration, resignation, loss of qualification, death, inability to serve or removal of a member of an advisory board, committee or commission, said vacancy shall be filled by appointment as provided for in this Chapter. The successor of each member so appointed shall serve for a full term, or for the remainder of any applicable remaining unexpired term, as the case may be. Notice of vacancies on an advisory board, committee or commission shall be posted on the Town's website and bulletin boards before the vacancy is filled by appointment.

Sec. 3-1-30. Qualifications of members.

(a) All members of the Committee are required to be bona fide residents and qualified electors of the Town, who have resided in the Town for at least twelve (12) consecutive months immediately preceding the date of appointment; with the exception of membership in the Downtown Revitalization Committee, which allows non-resident property owners owning property within the Downtown Area for more than twelve (12) consecutive months, to be members. Committee members should demonstrate an interest in the "Purpose" of the Committee and have backgrounds or skills that would support the duties of the Committee. No full-time Town employee or land developer shall serve as a member of the Committee; with the exception of membership in the Investment Advisory Committee where the Town Manager and Town Treasurer serve as ex officio members. Committee members shall not have a conflict of interest with the duties of the Committee or the goals, programs and ideals of the Town and/or the Board of Trustees. No more than two (2) members of the Board of Trustees may serve on the Committee, and a member of the Board of Trustees may not be the Chair or Vice Chair of the Committee.

(b) Immediate family members, i.e., spouse or child of a committee member living in the same household, shall not be appointed to that committee.

(c) Except in unusual circumstances, an individual shall not be appointed to serve on more than one advisory Board, Commission or Committee.

Sec. 3-1-40. Meetings and quorum.

(a) The Committee shall meet not less than once monthly, unless a meeting is cancelled as provided for in this Chapter, and at such other times as may be necessary to fulfill its duties as defined herein. The Chair, in consultation with Town staff, shall have the authority to call additional meetings or to cancel or reschedule meetings, depending on the volume of agenda items, member availability or other issues relative to the purpose of the Committee. The presence of three (3) shall be necessary for a quorum. The roll shall be taken at the beginning of each meeting. All regular members shall have equal voting privileges on all questions. No proxy votes shall be allowed.

(b) All meetings of advisory boards, commissions and committees shall be open to the public and shall be held in accordance with the Colorado Open Meetings Law, including meeting notices and advance posting of agendas, as well as procedures of the Town, including but not limited to building access and use, room reservations, meeting locations, meeting setup and how mail and/or electronic mail delivery is accomplished.

(c) The Town Manager or his designee shall be responsible for the preparation and posting or providing proper notice of meeting agendas, and the preparation and delivery of meeting packets in consultation with the Chair of the respective board, commission or committee. The Town staff will normally handle correspondence for advisory panels and provide general staff support as needed. There is no formalized agenda format for meetings, but agendas should include at a minimum, approval of the minutes of previous meetings and discussion of specific topics that directly relates to the duties of the advisory panel.

(d) Advisory boards, commissions and committees shall have regular meeting schedules, meet not less than once monthly, unless a meeting is cancelled as provided below, and at such other times as may be necessary to fulfill their duties. Meetings may be convened on an as-called basis for temporary committees. Special meetings for boards, commissions and committees that have a regular meeting schedule may be called as required, provided that proper notice of such meetings is given, the agenda is posted in advance and the meetings are held in accordance with the Colorado Open Meetings Law. A quorum of the members shall be required to conduct official business. If a quorum is not available, a smaller number of members may convene and have discussion, but no formal action can occur nor can a vote to make a recommendation be made, except that a new meeting date, time and place may be set. Meetings may be cancelled or rescheduled due to lack of a quorum or lack of adequate business to discuss, with notice of such cancellation or rescheduling posted as would be done for regular meetings. The Chair shall be responsible to ensure that meetings are conducted with decorum and in accordance with the principles of *Robert's Rules of Order* (rather than its strict procedures, meaning that formalities may be waived), except where other public meeting or hearing procedures are appropriate or required.

