

**MOUNTAIN VIEW TOWN COUNCIL
STUDY SESSION AND REGULAR MEETING**

April 15, 2024

6:30 PM

- | | | |
|---------|-----|---|
| 6:30 pm | 1. | Study Session Call to Order |
| 6:31 pm | 2. | Study Session – Council-Manager Governance Changes |
| 7:30 pm | 3. | Public Comment |
| 7:34 pm | 4. | Study Session Adjournment |
| 7:35 pm | 5. | Break |
| 7:45 pm | 6. | Regular Meeting Call to Order |
| 7:46 pm | 7. | Roll Call |
| 7:47 pm | 8. | Pledge of Allegiance |
| 7:49 pm | 9. | Agenda Approval |
| 7:50 pm | 10. | Interview – Board of Adjustment and Appeals
A. Catherine Colwell |
| 7:55 pm | 11. | Resolution No. 2024-4-15A – A Resolution of the Town of Mountain View, Colorado Appointing Catherine Colwell to the Board of Adjustment and Appeals |
| 8:00 pm | 12. | Resolution No. 2024-4-15B – A Resolution of the Town of Mountain View, Colorado Appointing Judge Charles Peters as the Town of Mountain View Associate Municipal Judge |
| 8:05 pm | 13. | First Reading- Ordinance No. 2024-4-15A – An Ordinance of the Town of Mountain View, Colorado Amending Section 6.08.020 of the Mountain View Municipal Code Related to the Definitions of Short-Term Rentals |
| 8:15 pm | 14. | Town Administrator Trial Period Performance Evaluation |
| 8:30 pm | 15. | Public Comment |
| 8:45 pm | 16. | Staff Reports |

- 9:00 pm 17. **Council and Committee Reports**
- A. Mayor's Report
 - B. Events Committee
 - C. Finance Committee
 - D. Historical Mountain View Committee
 - E. Town Hall Remodel Committee
- 9:15 pm 18. **Future Agenda Schedule**
- 9:30 pm 19. **Regular Meeting Adjournment**

Please click on the link below to join the meeting via Zoom:

<https://us06web.zoom.us/j/83082176215?pwd=Ccbhe9QdlsxdhJj1qfaTZVWrMkw6zr.1>

Meeting ID: 830 8217 6215

Passcode: 985786

Call-In Phone Number: 720-707-2699

**BEFORE THE TOWN COUNCIL
TOWN OF MOUNTAIN VIEW
STATE OF COLORADO**

DRAFT ORDINANCE NO. 2024-_____

TITLE: An Ordinance Referring to Voters Proposed Charter Amendments, Calling a Special Election on November 5, 2024, to be Coordinated with Jefferson County, and Ordering Publication of Notice of the Proposed Charter Amendments

WHEREAS, the Town Council wishes to propose an amendment to the Town Charter to change the Town's governance structure from a Council-Mayor to a Council-Manager form of government where a Town Manager assumes the responsibility of the day-to-day administration of Town business, rather than a Mayor;

WHEREAS, the Town Council wishes to propose an amendment to the Town Charter to change the voting requirements for the passage of resolutions, ordinances, and motions, excluding emergency ordinances, to a majority of Council Members present and add provisions related to emergency ordinances that require a two-third majority of Council Members present for passage;

WHEREAS, pursuant to C.R.S. § 31-2-210(1)(b) and Section 13.13 of the Town Charter, a home rule charter may be amended by an ordinance adopted by the Town Council submitting the proposed amendments to a vote of the registered electors of the Town;

WHEREAS, pursuant to C.R.S. § 31-10-108, a special election may be held on any Tuesday designated by ordinance or resolution of the governing body with at least 60 days' notice, and a special election may be held at the same time and place as a primary, congressional vacancy, or general election as a coordinated election; and

WHEREAS, pursuant to C.R.S. § 1-7-116(5), the Town must notify Jefferson County of its participation in a coordinated election at least 100 days before the election.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF MOUNTAIN VIEW, COLORADO, ORDAINS THAT:

Section 1. Election. Town Council hereby calls a special election to be held on November 5, 2024, and to be coordinated with Jefferson County.

Section 2. Charter Amendments. At the Town special election on November 5, 2024, in accordance with Article XX of the Colorado Constitution and the Municipal Home Rule Act of 1971, the following questions shall be submitted to a vote of the registered electors of the Town of Mountain View:

Question No. 1: Shall the Town of Mountain View’s Charter be amended throughout to change the governance structure of the Town from a Council-Mayor form of government to a Council-Manager form of government, meaning, among other things, that a town manager, appointed by Town Council, will be responsible for the general operations of the Town including hiring and terminating department heads and preparing an annual budget for the Town?

Yes/For —

No/Against —

Question No. 2: Shall Section 4.2 of the Town of Mountain View’s Charter be amended to read as follows?

The vote by “Yes” and “No” shall be taken upon the passage of all ordinances, resolutions and motions, and entered upon the minutes of the Council proceedings. ~~Every ordinance shall require the affirmative vote of the majority of the membership of the entire Council for final passage. Resolutions and motions shall require the affirmative vote of a majority of the members present.~~ Except emergency ordinances, every ordinance, resolution, and motion shall require a majority affirmative vote of the members present for passage. Emergency ordinances shall require a two-thirds affirmative vote of those present for passage. Every member, when present, shall vote upon ordinances, resolutions and motions unless such member has a personal interest therein.

Yes/For —

No/Against —

Section 3. Notice. Following passage, this ordinance shall be posted on the Town's website with an attachment showing all proposed charter amendments.

Section 4. Ballot Title. For purposes of C.R.S. §§ 1-11-203.5 and 31-2-210, this Ordinance shall serve to set the title and content of the ballot issue set forth herein and the ballot title for such question shall be the text of the question itself.

Section 5. Uniform Election Code. At the election called hereunder, in lieu of the Colorado Municipal Election Code of 1965, the requirements and procedures of the Uniform Election Code of 1992, Articles 1 to 13 of Title 1, C.R.S., to the extent applicable, shall be used in coordination with Jefferson County.

Section 6. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Mountain View, that it is promulgated for the health, safety and welfare of the public

and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that this Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 7. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 8. Effective Date. This Ordinance shall become effective thirty (30) days after passage.

INTRODUCED, FIRST READ, PASSED AND ORDERED POSTED ON FIRST READING THIS _____ DAY OF _____, 2024.

Emilie Mitcham, Mayor

ATTEST:

Amanda McLaughlin, Interim Town Clerk

PASSED, ADOPTED, AND APPROVED ON SECOND READING THIS _____ DAY OF _____, 2024.

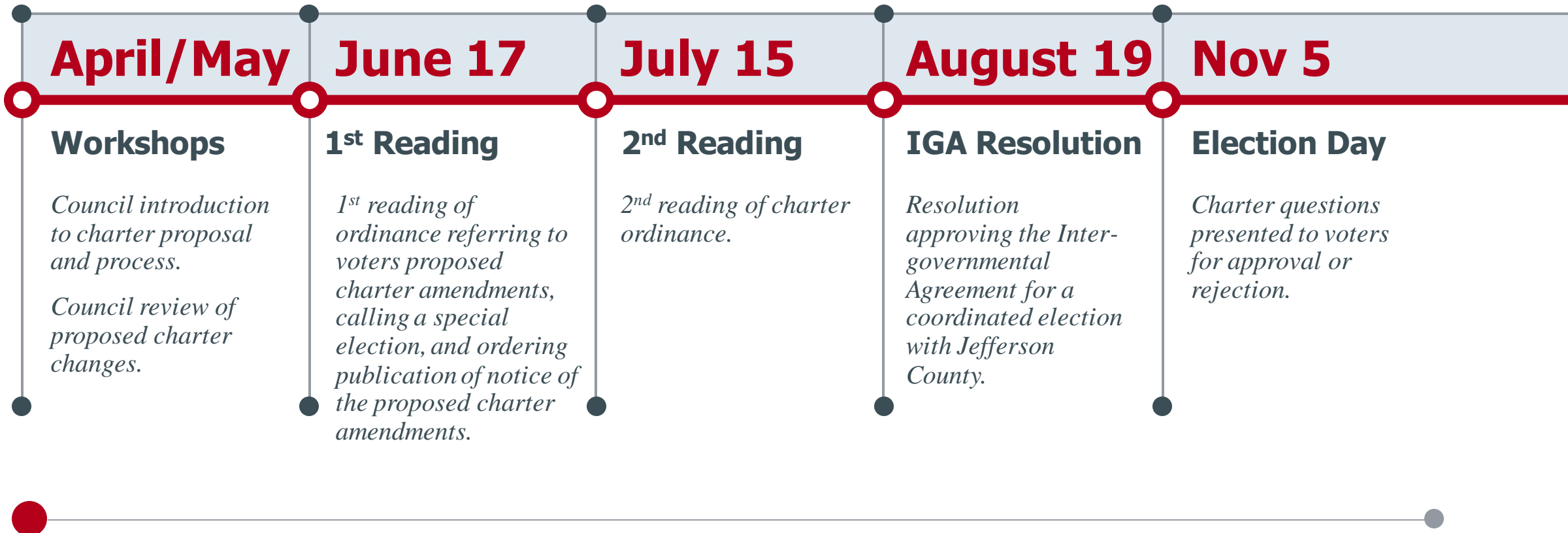
Emilie Mitcham, Mayor

ATTEST:

Amanda McLaughlin, Interim Town Clerk



2024 Charter Changes Timeline





Town of Mountain View
4176 Benton Street
Mountain View, CO 80212
(303) 421-7282
tomv.org

Memorandum

Date: April 9, 2024
To: Mountain View Council
From: Mayor Emilie Mitcham *EM*
Re: Charter Amendment Explanations

Below is an explanation for the proposed Charter Amendments for the November 5, 2024 ballot.

Question No. 1: Shall the Town of Mountain View's Charter be amended throughout to change the governance structure of the Town from a Council-Mayor form of government to a Council-Manager form of government, meaning, among other things, that a town manager, appointed by Town Council, will be responsible for the general operations of the Town including hiring and terminating department heads and preparing an annual budget for the Town?

Explanation for Proposed Amendment:

If the voters pass Question No. 1, all of the changes in the attached redline will take effect. Here is a summary of the changes in the redline:

Article III

Title. Article currently titled *Town Council* changes to *Elected Officials*.

Section 3.1.

1. Includes Mayor in the definition and membership of the Council.
2. Outlines the Council qualifications, compensation, and term limits.
 - Term limits moved from Section 5.6 but language maintained.
 - Compensation section moved up and simplified.
 - Removes the statement that the Mayor and Council may, "*upon order of Council*, be paid such necessary bona fide expenses incurred in service on behalf of the Town as are authorized," since this will no longer need to be approved by Council and will be approved by Town Manager.
 - Simplifies information about Council pay by removing Mayor pay detail.
 - Removes the specification that states Council Members whose terms do not expire at the next regular Town election, receive the same compensation provided for incoming members for the remainder of their term of office. This is to better conform with State

Law. CRS 31-4-405 which prohibits any governing member's salary from being changed (increase or decrease) during their current term. Any salary change can only take effect after the current term of each elected official.

Section 3.2.

1. Defines Council powers and authority.
2. Clarifies that the powers of Town Council include the ability to delegate to Town officials.
 - The power to create departments moves from Section 5.5.
 - Simplifies language related to the Council powers.
 - Currently, the Charter states what departments exist (this has become outdated over time) and then states that *upon recommendation of the Mayor*, the Council may merge and create additional departments. Simplifies this language and recognizes Council's right to create, consolidate, and dissolve departments. Does not need the Mayor to make the recommendation.

Section 3.3.

1. Defines powers of the Mayor.
2. The Mayor is still recognized as the head of the Town government for ceremonial and legal purposes.
3. Moves the information about the Mayor up from the Town Administration section to the Elected Officers section with Council.
4. The Mayor is a Council Member who presides at the meetings and has the same power as other Council Members.
5. The Mayor cannot vote other than to break and tie and the Mayor possesses veto power. (These are not changes but the language is simplified. Procedure for veto is spelled out later in the Charter so does not need to be duplicated here.)
6. Removes "the Mayor shall oversee the administrative functions of the Town and shall make recommendations to the Council concerning personnel, and procedures and policy to ensure the efficient administration of the Town" since this will be done by the Town Manager.
7. Removes Mayor's responsibility for signing all contracts and conveyances of interests in land by the Town and removes the requirement that documents signed by the Mayor "shall be attested by the Clerk."

8. Removes the Mayor's delegation of duties power (from later in the Charter in the Town Administrative section) since there is no need for the Mayor to delegate duties to Council Members if there is a Mayor Pro Tem and a Town Manager.

Sections 3.7, 3.8, 3.9. – Renumbers subsections due to the organizational changes.

Article IV

- Non-substantive formatting changes.

Section 4.5 (i)

- Removes subtitle that is irregular. Non-substantive.

Article V

Title. Article currently titled *Appointed Officials* changes to *Administrative Officers*.

1. Replaces the section describing the responsibilities of the Mayor to administer the Town with an entirely new section about the Town Manager and other Administrative Officers (Town Attorney, Chief of Police, Town Clerk).
2. Describes the hiring process for the Town Manager.
3. Prevents current or recent town elected officials from being hired as Town Manager for four years (a term).
4. Where the Mayor (if no Town Administrator is appointed) or the Town Administrator is currently referred to as the Administrator (a dual role for the Mayor) the new professional position has the title of Town Manager throughout.
5. Lists responsibilities of the Town Manager:
 - Ensure laws and ordinances are implemented.
 - Hire and terminate department heads (who hire others).
 - Control and supervision over all Town departments.
 - Make report and attend meetings requested by Council.
 - Inform and advice on the financial condition of the Town.
 - Responsibility for preparing the annual budget.
 - Ensure Town acts within the approved budget.
 - Administratively support boards and commissions.

- Other duties as prescribed by charter, ordinance, or resolution.
6. In the Town Clerk section:
 - Makes some non-substantive formatting changes.
 - Simplifies the language about certifying ordinances and resolutions that are passed by Council, without changing the meaning.
 - Removes reference to the Mayor and replaces with Town Manager.
 7. Removes the necessity for the Treasurer position, which is redundant with the Town Manager’s responsibilities.
 8. Responsibilities for Chief of Police remain the same but are moved into this Administrative Officers section. The Chief of Police is currently included in the section of the Charter titled, “Enforcement of Laws and Ordinances” which is about the Court and the power of the Council to create other departments.

Article VI

Title. Article currently titled *Enforcement of Laws and Ordinances* changes to *Municipal Court*.

- Removes the Chief of Police information from this section as mentioned above, and places it with the other appointed officials in Article titled *Administrative Officers*.
- Renumbers the sub-sections for consistency.

Article VII and Article VIII

- Renumbers the sub-sections for consistency.

Article IX

- Renumbers the sub-sections for consistency.
- Removes references to two sections that were entirely repealed by a Charter election held in 1994. (Current Charter Sections 10.2 and 10.3.)

Article X and Article XI

- Renumbers the sub-sections for consistency.

Article XII

- Renumbers the sub-sections for consistency.

- Removes references to two sections that were entirely repealed by a Charter election held in 1994. (Current Charter Sections 13.3 and 13.4.)

Question No. 2: Shall Section 4.2 of Town of Mountain View’s Charter be amended to read as follows?

The vote by “Yes” and “No” shall be taken upon the passage of all ordinances, resolutions and motions, and entered upon the minutes of the Council proceedings. ~~Every ordinance shall require the affirmative vote of the majority of the membership of the entire Council for final passage. Resolutions and motions shall require the affirmative vote of a majority of the members present. Except emergency ordinances, every ordinance, resolution, and motion shall require a majority affirmative vote of the members present for passage. Emergency ordinances shall require a two-thirds affirmative vote of those present for passage.~~ Every member, when present, shall vote upon ordinances, resolutions and motions unless such member has a personal interest therein.

Explanation for Proposed Amendment: If the voters pass it, this section will be updated so that ordinances, resolutions, and motions are adopted in the same manner, with an affirmative vote of all members present.

Only emergency ordinances will have a specific requirement that two-thirds of those present must approve for adoption. Thus, if only a quorum is present to vote on an emergency ordinance, the ordinance will fail without three of the four members voting to adopt. This creates a higher threshold for emergency ordinances to pass. All other ordinances, resolutions, and motions will have the same threshold to pass.

The current Charter requires that ordinances have at least four votes to pass (the majority of the membership of the entire council) regardless of whether Council Members are absent from the meeting.

If the voters do not pass this, the current language in the Charter will stand and ordinances must have the affirmative vote of the majority of the membership of the entire council, regardless of who is present at the meeting, in order to pass.

PREAMBLE

We, the people of the Town of Mountain View, Colorado, under the authority of the Constitution of the State of Colorado and in order to exercise the rights, privileges and responsibilities of self-government granted to us by the Constitution, do ordain and establish this Home Rule Charter for the Town of Mountain View, Colorado.

ARTICLE I

GENERAL PROVISIONS

Section 1.1.

Name and Boundaries

The Municipal Corporation existing as the Town of Mountain View, in Jefferson County, State of Colorado, shall remain and continue a body politic and corporate and under this Charter be known as the Town of Mountain View, with boundaries the same as presently established, until changed in a manner authorized by law. (Amended by Charter election held on 11-07-23)

Section 1.2.

Powers

The Town shall have all the power of local self-government and home rule under the Constitution and laws of the State of Colorado. The enumeration of particular powers in this Charter is not exclusive of others. (Amended by Charter election held on 11-07-23)

Section 1.3.

Rights and Liabilities

By the name of the Town of Mountain View, the municipal corporation shall have perpetual succession; shall own, possess and hold all property, real and personal heretofore owned, possessed and held by the Town, and does assume and shall manage and dispose of all trusts in any way connected therewith; shall succeed to all the rights and liabilities of the Town; shall acquire all benefits and does assume and shall pay all bonds, obligations, and indebtedness of the Town; may sue and defend, purchase, lease, receive, hold and enjoy, or sell and dispose of real and personal property; may establish municipal water works, sewage disposal works, and water and sewer systems in the manner provided by statute; shall have a common seal and alter the same at pleasure. (Amended by Charter election held on 11-07-23)

Section 1.4.**Present Ordinances in Force**

All ordinances of the Town in force at the time this Charter becomes effective shall continue in force except insofar as they conflict with the provisions of this Charter, or shall be amended or repealed by ordinance enacted under authority of this Charter. (Amended by Charter election held on 11-07-23)

**ARTICLE II
ELECTIONS****Section 2.1.****Colorado Municipal Election Laws Adopted**

Town elections shall be governed by the Colorado municipal election laws as now existing or hereafter amended or modified, except as otherwise provided in this Charter or by ordinance hereafter enacted.

Section 2.2.**Registration, Judges, Clerks and Election Commission**

The Council may by ordinance establish the method for the registration of electors, the qualifications and compensation of election judges and clerks, and the boundaries of election precincts. The Council may by ordinance establish an election commission consisting of the Clerk, as chairperson, and two additional members to be appointed by the Council, with such powers, duties, terms and qualifications as provided by such ordinance.

Section 2.3.**Election Day**

A regular Town election shall be held on the first Tuesday in November in odd numbered years, commencing in the year 2013. (Amended by Charter election held on 11-08-11)

Section 2.4.**Hours of Voting**

Polling places for all Town elections shall be open from 7:00 a.m. to 7:00 p.m. on election day.

Section 2.5.**Elective Officers**

The elective officers shall be a Mayor and six Council Members. All elective officers shall be elected from the Town at large. All elections shall be nonpartisan.

(Amended by Charter election held on 11-07-23)

Section 2.6.**Council Elected at Large**

All members of the Council shall be elected from the Town at large, and no Districts or Wards for the election of the Council shall be established. (Amended by Charter election held on 11-07-23)

Section 2.7.**Terms of Council Members**

No person shall serve in the position of Council Member for more than three (3) four-year terms of office. This term limit shall apply beginning with the regular election held on November 7, 2023. The term of any person appointed to the position of Council Member to fill a vacancy for less than 365 days shall not be considered part of a term for purposes of this section. (Amended by Charter election held on 11-07-23)

Section 2.8.**Nominating Petitions – Required Signatures**

The Nominating Petition for each candidate for Mayor shall be signed by twenty-five, and, for Council Members, shall be signed by not fewer than ten, qualified electors of the Town of Mountain View, and shall be filed before the regular Town election as provided by the Colorado Municipal Election Laws, except as otherwise provided in this Chapter or by ordinance hereafter enacted. (Amended by Charter election held on 11-02-99)

Section 2.9.**Vacancies**

A vacancy occurs in the Mayor's or a Council Member's office when declared by a majority vote of the Town Council. Vacancies shall be filled by a majority vote of the Town Council within thirty days after such vacancy declaration for the full then unexpired term of the office which has become vacant. (Amended by Charter election held on 11-07-23)

Section 2.10.**Special Elections**

Any special Town election may be called by resolution of the Council at least thirty days in advance of such election. The resolution calling a special Town election shall set forth the purpose or purposes of such election.