(e) Minutes of each meeting of all advisory boards, commissions and committees, whether permanent or temporary, shall be made and kept, which shall be a record of the proceedings, official acts, recommendations and correspondence of said meeting. All agendas, minutes, reports, communications, petitions, actions and other papers and transactions of all advisory boards, commissions and committees shall be filed with the Town Clerk and retained in accordance with Town procedures as well as state law on retention of public records. Copies of minutes shall be provided to the Board of Trustees, as well as other reports and documents as appropriate from time to time. The Town Manager shall determine who shall be responsible for the taking of minutes unless otherwise provided for in this Chapter. Membership lists of advisory panels shall be public information, but the membership list released to the public shall

consist of names and addresses only. Any citizen may request that he/she receive a copy of any advisory board, commission or committee agenda.

(f) While it is recognized that appointees are volunteers who are willingly giving their personal time to the service of the Town, it is essential that individuals appointed to advisory boards, commissions and committees regularly attend and participate in the meetings of their respective panels in order for the business of the Town to operate in an orderly and efficient manner. Wherever practical, members should give advance notice of absences at least twenty-four (24) hours before the time of the meeting, to either the Chair or to Town staff. An unexcused absence shall be considered to be any absence where no communication is given to the Chair or staff prior to the meeting. Any advisory board, commission or committee member who fails to attend three (3) consecutive meetings of his or her respective panel due to unexcused absences may be considered to have abandoned his or her appointment. Such person's office may be declared vacant and the member removed by the Board of Trustees. Any member may be removed by the Board of Trustees for cause, or by failing to maintain the qualifications to be a member.

(e) The members of all advisory boards, commissions and committees shall serve without compensation.

Sec. 3-1-50. Officers.

(a) Chair. At the first meeting of the Committee and the first meeting of each subsequent year, one (1) of the members of the Committee shall be selected by the Committee to serve as Chair of the Committee, and shall remain as Chair until a successor is appointed.

(b) Vice Chair. At the first meeting of the Committee and the first meeting of each subsequent year, one (1) of the members of the Committee shall be selected by the Committee to serve as the Vice Chair of the Committee, and shall remain as Vice Chair until a successor is appointed. .

(c) Secretary. The Town shall furnish a staff person act as secretary.

Sec. 3-1-60. Staff and other liaisons.

Town Manager shall designate the Town employees who shall act as staff liaisons to advisory boards, commissions and committees. The Town Manager may also arrange for the attendance of other Town consultants or officials at meetings for technical advice and professional assistance as required within the financial appropriations made by the Town. The Town Attorney shall serve as legal advisor to advisory panels, but shall not be required to attend meetings unless requested to do so by the Town Manager. The liaisons, consultants and officials may attend and participate in meetings, but shall not have a vote. The Town Manager shall also be responsible for arranging clerical support and other resources for such committees and their meetings. The Town Manager shall provide for secretarial support and attendance at such meetings.

ARTICLE II. Open Space Committee.

Sec. 3-2-10. Creation.

There is hereby established the Open Space Committee ("Committee," for the purposes of this Article).

Sec. 3-2-20. Purpose.

The purpose of the Committee shall be to conduct reviews and make recommendations to the Board of Trustees in all matters concerning the Town's open space program.

Sec. 3-2-30. Powers and duties.

The Committee shall be advisory only and shall have the following powers and duties, including but not limited to:

- (a) To make recommendations to the Board of Trustees as to all matters that would constitute an open space program, including but not limited to the acquisition, management, control and planning of all Town open space properties;
- (b) To prepare, review, revise and update on a regular basis an open space plan that would address short-term and long-term acquisition, development and maintenance issues of open space;
- (c) To coordinate or help coordinate all open space matters with any public or private agencies, including reviews and recommendations on contracts for use of all open space facilities;
- (f) To consider all policy matters pertaining to the Town's open space facilities and to make recommendations on policies to the Board of Trustees;
- (g) To take direction from the Board of Trustees and to provide advice to the Board on any open space questions or topics directed to the Board;
- (h) To research grant opportunities for open-space-related programs and to report findings to the Board of Trustees; and
- (i) To research or make recommendations on other such open-space-related issues and to take on other open space duties as the Board of Trustees may assign from time to time.

ARTICLE III. Park Committee.

Sec. 3-3-10. Creation.

There is hereby established the Park Committee ("Committee," for the purposes of this Article).

Sec. 3-3-20. Purpose.

The purpose of the Committee shall be to conduct reviews and make recommendations to the Board of Trustees in all matters concerning the Town's parks needs as they relate to planning, acquisition, development and operation of park facilities within the Town.