ARTICLE III**TOWN COUNCIL ELECTED OFFICIALS****Section 3.1.****Town Council and Mayor**

(a) All powers of the Town not otherwise limited or conferred upon others by this Charter shall be vested in a Mayor and a six-member Town Council consisting of six members.

(b) The Mayor and Town Council shall be qualified electors of the Town of Mountain View, citizens of the United States for at least five years, and residents of the Town of Mountain View for at least one year immediately preceding an election to serve in such position.

(c) The Mayor and Council Members shall receive such compensation as set by ordinance of the Town Council provided that the Town Council shall neither increase nor decrease the compensation of the Mayor or any Council Member during their term of office.

(d) No person shall be elected to the position of Mayor for more than three four-year terms of office. This term limit shall apply beginning with the regular election held on November 5, 2019. The term of any person appointed to the position of Mayor to fill a vacancy for less than 365 days shall not be considered part of a term for purposes of this section.

Section 3.2.**Powers of Town Council**

(a) The Town Council shall be the legislative and governing body of the Town and shall exercise, except as otherwise provided in this Charter, all powers conferred upon or possessed by the Town.

(b) The Town Council shall have the authority to delegate to Town officials, boards, and commissions, within the limitations of the Constitution of the State of Colorado and this Charter, such functions and authority of the Town as the Town Council deems proper and advisable. ~~The Council shall have all municipal powers,~~

~~including without limitation, all powers as conferred by general law except as limited by this Charter.~~

~~(c) The Town Council shall have the authority to create, consolidate, or dissolve any Town department by ordinance.~~

~~Section 3.3.~~

~~Powers of Mayor~~

~~(a) The Mayor shall have all the powers of a Council Member except the Mayor shall only vote in order to break a tie, and the Mayor shall possess veto power.~~

~~(b) The Mayor shall preside at the meetings of the Council and shall exercise all powers and perform all duties conferred upon them by this Charter or by the ordinances of the Town.~~

~~(c) The Mayor shall be recognized as the head of the Town government for all ceremonial and legal purposes.~~

~~Section 3.3.~~

~~Qualifications~~

~~Each candidate for Council Member or Mayor, when nominated and elected shall be a qualified elector of the Town of Mountain View, a citizen of the United States, and a resident of the Town of Mountain View for at least one year immediately preceding such election. No Council Member shall be a salaried employee of the Town during their tenure of office. The Council shall be the judge of the election and qualifications of its own members, subject to judicial review. (Amended by Charter election held on 11-08-94; amended by Charter election held on 11-07-23)~~

Section 3.4.

Mayor Pro Tem

A Mayor Pro Tem shall be elected by the Council from its own membership at the first meeting following each biennial election or an adjournment thereof. The Mayor Pro Tem shall serve until the Council meeting following the next regular Town election and shall act as Mayor during the absence or disability of the Mayor. In the event of absence or disability of both the Mayor and the Mayor Pro Tem, the Council shall designate another of its members to serve as Acting Mayor during such absence or disability. Any Mayor Pro Tem or Acting Mayor, while serving as

such, shall retain all powers granted herein to Council Members. (Amended by Charter election held on 11-07-23)

Section 3.5.

Financial Interest Prohibited

No Council Member or Mayor shall have any direct financial interest in any contract with the Town. (Amended by Charter election held on 11-07-23)

Section 3.6.

Oath of Office

The Mayor and Council Members shall take an oath or affirmation before entering upon the duties of their office, to support the Constitution of the United States and of the State of Colorado, and the Charter and ordinances of the Town of Mountain View, and faithfully perform the duties of their office. (Amended by Charter election held on 11-07-23)

~~Section 3.7.~~

~~Compensation of Council Members~~

~~The members of Council shall receive such compensation, and the Mayor such additional compensation as the Council by ordinance shall prescribe; provided, however, that they shall neither increase nor decrease the compensation of any member during his or her term of office, except any member of the Council whose terms do not expire at the next regular Town election, shall receive the same compensation as that provided for incoming members for the remainder of their term of office. The Mayor and Council may, upon order of Council, be paid such necessary bona fide expenses incurred in service on behalf of the Town as are authorized. (Amended by Charter election held on 11-07-23)~~

Section 3.87.

Council Meetings

The Council shall meet regularly at least once each month at a day and hour and place to be fixed by the rules and proceedings of each Council. The Council shall prescribe the rules of procedure governing meetings. All regular and special meetings of the Council shall be open to the public, and citizens and employees shall have a reasonable opportunity to be heard. An organizational meeting shall be held at the first regular Council meeting following each regular Town election. Four members of the Council shall constitute a quorum. Written minutes of the proceedings of each meeting shall be kept by the Clerk and signed by the Mayor. (Amended by Charter election held on 11-07-23)

Section 3.98.**Special Meetings**

Special Meetings of the Council shall be called by the Clerk on the oral request of the Mayor, or of any two members of the Council, on at least 24 hours written notice to each member of the Council. Notice may be waived by either written consent or attendance at the Special Meeting. The Special Meetings of the Council shall comply with the Colorado Open Meetings Act, C.R.S. Sections [24-6-401](#) to [24-6-402](#), or as hereinafter amended. (Amended by Charter election held on 11-08-94; amended by Charter election held on 11-07-23)

Section 3.109.**Audit of Accounts**

An independent audit shall be made annually of all financial affairs of the Town and more frequent audits may be made if deemed necessary by the Council. Such audits shall be made by a certified public accountant, experienced in municipal accounting, selected by the Council.

ARTICLE IV**ORDINANCES****Section 4.1.****Council Acts**

The Council shall act only by ordinance, resolution or motion. All legislative enactments must be in the form of ordinances; all other actions, except as herein provided may be in the form of resolutions or motions. All ordinances and resolutions shall be confined to one subject except in case of repealing ordinances, and ordinances making appropriations shall be confined to the subject of appropriation.

Section 4.2.**Voting**

The vote by "Yes" and "No" shall be taken upon the passage of all ordinances, resolutions and motions, and entered upon the minutes of the Council proceedings. Every ordinance shall require the affirmative vote of the majority of the membership of the entire Council for final passage. Resolutions and motions shall require the affirmative vote of a majority of the members present. Every member, when present, shall vote upon ordinances, resolutions and motions

unless such member has a personal interest therein. (Amended by Charter election held on 11-07-23)

Section 4.3.

Action by Ordinance Required

In addition to such acts of the Council as are required by other provisions of this Charter to be by ordinance every act making an appropriation, creating an indebtedness, authorizing borrowing of money, levying a tax, establishing any rule or regulation for the violation of which a penalty is imposed, or placing any burden upon or limiting the use of private property without the consent of the owner, shall be by ordinance.

Section 4.4.

Form of Ordinance

The enacting clause of all ordinances shall be: "THE COUNCIL OF THE TOWN OF MOUNTAIN VIEW, COLORADO, ORDAINS".

Section 4.5.

Procedure

The course that an ordinance shall take for passage shall be:

- (a) Introduction by any member of Council or committee thereof at any regular or special meeting providing however that said introduction at a special meeting shall be consistent with Charter provisions regarding special meetings.
- (b) Passage or rejection by a roll call vote of the Council.
- (c) If first passed, posting at such locations shall be made as shall be prescribed from time to time. A copy of said ordinance is to be provided in full to each Council member before second consideration.
- (d) ___—After first passage, Council shall consider said ordinance a second time not earlier than six days after first passage. The Council shall pass or reject the ordinance by roll call vote. An ordinance may be amended before final passage by a roll call vote of the Council.
- (e) ___—If the ordinance is passed by Council then it shall be submitted to the Mayor for their approval or rejection. The Mayor may either approve the ordinance, reject the ordinance or by not signing the ordinance for a period of five days allow the passage of the ordinance without their signature.
- (f) ___—If rejected by the Mayor, then the Council may, by a two-thirds vote of the entire Council approve the ordinance over the Mayor's veto.

(g)____—After the ordinance is finally approved by both the Council and the Mayor or approved over the Mayor’s veto, the ordinance shall be available for inspection in the office of the Town Clerk, or as prescribed by ordinance of the Council.

(h)____—An ordinance when finally approved shall take effect and shall be enforced 10 days after final approval.

(i)____—~~Emergency Ordinances.~~The Council may adopt emergency ordinances necessary for the immediate preservation of the public peace, health and safety. The facts showing such emergency shall be recited in the ordinance. Emergency ordinances shall not require a second reading and shall take effect immediately upon adoption by the Council. Emergency ordinances shall be posted as other ordinances are posted. A recitation in any emergency ordinance that the Council deems the passage of said ordinance to be for the immediate preservation of public peace, health or safety shall be conclusive. (Amended by Charter election held on 11-06-01; amended by Charter election held on 11-07-23)

Section 4.6.

Enactment of Codes and Amendments Thereof by Reference

In accordance with statutes relative to adoption by reference now or hereafter in effect, the Council may enact any appropriate Colorado Statute or any standard code promulgated or enacted by any municipality, county, state or federal agency, or by recognized trade or professional organizations, by reference thereto in an enacting ordinance and without publishing such statutes or codes in full. In the event that any such statute or code, after being adopted by reference, is revised or amended by the agency or organization by whom it was enacted or promulgated, then any such revision or amended version may be adopted by reference by an ordinance passed in the usual manner without strict compliance with the statutory regulations relative to notices and public hearings.

Section 4.7.

Severability of Ordinances

Unless an ordinance shall expressly provide to the contrary, if any portion of an ordinance or the application thereof to any person or circumstance shall be found to be illegal or invalid by a court, such illegality or invalidity shall not affect the remaining portions or applications of the ordinance which can be given effect without the illegal or invalid portion or application. (Amended by Charter election held on 11-02-99)

ARTICLE V

TOWN ADMINISTRATION

Section 5.1.

Powers of the Mayor

The Mayor shall be the presiding officer of the Council and the recognized head of the Town Government for all legal and ceremonial purposes. The Mayor shall have no vote on any question except in the case of a tie vote, when he or she shall be allowed to vote. The Mayor shall have the power to approve ordinances approved by Council, or deny approval of the same. All contracts in writing binding the Town, all conveyances of interests in land by the Town and any other documents requiring the Mayor's signature shall be signed by the Mayor and attested by the Clerk. The Mayor shall also oversee the administrative functions of the Town and shall make such recommendations to the Council concerning personnel, and procedures and policy to ensure the efficient administration of the Town. (Amended by Charter election held on 11-07-23)

Section 5.2.

Qualifications of Mayor

The Mayor, when nominated and elected shall be a qualified elector of the Town of Mountain View, a citizen of the United States for at least five years, and a resident of the Town of Mountain View for at least one year immediately preceding such election. The Mayor shall not be a salaried employee of the Town during their tenure of office. (Amended by Charter election held on 11-07-23)

Section 5.3.

Compensation of Mayor

The Council shall set the salary of the Mayor, and the ordinance setting the compensation shall not necessitate the approval of the Mayor to take effect. The ordinance setting the compensation shall not take effect until the next regular Town Election. (Amended by Charter election held on 11-08-94; amended by Charter election held on 11-05-19; amended by Charter election held on 11-07-23)

Section 5.4.

Delegation of Duties

The Mayor with the consent of the Council by resolution may delegate to various of the members of the Council any of the powers and duties enumerated, except that of approval or rejection of ordinances or resolutions as prescribed.

~~Section 5.5.~~**~~Departments Created~~**

~~The administrative functions of the Town may be performed by the following departments: Water and Sanitation, Streets, Police, Fire, Finance, Executive, and such other departments as are or may be established by this Charter or by ordinances of the Town. Upon recommendation of the Mayor, the Council may by ordinance consolidate or merge any of the said departments whether set forth in the Charter or created by ordinance in order to achieve more efficient operation or administration. All departments of the Town except as otherwise provided in this Charter, shall be under the supervision and control of the Mayor.~~

~~Section 5.6.~~**~~Term Limits~~**

~~No person shall be elected to the position of Mayor for more than three four-year terms of office. This term limit shall apply beginning with the regular election held on November 5, 2019. The term of any person appointed to the position of Mayor to fill a vacancy for less than 365 days shall not be considered part of a term for purposes of this section. (Amended by Charter election held on 11-05-19; amended by Charter election held on 11-07-23)~~

~~ARTICLE VI~~**~~APPOINTED ADMINISTRATIVE OFFICERSIALS~~****~~Section 6.1.~~****~~Time of Appointment~~**

~~At its first meeting after each regular Town election, the Council shall appoint the officials hereinafter enumerated in this Article with the powers and duties herein specified. Such appointments shall be at the pleasure of the Council, at such compensation as the Council may by resolution from time to time establish.~~

~~Section 56.21.~~**~~Town Manager~~**

~~(a) The Town Manager shall be the chief administrative officer of the Town and serve at the pleasure of the Town Council.~~

~~(b) The Town Manager shall be appointed and removed by a majority vote of the Town Council.~~

(c) No current or former Town elected official shall be considered for appointment to the office of Town Manager unless for period of at least four years after leaving elected office.

(d) The Town Manager shall be responsible to and report directly to the Town Council on the proper administration of all affairs of the Town as established by the Town Council including to:

(1) Ensure that all laws and ordinances governing the Town are implemented.

(2) Hire and terminate from employment, except as otherwise provided in this Charter, all department heads. The department heads shall, in turn, hire and terminate from employment all subordinate employees.

(3) Exercise control and supervision over all Town departments.

(4) Make reports and attend meetings as requested by Town Council.

(5) Inform and advise the Town Council as to the financial condition of the Town.

(6) Prepare and submit to the Town Council an annual budget, including a pay plan for all Town employees and a plan for capital expenses, and which budget shall be approved by Town Council according to this Charter.

(7) Ensure the Town is acting within the Town's approved budget.

(8) Provide administrative resources as may be required for the effective operation of all Town boards and commissions.

(9) Perform such other duties as may be prescribed by this Charter, or as may be required of him or her by ordinance or resolution of the Council not inconsistent with this Charter.

Section 5.2.

Town Clerk

(a)___—The Clerk shall be the clerk of the Council and shall attend all meetings of the Council and shall keep a permanent journal of its proceedings.

(b)___—The Clerk shall be the keeper of the seal and shall affix it to all instruments and papers which by law or ordinances are required to be attested with the Town seal.

(c)___—The Clerk shall have the custody of and shall safely keep all public records, documents, ordinances, resolutions and orders of the Council, and such other papers and documents as may be delivered into their custody.

(d)___—The Clerk shall certify by signature all ordinances and resolutions enacted or passed by the Council ~~and approved under the provisions of Section 4.5, Article IV.~~

(e)___—The Clerk shall perform such other duties as may be prescribed by this Charter, by the Council or ~~by the Mayor~~ the Town Manager. (Amended by Charter election held on 11-07-23)

~~Section 6.3.~~

Town Treasurer

~~(a) The Treasurer shall have the custody of all monies of the Town, all bonds pertaining to officials or employees, and all evidences of indebtedness belonging to the Town or held in trust by the Town.~~

~~(b) The Treasurer shall collect all monies for the Town, the collection of which is not provided for elsewhere by Charter or ordinance. The Treasurer shall receive from other officers and employees of the Town all monies belonging to and receivable by the Town and collected by such officers and employees, including fines, license fees, taxes, assessments, and all other charges. All monies shall be turned over to the Treasurer after collection or receipt.~~

~~(c) The Treasurer shall keep and deposit all monies or funds in such manner and only in such places as the Council may determine.~~

~~(d) The Treasurer shall disburse all Town funds in accordance with the provisions of statute, this Charter and procedures established by the Council or by the Mayor.~~

~~(e) The Treasurer shall perform such other duties as may be prescribed by this Charter or by the Council.~~

~~(f) The Council may combine the offices of Clerk and Treasurer. (Amended by Charter election held on 11-07-23)~~

Section 56.43.

Town Attorney

(a)___—It shall be the right and duty of the Attorney to institute and prosecute all suits for the recovery of fines and penalties, which may be brought under the provisions of the law of the State of Colorado, and of the ordinances of the Town of Mountain View.

(b)___—To institute and defend all suits which may be brought in any court by or against the Town of Mountain View, or any of its officers in their official capacity.

(c)___—The Attorney shall draft or review all ordinances, contracts, leases, conveyances, and any and all instruments of writing which may be required of them by ordinances, resolution, motion or order of the Council. It shall be the Attorney's right and duty to act as the legal adviser to the Town of Mountain View in all matters pertaining to contracts with or by the Town, and in any question of law arising under the ordinances or otherwise.

(d)___—The Attorney shall call to the attention of the Council all matters of law, and changes or developments therein, affecting the Town.

(e)___—The Attorney shall perform such other duties as may be prescribed for them by this Charter or by the Council.

(f)___—Upon the recommendation of the Attorney or upon its own initiative, the Council may appoint one or more assistant attorneys to handle any matter in which the Town has an interest or to assist and counsel with the Attorney therein.

(Amended by Charter election held on 11-07-23)

Section 5.4.

Chief of Police

(a) The director of the Police Department shall be the Chief of Police.

(b) The Chief of Police shall be in direct command of the Department of Police and shall assign all members of the Department to their respective posts, shifts, details and duties. The Chief shall make rules and regulations affecting the Department of Police, in conformity with the ordinances and resolutions of the Town, concerning the operation of the Department and conduct of all employees. The Chief shall be responsible for the efficiency, discipline and good conduct of the Department and for the care and custody of all property used by the Department.

(c) The Department of Police shall be responsible for the preservation of public peace, prevention of crime, apprehension of criminals, protection of the rights of persons and property, the enforcement of the laws of the State and of the ordinances of the Town as provided by this Charter and all rules and regulations made in accordance therewith, and such other functions as the Mayor and Council may prescribe for public safety. All members of the Department shall have all powers with respect to the service of criminal process and the enforcement of criminal laws as are vested in police officers.

ARTICLE VII

ENFORCEMENT OF LAWS AND ORDINANCES MUNICIPAL COURT

Section 67.1.

Municipal Court

(a)___—There shall be a Municipal Court which shall have jurisdiction to hear and determine all cases arising under this Charter or the ordinances of the Town. The powers of and the procedure in such Municipal Court and the manner of enforcement of its orders and judgments, shall be such as is provided for under the Statutes of the State of Colorado, and the present ordinances of the Town with respect to police magistrates, except, as may be otherwise provided in this Charter or by ordinance hereafter enacted. The Council shall have the power to provide for juries for service in the Municipal Court. The Council shall provide a suitable place and all supplies and personnel necessary for the proper functioning of the Court.

(b)___—The Municipal Court shall be presided over and its functions exercised by one or more Municipal Judges, appointed by the Council for a term to be at the pleasure of the Council. A Municipal Judge shall receive a fixed salary or compensation not dependent upon the outcome of the matters to be decided, and to be fixed by the Council from time to time. If a Municipal Judge is absent or unable to act in any manner or case, the Mayor shall call any eligible person to act and serve temporarily, and if he or she fail to, or cannot call in a substitute, the Council shall appoint a substitute. Qualifications for Municipal Judges shall be established by ordinance.

(c)___—The Council shall provide for the enforcement of its ordinances by fine, or imprisonment, or both. (Amended by Charter election held on 11-05-91; amended by Charter election held on 11-07-23)

~~Section 7.2.~~

~~Department of Police~~

~~(a) There is hereby created a Department of Police, the director of which shall be the Chief of Police who shall be appointed by the Council for a term to be at the pleasure of the Council.~~

~~(b) The Chief of Police shall be in direct command of the Department of Police and shall assign all members of the Department to their respective posts, shifts, details and duties. The Chief shall make rules and regulations affecting the Department of Police, in conformity with the ordinances and resolutions of the Town, concerning the operation of the Department and conduct of all employees. The Chief shall be responsible for the efficiency, discipline and good conduct of the Department and for the care and custody of all property used by the Department.~~

~~(c) The Department of Police shall be responsible for the preservation of public peace, prevention of crime, apprehension of criminals, protection of the rights of persons and property, the enforcement of the laws of the State and of the ordinances of the Town as provided by this Charter and all rules and regulations made in accordance therewith, and such other functions as the Mayor and Council may prescribe for public safety. All members of the Department shall have all powers with respect to the service of criminal process and the enforcement of criminal laws as are vested in police officers. (Amended by Charter election held on 11-07-23)~~

~~Section 7.3.~~

~~Other Officials and Departments~~

~~The Council shall have the power to create such other departments as it deems necessary to effectively administer the Town, and to this end shall also have the power to appoint and compensate other officials, experts or such other persons or businesses as are necessary to achieve efficient administration or to comply with this Charter or law. (Amended by Charter election held on 11-07-23)~~

ARTICLE VIII

BOARDS AND COMMISSIONS

Section 78.1.