Sec. 3-3-30. Powers and duties.

The Committee shall be advisory only and shall have the following powers and duties, including but not limited to:

- (a) Advising the Board of Trustees and staff on matters relating to planning, acquisition, development and operation of park facilities within the Town regarding the following:
 - (1) Comprehensive park planning;
 - (2) Acquisition of land and/or facilities;
 - (3) Development of parks and recreational facilities;
 - (4) User fees and procedures for collecting fees;
 - (5) Park, play field and facility design;
 - (6) Capital improvements planning;
 - (7) Regulations and restrictions governing the operation and hours of park and facilities use;
 - (8) Concessions;
 - (9) Contracts, intergovernmental agreements and lease agreements regarding parks and recreation facilities;
- (b) To take direction from the Board of Trustees and to provide advice to the Board on any park questions or topics directed to the Board by the public;
- (c) To make recommendations on other such park related issues as may be referred to the Committee by the Board of Trustees.

ARTICLE IV. Community Events Committee.

Sec. 3-4-10. Creation.

There is hereby established the Community Events Committee ("Committee," for the purposes of

this Article).

Sec. 3-4-20. Purpose.

The purpose of the Committee shall be to conduct reviews and make recommendations to the Board of Trustees in all matters concerning the Town's recreation and community event needs as they relate to planning, development and operation of community events within the Town.

Sec. 3-4-30. Powers and duties.

(a) Advising the Board of Trustees and staff on matters relating to planning, acquisition, development and operation of community events within the Town regarding the following:

- (1) Comprehensive community event planning;
- (2) Contracts, intergovernmental agreements and lease agreements regarding community event activities and facilities to be used;

(b) To take direction from the Board of Trustees and to provide advice to the Board on any community event questions or topics directed to the Board by the public;

(c) To make recommendations on other community event issues as may be referred to the Committee by the Board of Trustees.

ARTICLE V. Downtown Revitalization Committee.

Sec. 3-5-10. Creation.

There is hereby established the Downtown Revitalization Committee ("Committee," for the purposes of this Article).

Sec. 3-5-20. Purpose.

The purpose of the Committee shall be to conduct reviews and make recommendations to the Board of Trustees in all matters concerning the Town's The purpose of the Committee shall be to conduct reviews and make recommendations to the Board of Trustees in all matters concerning the Town's downtown revitalization needs as they relate to the planning and development of the downtown commercial area of the original Town, the management, marketing and maintenance of the same, and the development and funding of downtown revitalization efforts. For the purposes of this Committee, the *Downtown Revitalization Area* shall be defined as the areas designated DMU Downtown Mixed Use portions of the *Town of Mead 2009 Comprehensive Plan*.

Sec. 3-5-30. Powers and duties.

(a) Advising the Board of Trustees and staff on matters relating to the planning and development of the downtown commercial area of the original Town, the management, marketing and maintenance of the same, and the development and funding of downtown revitalization efforts, including but not limited to:

(1) The organization of the community into a strong team that works together toward a common goal of improving the downtown area;

(2) The creation of an inviting and aesthetically pleasing atmosphere in the downtown area through the following activities:

(i) Improving the appearance and function of downtown through appropriate development and streetscape improvements;

(ii) Through publicity, emphasizing the unique characteristics of the downtown area;

(iii) Maintaining, renovating and reusing existing downtown buildings and constructing new ones in an appropriate manner; and

(iv) Recommending the adoption of appropriate design and development standards for the downtown area;

(3) Investigate and advise on grant opportunities for Downtown-Revitalization-related programs; and

(b) The promotion of the downtown area, promoting and selling the image, products and services of the revitalized downtown area to potential visitors, shoppers, business prospects, investors and members of the community at large;

(c) The economic restructuring of the downtown area in an effort to maintain full occupancy of downtown by:

(1) Filling unused space with productive business enterprises;

(2) Helping existing businesses to upgrade and expand; and

(3) Recruiting new businesses to fill gaps in the local market;

(e) Investigate and advise on contracts, intergovernmental agreements and lease agreements regarding Downtown Revitalization facilities;

(f) Budget requests for the acquisition, development and operation of Downtown Revitalization programs and the construction of public infrastructure supporting the Downtown Revitalization efforts;

(g) Event development and programming;

(h) To take direction from the Board of Trustees and to provide advice to the Board on any Downtown Revitalization questions or topics directed to the Board by the public;

(i) To make recommendations on other such Downtown-Revitalization-related issues as may be referred to the Committee by the Board of Trustees.