General Provisions for Boards and Commissions

(a) Unless otherwise provided by this Charter, all boards and commissions shall be appointed by the Council and shall have such powers and perform such duties as are provided by this Charter or by ordinance; and members of such boards and

commissions shall be appointed to serve without compensation, but shall be paid their authorized expenses actually incurred in the discharge of their official duties. Initial appointments by the Council shall specify the term of office of each individual in order to achieve overlapping tenure, and thereafter all appointments shall be for the full term specified.

(b) All members shall be subject to removal by a 3/4 majority vote of the entire Council. The Council shall make appointments to fill vacancies for the unexpired terms. Each board and commission shall choose its own chair and vice-chair, and shall adopt its own rules of procedure for the proper conduct of its business. (Amended by Charter election held on 11-07-23)

Section 78.2.

Board of Adjustment and Appeals

(a) There is hereby created and established a Board of Adjustment and Appeals consisting of the number of members from time to time specified by the Council by ordinance. Such members shall be appointed by the Council for terms to be established by the Council at the time of appointment. Each member shall be a taxpaying elector and in addition shall have resided in the area comprising the Town at the time of their appointment for at least one year immediately preceding the date of their appointment.

(b) The Board shall have power to hear and determine appeals from refusals of building permits in violation of zoning ordinance; to make exceptions to the terms of the zoning regulations in harmony with their general purpose and intent; and to authorize variances from the strict application of the zoning regulations in such situations, subject to such limitations as may be set by ordinance. The findings and decisions of the Board shall be final, subject only to judicial review.

(c) The Board shall keep minutes of its proceedings, show the vote taken, keep records of its examinations and other official actions. Every order, requirement, decision or determination of the Board shall be filed in the office of the Clerk.

(d) The Board shall exercise the functions and powers and perform the duties assigned to it by this Charter and the ordinances of the Town; and where not otherwise provided by ordinance or Charter, the Board shall have the powers, perform the functions, and follow the procedures set forth in the Statutes of the State of Colorado. (Amended by Charter election held on 11-05-91; amended by Charter election held on 11-04-03; amended by Charter election held on 11-07-23)

Section 78.3.**Planning and Zoning Commission**

(a) There is hereby created and established a Planning and Zoning Commission consisting of the number of members from time to time specified by the Council by ordinance. Such members shall be appointed by the Council for terms to be established by the Council at the time of appointment. Each member shall be a taxpaying elector and in addition shall have resided in the area comprising the Town at the time of their appointment for at least one year immediately preceding the date of their appointment.

(b) The Planning and Zoning Commission shall exercise the functions and powers and perform the duties assigned to it by this Charter and the ordinances of the Town. It may prepare and submit to the Council for its approval a master plan for the physical development of the Town and areas adjacent thereto. All plats of the proposed subdivisions shall be submitted to it for its recommendations and approval before being presented to the Council for its approval; it shall hold hearings relative to zoning and changes in the zoning ordinance and shall make recommendations thereon to the Council. Where not otherwise provided by Charter or ordinance, the Planning and Zoning Commission shall have the powers, perform the functions and follow the procedures set forth in the Statutes of the State of Colorado. (Amended by Charter election held on 11-04-03; amended by Charter election held on 11-07-23)

ARTICLE XVIII**TOWN FINANCES****Section 89.1.****Fiscal Year**

The fiscal year of the Town, and of all its agencies, shall begin on the first day of January and end on the thirty-first day of December of each year.

Section 89.2.**Annual Budget**

A proposed budget for the ensuing fiscal year shall be presented to the Council at the first regular meeting in September. (Amended by Charter election held on 11-07-23)

Section 89.3.**Budget Hearing**

(a) The Council shall hold a public hearing on the proposed budget on or before the first regular meeting in October of each year. Notice of the time and place of such hearing shall be published at least once five days prior to such hearing, and copies of the proposed budget shall be made available to the public by depositing them in the office of the Clerk.

(b) The Council may at any time before final adoption increase, decrease, add or strike out any item in the budget.

Section 89.4.**Scope of Annual Budget**

The budget adopted by the Council shall contain: (a) an estimate of anticipated revenue from all sources other than the tax levy for the ensuing year; (b) an estimate of the general fund cash surplus at the end of the current fiscal year, or of the deficit to be made up by appropriation; (c) the estimated expenditures necessary for the operation of the several departments, offices, and agencies of the Town; (d) debt service requirements for the ensuing fiscal year; (e) the amount to be set aside for the public improvements fund; (f) an estimate of the sum required to be raised by the tax levy for the ensuing fiscal year, and the rate of levy necessary to produce such sum based on the percentage of current levy collection experience during the three preceding fiscal years; (g) a balance between the total estimated expenditures, including any deficit to be met, and monies set aside for public improvements and total anticipated revenue, plus any surplus. All estimates shall be in detail showing revenues by source, and expenditures by organizational units, activities, character and object.

Section 89.5.**Adoption of Budget and Appropriation**

At the first regular meeting in October of each year, the Council shall adopt on final reading an ordinance for the budget and an ordinance for the annual appropriations. When finally adopted, the budget shall become a public record, and sufficient copies shall be deposited with the Clerk to insure adequate circulation. (Amended by Charter election held on 11-07-23; amended by Charter election held on 11-07-23)

Section 89.6.**Certification of Tax Levy**

Not later than the first day of November of each year, or such other date as may be required by law, the Council shall fix the amount of tax levy which shall be assessed upon each dollar of assessed valuation of all taxable property within the corporate limits of the Town, and shall cause the same to be certified to the County as required by law. If the Council should fail in any year to make such levy as above provided, the rate last fixed shall be the rate for the ensuing fiscal year, which rate shall be levied as by law provided.

Section 89.7.**General Fund**

There is hereby established a fund to be known as the General Fund. All revenues not specifically allocated to any other fund shall be placed in the General Fund. All general functions of the Town shall be financed by expenditures from the General Fund.

Section 89.8.**Contingencies**

The General Fund may contain an item for contingencies.

Section 89.9.**Special Funds**

Additional funds which shall be known as Special Funds may be created by ordinance to provide for monies to be held or used for special purposes, such as: depreciation and obsolescence; debt service; equipment and building replacement; special services; local improvements; Town-owned utilities; trust funds and endowments; and such other purposes as the Council may determine.

Section 89.10.**Public Improvements Fund**

There is hereby established a fund to be known as the Public Improvements Fund for the purpose of paying the cost of capital improvements. The Council shall have power to define the rules and regulations pertaining to such fund by ordinance, and shall have power to transfer from time to time monies from the General Fund to the Public Improvements Fund. Appropriations for construction or other permanent improvements from the Public Improvements Fund shall not lapse until the purpose for which the appropriation was made shall have been accomplished

or abandoned; unencumbered balances from projects accomplished or abandoned shall be used for payment of any outstanding bonded indebtedness of the Town or if none, transferred to any other fund. Any unappropriated or unencumbered balance in the Public Improvements Fund may be transferred by the Council to any fund, or used to pay outstanding bonded indebtedness of the Town.

Section 89.11.

Transfer of Funds

The Council may by resolution transfer any unencumbered appropriation balance or portion thereof from one department, office or agency to another.

Section 89.12.

Additional Appropriations

The Council may make additional appropriations by ordinance during the fiscal year for unanticipated expenditures required of the Town, but such additional appropriations shall not exceed the amount by which actual and anticipated revenues of the year are exceeding the revenues as estimated in the budget, unless the appropriations are necessary to relieve an emergency endangering the public peace, health or safety.

Section 89.13.

Departmental Appropriations Revert

Any annual departmental appropriation, of any portion thereof, remaining unexpended and unencumbered at the close of the fiscal year, shall revert to the General Fund.

Section 89.14.

Publication of Expenditures

Expenditures authorized to be made need not be published, but the Clerk shall maintain a record on file of same, which shall at all times be available for public inspection.

ARTICLE IX

BONDED INDEBTEDNESS

Section 910.1.

General Obligation Bonds

Indebtedness and obligations of the Town shall be incurred as provided in Article X, Section 20, and Articles XI and XX of the Colorado Constitution, unless in conflict

with this Charter. The Council shall have the power to issue general obligation bonds or revenue bonds for any purpose upon the affirmative vote of a majority of the taxpaying electors of the Town voting at a general election. The general obligation bonds of the Town shall mature in not more than 15 years from the date of issuance and shall be payable in installments commencing not later than 5 years after the issuance of the bonds. (Amended by Charter election held on 11-08-94)

~~Section 10.2.~~

Revenue Bonds

(Repealed by Charter election held on 11-08-94)

~~Section 10.3.~~

Refunding Bonds

(Repealed by Charter election held on 11-08-94)

Section 910.42.

Bond Sales - Limitations

Bonds shall be sold to the highest and best bidder for cash at public sale; provided, that the Town shall reserve the right to reject any and all bids for the purchase of said bonds and sell the same at private sale, if it is to the best advantage of the Town as determined by Council. Bonds may contain provisions for calling the same at designated periods prior to maturity.

ARTICLE XI

IMPROVEMENT DISTRICTS

Section 104.1.

Power to Construct Improvements and Create Improvement Districts

The Town shall have the power to contract for, construct or install special or local improvements of every character within designated districts of said Town, and to assess the cost thereof wholly or In part upon the property especially benefited. The Council shall by ordinance prescribe the procedure for notice, the method and time for filing protest and disposition thereof, the method and manner of making such improvements, letting contracts therefor, assessing the cost thereof, and issuing and paying bonds for costs and expenses of the organization of said districts and of construction or installation of said improvements. Nothing herein contained shall be construed to limit the power of the Council to otherwise act in accordance with the Constitution and Statutes of Colorado in carrying out such purposes.

Section 104.2.**Surplus and Deficiency Fund**

All special or local improvements except as the Town may contribute to the cost thereof, shall be paid for in public improvement bonds, and all monies collected on account of the assessments for any improvements shall be applied to the payment of the bonds, and interest, issued therefor, until the payment of all the said bonds. Where all outstanding bonds of a special or local improvement district have been paid and any monies remain to the credit of the district, they shall be transferred to a Special Surplus and Deficiency Fund and whenever there is a deficiency in any special or local improvement district fund to meet the payments of outstanding bonds and interest due thereon, the deficiency shall be paid out of said surplus and deficiency fund. Whenever a special or local improvement district has paid and cancelled three-fourths of its bonds issued, and for any reason the remaining assessments are not paid in time to take up the remaining bonds of the district and the interest due thereon, and there is not sufficient monies in the Special Surplus and Deficiency Fund, then the Town shall pay said bonds when due and the interest due thereon, and reimburse itself by collecting the unpaid assessments due said district.

Section 104.3.**Improvement District Bonds – General Benefits**

In consideration of general benefits conferred on the Town at large from the construction or installation of improvements in improvement districts, the Council may levy annual taxes on all taxable property within the Town at a rate not exceeding two mills in any one year, to be disbursed as determined by the Council for the purpose of paying for such benefits, for the payment of any assessment levied against the Town itself in connection with bonds issued for improvement districts, or for the purpose of advancing monies to maintain current payments of interest and equal annual payments of the principal amount of bonds issued for any improvement district hereinafter created. The proceeds of such taxes shall be placed in a special fund and shall be disbursed only for the purposes specified herein, provided that in lieu of such tax levies, the Council may annually transfer to such special fund any available monies of the Town, but in no event shall the amount transferred in any one year exceed the amount which would result from a tax levied in such year as herein limited.

Section 101.4.**Review of Improvement District Proceedings**

No action or proceeding, at law or in equity, to review any acts or proceedings, or to question the validity or enjoin the performance of any act or the issue or collection of any bonds, or the levy or collection of any assessments, authorized by this Article, or for any other relief against any acts or proceedings done or had under this Article, or of the Town, with reference thereto, whether based upon irregularities or jurisdictional defects, shall be maintained, unless commenced within ninety days after the performance of the act or the passage of the resolution or ordinance complained of, or else be thereafter perpetually barred.

ARTICLE XII**FRANCHISES****Section 112.1.****Present Franchises**

All franchise ordinances of the Town in effect at the time that this Charter is adopted shall remain in full force and effect according to their provisions and terms, until the expiration date provided in such ordinances.

Section 112.2.**Extension of Territory Covered by Franchise**

With respect to any franchise after negotiation or mutual agreement, the Council may by ordinance extend the area to include streets, alleys, or public places and property not embraced in such franchise, when public convenience and necessity requires, subject to all the terms and conditions of such original franchise, and co-extensive with the terms thereof, without a vote of the qualified taxpaying electors.

Section 112.3.**Term, Compensation, Restriction**

No franchise, lease, or right to use the streets, or the public places or property of the Town, shall be granted for longer than twenty years. Every grant of a franchise shall fix the amount and manner of payment of the compensation to be paid by the grantee for the use of the same, and no other compensation of any kind shall be exacted for such use during the life of the franchise. This provision shall not exempt the grantee from any lawful taxation upon their property, nor from any licenses,

charges, or other impositions levied by the Council, not levied on account of the use granted by the franchise. (Amended by Charter election held on 11-07-23)

Section 112.4.

Revocable Permits

The Council may grant permits for the temporary use or occupation of any street, alley or public place, and establish conditions and compensation to be paid to the Town therefor.

Section 112.5.

Condemnation or Purchase

The right of the Town to construct purchase, or condemn any public utility, work or way, as provided by law, is expressly reserved.

Section 112.6.

Assignment

Assignment or leasing of a franchise shall be considered a forfeiture unless consent is given by the Council by ordinance.

Section 112.7.

Common Use of Facilities

The Council shall have the power to require any holder of a franchise from the Town, or other public utility, to allow the use of its rights-of-way, poles and wires by any franchise holder, or the Town itself, upon payment of a reasonable rental therefor; and the Town may, under the terms prescribed by the Council, allow such franchise holders to use rights-of-way, poles and wires of Town-owned utilities.

ARTICLE XIII

MISCELLANEOUS PROVISIONS

Section 123.1.

Disconnection

Anything to the contrary notwithstanding under the Statutes of the State of Colorado now existing or as they may hereafter be amended, no territory may be disconnected from the Town without first submitting the question of any such disconnection for approval of the taxpaying electors.

Section 123.2.**Taxes for Municipal Purposes**

The Council shall have the power by ordinance to levy all forms of taxation for municipal purposes as are now or may hereafter be permitted to home rule cities and towns under the Constitution of the State of Colorado, except that no use tax shall be imposed by the Council without having first been approved by a vote of the taxpaying electors of the Town at a general or special election.

~~**Section 13.3.**~~~~**Notice Required on Negligence Action**~~

~~*(Repealed by Charter election held on 11-08-94)*~~

~~**Section 13.4.**~~~~**Fidelity Bonds**~~

~~*(Repealed by Charter election held on 11-08-94)*~~

Section 123.35.**Right of Eminent Domain**

The Town shall have the right of eminent domain for all municipal purposes whatever either within or without the limits of the Town as may be permitted to towns or cities by the Constitution and the Statutes of the State of Colorado.

Section 123.46.**Contracts With Other Governmental Units**

The Council may, by resolution or by ordinance, enter into contracts or agreements with other governmental units or special districts for the use of buildings, equipment or facilities, and for furnishing or receiving commodities or services.

Section 123.57.**Bequests, Gifts and Donations**

The Council, on behalf of the Town, may receive bequests, gifts and donations of all kinds of property in fee simple, or in trust, for public, charitable or other purposes, and do all things and acts necessary to carry out the purposes of such bequests, gifts and donations, with the power to manage, sell, lease or otherwise dispose of the same in accordance with the terms of the bequest gift or trust.

Section [123.68](#).**Contracts for Purchases, Leases, and Construction of Public Works**

The Council may establish by ordinance procedure for entering into contracts for purchases, contracts for leases, and contracts for construction of public works.

Section [123.79](#).**Temporary Zoning**

The Town of Mountain View shall have the authority to annex property or consolidate with another municipality in accordance with the Municipal Annexation Act of 1965, C.R.S. Section [31-12-101](#) to [31-12-707](#), or as hereinafter amended, or in accordance with any other laws of the State of Colorado. (Amended by Charter election held on 11-08-94)

Section [123.810](#).**Initiative and Referendum**

The power of initiative and referendum is reserved to the voters of the Town in accordance with the provisions of Article [V](#), Section [1](#) of the Constitution of the State of Colorado insofar as such provisions are applicable. (Amended by Charter election held on 11-07-23. Formerly 13.11)

Section [123.911](#).**Recall**

The Mayor and Council Members of the Town of Mountain View may be recalled from their several offices at any time after the expiration of thirty days next succeeding their election or appointment, by the electors, qualified and entitled to vote for a successor of such incumbent, through the procedure which shall be known as recall. Such procedure shall be in addition to and without excluding any other method provided within this Charter or by law of the State of Colorado. The Council shall prescribe by ordinance the procedure for recall, provided however that 25% of the entire votes cast at the last preceding election for all the candidates for office which the incumbent occupies, shall be required for the initiation of the recall against any elected official of the Town. (Amended by Charter election held on 11-08-94; amended by Charter election held on 11-07-23. Formerly 13.12)

Section [123.102](#).**Amendment**

This Charter may be amended at any general election or special election called for such purpose upon questions which may be submitted to the electors by a majority

of the Council, or upon questions which may be submitted by the electors by initiative as provided for in Article [V](#), Section [1](#) of the Constitution of the State of Colorado. (Amended by Charter election held on 11-08-11; amended by Charter election held on 11-07-23. Formerly 13.13)

Section [123.113](#).

Effect of State Statutes

Unless otherwise provided by this Charter or by ordinances adopted by the Council hereunder, the Statutes of the State of Colorado governing municipalities now classified as towns shall remain in effect. (Amended by Charter election held on 11-07-23. Formerly 13.14)

Section [123.124](#).

Severability

If any provision, article, section, sentence, clause or part of this Charter, or the application thereof to any person or circumstances be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, such adjudication shall not affect impair or invalidate the Charter as a whole or any part hereof other than the part so adjudged to be invalid, and to this end the provisions of this Charter are declared to be severable. (Amended by Charter election held on 11-07-23. Formerly 13.15)



BOARD OF ADJUSTMENT AND APPEALS APPLICATION

Please email your application to amclaughlin@tomv.org or drop your application into the black mail drop on the front wall of the Mountain View Town Hall at 4176 Benton Street. To be considered, applications must be received by **5pm, Monday, April 10, 2024**.

NAME: Catherine Colwell
CONTACT PHONE NUMBER: 303-809-5147
EMAIL ADDRESS: calmpeace.55@gmail.com
STREET ADDRESS: 4354 Chase St.
HAVE YOU LIVED IN MOUNTAIN VIEW FOR THE PAST 12 MONTHS? YES NO
DO YOU OWN PROPERTY IN THE TOWN OF MOUNTAIN VIEW? YES NO
ARE YOU 18 YEARS OR OLDER? YES NO

Please state in general terms why you're interested in serving on the Board of Adjustment and Appeals:

I enjoy contributing to the well-being and betterment of our community. We have, I believe, a very unique town. Many townspeople have expressed their gratefulness for the distinctive entity that is - MTNVW.

Do you have prior employment, civic activity, or volunteer experiences which you believe might be beneficial if you were to be appointed to the Board of Adjustment and Appeals? If so, please describe:

I have previous experience serving on the BOAA. Coratefully, I have served on the City Council as well, and the Historical Committee and other volunteer activities.

Submitting a resume with this application is strongly encouraged.

Printed Name of Applicant
Catherine Colwell

Signature of Applicant
C. Colwell

Date
3-26-2024

PUBLIC NOTICE

Applications are Now Being Taken for the Town of Mountain View Board of Adjustment and Appeals (BOAA)

- Are you a resident of Mountain View?
- Have you lived in town for at least one year?
- Would you like to help your community?

If you answered yes to the three questions above, you may be the perfect candidate for the Mountain View Board of Adjustment and Appeals.