ARTICLE VI. Mead Community Days Celebration Committee.

Sec. 3-6-10. Creation.

There is hereby established the Mead Community Days Celebration Committee ("Committee," for the purposes of this Article).

Sec. 3-6-20. Purpose of Committee.

The purpose of the Committee shall be to conduct reviews and make recommendations to the Board of Trustees in all matters concerning the Town's annual Community Days celebration as they relate to the planning and organization of the annual Mead Community Days celebration. The celebration shall focus on Mead's rich heritage, showcase the community and provide entertainment for all ages.

Sec. 3-6-30. Powers and duties.

(a) Advising the Board of Trustees and staff on matters relating to the planning and development of the annual Mead Community Days celebration, including but not limited to:

(1) The promotion of the rich heritage, showcase the community and provide entertainment for all ages downtown area, promoting and selling the image, products and services of Mead to potential visitors, shoppers, business prospects, investors and members of the community at large;

(2) The organization of community resources into a strong team that works together toward a common goal of planning and organizing the annual Mead Community Days celebration;

(3) The creation of an inviting and aesthetically pleasing atmosphere for the Mead Community Days celebration through the following activities:

(i) Plan and schedule the Mead Community Days celebration activities, i.e., events programming.

(ii) Coordinate the vendors participating in the Mead Community Days celebration.

(iii) Coordinate with Mead Public Works for preparations for crowd control,

barricades and signage.

(iv) Coordinate with volunteers assisting with the setting up and tearing down of the Mead Community Days celebration site.

(4) Investigate and advise on contracts, intergovernmental agreements and lease agreements regarding facilities used for Mead Community Days Celebration activities;

(b) To take direction from the Board of Trustees and to provide advice to the Board on any Mead Community Days Celebration questions or topics directed to the Board by the public;

(c) To make recommendations on other such Mead Community Days Celebration issues as may be referred to the Committee by the Board of Trustees.

ARTICLE VII. Investment Advisory Committee.

Sec. 3-7-10. Creation.

There is hereby established the Investment Advisory Committee ("Committee" for the purposes of this Article).

Sec. 3-7-20. Purpose.

The purpose of the Committee shall be to conduct reviews and make recommendations to the Board of Trustees in all matters concerning the Town's investment and financial management needs.

Sec. 3-7-30. Powers and duties.

The Committee shall be advisory only and shall have the following powers and duties, including but not limited to:

- (a) To review and monitor the Town's cash management;
- (b) To review and monitor the Town's investment results;
- (c) To develop and recommend Town investment policies; and
- (d) To assist in the selection of investment facilitators and managers.

Sec. 3-7-40. Appointment and membership.

The Committee shall consist of five (5) members, which shall include a member of the Board of Trustees appointed by the Board of Trustees, the Town Manager and the Town Treasurer as ex officio members, and two (2) financial professionals. The Board of Trustees member shall serve a two-year term beginning in May of each even-numbered year. The initial appointment of the financial professionals

shall be staggered with one (1) appointed for a two-year term and the other for a four-year term. Thereafter, the financial professionals shall be appointed for four-year staggered terms. Vacancies shall be filled for the unexpired term of the membership so vacated. Financial professionals may be appointed to serve consecutive terms.

Sec. 3-7-50. Qualifications of financial professionals.

Financial professionals shall be qualified electors living in the Town and shall be knowledgeable of the financial arena, with experience serving as representatives of banks or trust companies, primary government bond dealers, private sector cash managers, or finance directors or investment personnel in local government entities. No member of the Committee shall have a conflict of interest with the duties of the Committee or the investment policy of the Town.

Sec. 3-7-90. Ethics and conflicts of interest.

If a member of the Committee is employed by a bank, trust company, bond dealer, private sector cash manager or other financial institution that invests government funds, no Town funds shall be deposited with or invested in those foregoing entities.”

Section 2. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 3. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 4. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 5. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 27th DAY OF April, 2015.

ATTEST:

By Linda Blackston
Linda Blackston, CMC, Town Clerk

TOWN OF MEAD

By Gary R. Shields
Gary R. Shields, Mayor