The BOAA is a five-member board who determines the most appropriate course of action when property owners request exceptions to Town Code in their building or remodeling projects.

Being on the BOAA is a “quasi-judicial” role because the BOAA considers evidence during a public hearing and makes determinations about whether or not property owners will be allowed to have exceptions made to the existing Town Code, as it applies to their property and some other limited circumstances.

Members of the BOAA will be given training and guidance for the role before taking on this important volunteer job that is part of the town Charter.

Applications are available online at <https://www.tomv.org/board-adjustments-appeals-boaa> or at Town Hall, 4176 Benton Street or by calling 303-421-7282.

The submission deadline is **5pm, Monday, April 10, 2024.**

Please consider serving on this very important Board.



**RESOLUTION BEFORE THE TOWN COUNCIL
TOWN OF MOUNTAIN VIEW
STATE OF COLORADO**

RESOLUTION NO. 2024-4-15A

**TITLE: A Resolution of the Town of Mountain View, Colorado Appointing
 Catherine Colwell to the Board of Adjustment and Appeals**

Whereas, pursuant to Section 16.10.010 of the Mountain View Municipal Code, the Board of Adjustment and Appeals (the "BOAA") shall consist of five members;

Whereas, pursuant to Section 8.2 of the Town's Home Rule Charter, the Town Council is responsible for appointing members to the BOAA; and

Whereas, due to a BOAA member resigning, a vacancy currently exists;

Whereas, Town Council desires to appoint Catherine Colwell to the BOAA to fill the current vacant term, which expires on May 31, 2025.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VIEW, COLORADO:

Section 1. Catherine Colwell is hereby appointed to the Town's Board of Adjustment and Appeals to fill the vacant term, which expires on May 31, 2025. As required by Section 8.2 of the Town's Home Rule Charter, Catherine Colwell is a taxpaying elector who has resided within the Town for at least one year immediately preceding this appointment.

PASSED, ADOPTED, AND APPROVED ON THIS 15th DAY OF APRIL, 2024.

Emilie Mitcham, Mayor

ATTEST:

Amanda Mclaughlin, Interim Town Clerk

**RESOLUTION BEFORE THE TOWN COUNCIL
TOWN OF MOUNTAIN VIEW
STATE OF COLORADO**

RESOLUTION NO. 2024-4-15B

TITLE: A Resolution of the Town of Mountain View, Colorado Appointing Judge Charles Peters as an Associate Municipal Judge for the Town of Mountain View

Whereas, the Town desires to appoint Judge Charles Peters as an Associate Municipal Judge of the Town of Mountain View Municipal Court pursuant to Article VII of the Mountain View Home Rule Charter and Section 2.05.010 of the Mountain View Municipal Code.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VIEW, COLORADO:

Section 1. Judge Charles Peters is hereby appointed to the position of Associate Municipal Court Judge. The terms and conditions of the appointment shall be dictated by the Associate Municipal Judge Agreement as attached hereto in **Exhibit A**.

PASSED, ADOPTED, AND APPROVED ON THIS 15th DAY OF APRIL, 2024.

Emilie Mitcham, Mayor

ATTEST:

Amanda McLaughlin, Interim Town Clerk

EXHIBIT A

ASSOCIATE MUNICIPAL JUDGE AGREEMENT

ASSOCIATE MUNICIPAL JUDGE AGREEMENT

THIS AGREEMENT is made and entered into this ____ day of _____, 2024, by and between the Town of Mountain View with an address of 4176 Benton Street, Mountain View, Colorado 80212, a Colorado municipal corporation (the "Town"), and _____, (the "Associate Municipal Judge") (each individually a "Party" and collectively the "Parties").

WHEREAS, the Associate Municipal Judge was appointed by the Town Council of the Town of Mountain View pursuant to Section 2-5-30 of the Town of Mountain View Municipal Code (the "Municipal Code").

NOW THEREFORE, in consideration of the mutual promises set forth herein, the Parties hereto agree as follows.

I. QUALIFICATIONS

The Associate Municipal Judge shall have the qualifications described in Section 2-5-20 of the Mountain View Municipal Code.

II. SCOPE OF SERVICES

A. The Associate Municipal Judge shall, when called upon by the presiding municipal judge, preside over, hear or otherwise deal with and dispose of all cases and other matters over which the Mountain View Municipal Court ("Municipal Court") has jurisdiction and which require the involvement of an associate municipal judge, except that the Associate Municipal Judge shall not be required to hear cases where applicable rules and standards of judicial conduct require or otherwise warrant that the Associate Municipal Judge disqualify themselves.

B. At such times, the Associate Municipal Judge shall act as chief administrative officer of the Municipal Court and shall have supervisory control over the Clerk of the Municipal Court and all assistant clerks and other employees assigned (permanently or temporarily) to the Municipal Court and upon coordination with the Town Administrator to ensure the proper administration of the Municipal Court.

C. The Associate Municipal Judge shall conduct Municipal Court matters and proceedings in an orderly and professional manner in full compliance with the requirements of applicable law and rules of procedure and shall provide for the fair and equal treatment of all persons appearing in Municipal Court.

D. The Associate Municipal Judge shall conduct themselves in accordance with the requirements and guidelines set forth in the Colorado Code of Judicial Conduct.

III. COMPENSATION FOR LEGAL SERVICES

As consideration for their services hereunder, the Associate Municipal Judge shall be compensated at a rate of \$75.00 per hour.

IV. TERM

This Agreement shall terminate when the Town Council appoints a different associate municipal judge or terminates the Associate Municipal Judge in accordance with Paragraph V. Otherwise, this Agreement shall automatically renew upon reappointment of the Associate Municipal Judge.

V. EARLY TERMINATION

Notwithstanding the provisions of Paragraph IV, this Agreement shall terminate as follows:

A. For Cause. The Associate Municipal Judge may be removed by Town Council for cause as described and according to the procedures for the removal of appointed officials as set forth in Section 2-3-30 of the Municipal Code.

B. Mutual Agreement. Termination may occur at any time hereunder in accordance with the terms of mutual written agreement between the Associate Municipal Judge and the Town.

C. Non-Appropriation. The payment obligations of the Town hereunder shall be subject to Town Council's appropriation of funds sufficient to cover such obligations during each calendar year during the term hereof. The Town intends to continue this Agreement for its entire term and to satisfy its financial obligations to the Associate Municipal Judge hereunder. The Town Council agrees to include in its budget for each calendar year during the term hereof, and to appropriate for each such year, amounts sufficient to cover the Town's financial obligations under this Agreement. If funds necessary to cover the Town's obligations hereunder are not appropriated and if the Town has no funding source lawfully available to it for such purpose (as evidenced by notarized documents provided by the Town and agreed to by the Associate Municipal Judge), Town Council may terminate this Agreement by giving the Associate Municipal Judge not less than thirty (30) days' prior written notice. Upon termination and to the extent of lawfully available funds, the Town shall remit all amounts due to the Associate Municipal Judge through the date of termination. The Town Council represents and agrees that it will not use non-appropriation as a means of terminating this Agreement in order to acquire functionally equivalent services from a third party. Town Council reasonably believes that funds sufficient to discharge the Town's financial obligations hereunder can and will be appropriated and made available during the full term of this Agreement.

VI. ASSIGNMENT

This Agreement is personal and not assignable.

VII. INTEGRATION AND AMENDMENT

This Agreement represents the entire agreement between the Parties and there are no oral or collateral agreements or understandings. This Agreement may be amended only by an instrument in writing signed by the Parties. If any provision of this Agreement is held invalid or unenforceable, no other provisions shall be affected by such holding, and all of the remaining provisions of this Agreement shall continue in full force and effect.

VIII. WAIVER OF BREACH

A waiver by any Party to this Agreement or the breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by either Party.

IX. GOVERNING LAW

This Agreement shall be governed by the laws of the State of Colorado.

X. BINDING EFFECT

This Agreement shall inure to the benefit of and be binding upon the parties, their respective legal representatives, successors, heirs, and assigns; provided, however, that nothing in this paragraph shall be construed to permit the assignment by either Party hereto of any rights or obligations under this Agreement, except as expressly authorized herein.

Effective as of the date first above written.

ATTEST:

TOWN OF MOUNTAIN VIEW

Amanda McLaughlin, Interim Town Clerk

By: _____
Emilie Mitcham, Mayor

By: _____

STATE OF COLORADO)
) ss.
COUNTY OF JEFFERSON)

Subscribed and sworn to before me this ____ day of _____, 2024, by _____.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public

My commission expires: _____

**BEFORE THE TOWN COUNCIL
TOWN OF MOUNTAIN VIEW
STATE OF COLORADO**

ORDINANCE NO. 2024-4-15A

TITLE: An Ordinance of the Town of Mountain View, Colorado Amending Section 6.08.020 of the Mountain View Municipal Code Related to the Definitions of Short-Term Rentals

Whereas, the Town Council recently amended the regulations applicable to short-term rentals in the Town; and

Whereas, the Town Council desires to amend the definitions related to short-term rentals to clarify the distinctions between the two types of licenses.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF MOUNTAIN VIEW, COLORADO, ORDAINS THAT:

Section 1. Section 6.08.020 of the Mountain View Municipal Code is hereby amended to read as follows:

6.08.020 Definitions.

* * *

Type 1 STR means a Short-Term Rental with an on-site resident that permanently occupies the same property as the STR and ensures appropriate management of the STR including during all guest stays.

* * *

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Mountain View, that it is promulgated for the health, safety and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that this Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall become effective ten (10) days after passage.

INTRODUCED, FIRST READ, PASSED AND ORDERED POSTED ON FIRST
READING THIS 15th DAY OF APRIL, 2024.

Emilie Mitcham, Mayor

ATTEST:

Amanda Mclaughlin, Interim Town Clerk

PASSED, ADOPTED, AND APPROVED ON SECOND READING THIS _____
DAY OF _____, 2024.

Emilie Mitcham, Mayor

ATTEST:

Amanda Mclaughlin, Interim Town Clerk



Town of Mountain View, Colorado

4176 Benton Street
Mountain View CO 80212
303-421-7282

Employee Performance Evaluation

Name:
Job Title:
Department:
Evaluation for period:

ANNUAL REVIEW **INTERIM REVIEW** **SPECIAL REVIEW**

Rating Scale: The following is rated on a 1 – 5 scale, with “5” being the top score.

- 5) **OUTSTANDING** – A superior level of performance, which demonstrates excellence in the scope, depth, quality, quantity, and efficiency in the employee’s achieved results.
- 4) **COMMENDABLE** – A high level of performance that consistently exceeds the job requirements and expectations.
- 3) **FULLY COMPETENT** – A consistent performance level that meets the expectations of any qualified and experienced employee performing the same duties under the same conditions.
- 2) **NEEDS IMPROVEMENT** – Performance is inconsistent and frequently falls below expectations.
- 1) **UNSATISFACTORY** – Results have consistently not met job standards.

1. JOB KNOWLEDGE AND SKILLS

A. Job Knowledge: *The integration of job-related education and experience.*

Rating:

B. Job Skills: *The ability to employ job-related tools, crafts, and skills in work situations.*

Rating:

C. Judgment: *The ability to apply intelligent thought and logic to work assignments and decisions.*

Rating:

D. Learning: *The ability to understand and properly apply new information to work situations.*

Rating:

2. WORK HABITS

A. Reliability: *Dependability and trustworthiness in completing work assignments. This area also includes the employee's attendance record and respect for the work to be done, workdays and work hours.*

Rating:

B. Respect for Property, Facilities, Tools, and Equipment *(Taking care of personal work areas, tools, equipment and facilities).*

Rating:

C. Safety and Risk Management *(Care and concern for the well-being of self and others)*

Rating:

D. Supervision: *Compliance and cooperation with supervisory policies and job responsibilities.*

Rating:

E. Communications: Quality of effective oral and written communications with others.

Rating:

3. WORKING RELATIONSHIPS

A. Teamwork: Willingness to work as a team to accomplish goals and solve problems; Is ready to “pitch in” to help outside one’s job responsibilities when needed.

Rating:

B. Compatibility: Ability to establish and maintain harmonious relationships with others.

Rating:

C. Stress Management: Ability to maintain an even temperament and productive attitude in times of stress, tension and pressure.

Rating:

EVALUATOR’S COMMENTS:

EVALUATOR’S OVERALL SCORING OF EMPLOYEE’S PERFORMANCE

	Unsatisfactory	Needs Improvement	Fully Competent	Commendable	Excellent
Total Score					

Score:

Salary Adjustment (if necessary):

Performance Based:

Supervisor’s Top Three Goals for employee’s following year:

- 1)
- 2)
- 3)

Supervisor’s Name *(Please Print)*:

**Supervisor's
Signature:** _____

Supervisor's Title

Review Date:

Employee Section:

I certify that this appraisal has been discussed with me and I agree _____ or disagree _____ with the ratings and comments. *(Please check appropriate line)*

I wish to discuss the appraisal with the next level supervisor in my department. _____
(Indicate Yes or No)

Review Date: _____ **Signature:** _____

Employee's Top Three Goals for following year:

Employee Comments: (Optional) _____



**Staff Report:
Mountain View Police Department**

Date: April 15, 2024
To: Mountain View Council and Staff
From: Chief M. Nesbitt
Re: Police Department Report April 2024



A little update from the Police Department as we are closing out the first three months of the year. We would like to let you all know what the police department has completed in reference to training.

Since the beginning of this year, the Police Department has achieved the following:

- One officer has become a firearm instructor
- One officer has attended the University of Denver Public Safety Leadership course
- One officer has become our newest Field Training Officer
- Two officers attended the New and Aspiring Chief's course
- One officer has become a Defensive Tactics Instructor
- Two officers have attended a Human Trafficking course
- Three officers attended Search and Seizure courses
- One officer has become an OC (pepper spray) Instructor

Alongside all these accomplishments, the entire department has attended six hours of simulator training along with six hours of building search training that was instructed by three Littleton PD SWAT members.

For the month of April, the department will keep the trend going by completing the following:

- Additional officer will attend a Search and Seizure course
- Two officers will attend OODA (observe, orient, decide, and act) Loop training
- One officer is already scheduled to attend a Less than Lethal Impact Munitions Instructor course
- One officer will attend a Carbine (Rifle) Instructor course.
- Five of our officers will attend an EBAT (Intoxilyzer) course and become certified and one more will attend a Shoot House Instructor course.

We thank you all for continuing to allow our agency to commit to the growth of our officers and the growth of the department.



Total Traffic Stops:	218
Total Citations Issued:	82
Traffic Accidents:	2
Traffic Accidents with Injuries:	0
Hit & Run Accidents:	1
PATROL DUTIES:	
Criminal Trespass Motor Vehicle:	3
911 hang-up:	2
Abandoned Vehicles:	3
Alarms:	5
Animal Complaints/Issues:	2
Assists to other agencies:	44
Attempt to Contact/Locate	7
Building/Area/Vacation Checks:	62
Attempted Robbery:	0
Burglary:	0
Citizen Assists:	18
Civil Assist:	5
Community Relations:	24
Criminal Mischief:	1
Detox:	2
Disturbances:	4
Unattended Death:	0
Drug Violation:	2
Weapons Violation:	1
Follow-Ups:	16
Domestic Violence:	2
DUI:	2
Traffic Eluding:	46

Traffic Hazzard:	1
Indecent Exposure:	0
Juvenile Complaint:	0
Loud Noise Complaint:	0
Medical Assists:	3
Mental Health:	0
Missing Person:	0
Motorist Assist:	4
Ordinance Violations:	4
Overdose/Poisoning:	0
Parking Complaint:	4
Pedestrian Contacts	42
Recovered Stolen Vehicles:	2
Stolen Vehicles:	0
Shots Fired	0
Sex Offender Registry:	1
Suspicious Incidents/Person:	16
Suspicious Vehicle:	33
Thefts:	2
Unwanted Party:	3
Warrant Arrests:	18
Welfare Checks:	4
Juvenile Sex Assault:	0
Sex Assault:	0
Protection Order Violation:	2
Graffiti:	0
Found Property:	3
Harassment:	3



**Staff Report:
Public Works Department**

Date: April 15, 2024
To: Mountain View Mayor, Council, and Staff
From: Public Works Coordinator Dave Nugent
Re: Public Works Report for April 2024

ONGOING TASKS:

Town General:

Dog Waste Stations - Twice weekly collection.

Trash Service

- Coordinate delivery of trash and recycle carts as needed.
- Public Works continue to attach notices to items left in alleys that are not in appropriate carts/bags or need large item pick-up.
- Summit is tagging recycle carts if the contents are trashed due to contamination.

Facilities:

Town Hall Park

- Completed monthly Safety Inspection in the Town Hall Park.
- Watering of the trees in the Town Hall Park as able.

Town Hall

- PD Entrance - Cleaned up leaves and debris by the PD entry.
- Completed monthly Safety Inspection in the Town Hall.

Right-Of-Way

- 811 locates – 15 locates since last Council Meeting.
- ROW permits – None.

Code Enforcement:

Worked with Jake Cooke on violations as needed and coordinated with him on some issues regarding the same. All items have now been addressed by Jake or me.

Fence Permit

- 2 since the last Council Meeting.



COMPLETED (SINCE LAST REPORT) TASKS:

Town General:

Storm Cleanup

- Collected branches around Town.
- Arranged for them to be chipped.

Facilities:

Town Hall

- Alarm System is now in place and monitored.
- Camera System is now online and functioning.

Garage

- Assembled the new battery-powered lawn equipment.
- Recycled several old signs.
- Cleaned and straightened.

Town Hall Park

- Spread the chips from Storm Cleanup in Town Hall Park.
- Planted more Grass seed.

PROGRESSING TASKS:

Town General:

CIRSA Audit Preparation

- Writing a Sewer Inspection and Maintenance Procedure.
- Writing a Chemical safety Procedure.
- Writing a Lockout/Tagout Procedure.
- Writing a Confined Space Procedure.
- Training.

Utility Billing Audit

- Sewer Billing audit has been completed, and the Town Clerk has made necessary changes to the Town's billing.
- Metro Water Recovery has made some needed changes to their list of addresses.
- Trash Service Billing audit has started.

Lead-Pipe Replacement

- Confirmed that most of Town probably has Lead Pipes.

Trash Service



- Summit has presented a new Composting Plan
 - 32-gal Cart at \$22/month. Weekly Pickup.
 - Advertising the new program and compiling a list of those who are interested.

Sidewalk Shading Tree Program

- Advertising the new program and compiling a list of those who are interested.

Personal Cart Recycling

- Collecting carts.

Town Cleanup

- Scheduled for 4/24 – 5/8.
 - Dumpsters will be at Town Hall from noon 4/24 – noon 5/8.
 - Street Sweeping will be 5/8 and 5/9.

Facilities:

Town Hall

- Electrical Work
 - Getting bids for installation of EV Charging Station.
 - Getting bids for installation of a backup generator.

4183/4185 Ames

- Gas-line Demo Pending

Code Enforcement:

Bring Back In-House

- Scheduled for May 1, 2024.
- Putting together a brochure.
- Writing citation contact forms.
- Putting together Stop-Work form.
- Writing a Procedure Manual.

Sidewalk Repair Program 2024

- Currently surveying sidewalks to make a new list for the next round of repair/replacements which will start next year.

Invasive Tree Education Program

- Being addressed slowly as needed until Spring when more education can be shared townwide.

Dumpster Enclosures

- Being installed at various Businesses.



NON-PROGRESSING TASKS:

Town General:

Stop Sign Lines – Weather Hold

- Lines to be painted at all Stop signs.

Facilities:

4183/4185 Ames – Demolition on hold pending Gas-line Demo

- Awaiting Service Contract from Mendoza Demolition.

Town Hall

- **Carport**
 - Permit Final Approval is awaiting additional information from Eagle Carports.
- **Electrical Work – Hold pending Carport Permit Final Approval**
 - Install lights in carports.

Infrastructure and Capital Improvement Projects:

ADA Transition Plan

- Temporary Hold.

DOLA Curb and Gutter Stormwater Project: Weather Hold

- Landscaping along W 41st Avenue is pending.
- ROW backfill and repairs for Curb and Gutter work is continuing.
- Final Punchlist to be compiled and completed in the Spring.
- DOLA will perform Inspection of work in Spring.

ARPA Curb and Gutter Project: Weather Hold

- ROW backfill and repairs for Curb and Gutter work is continuing.
- Final Punchlist to be compiled and completed in the Spring.



**Staff Report:
Town Clerk Department**

Date: April 15, 2024
To: Mountain View Mayor, Council, and Staff
From: Interim Town Clerk Amanda McLaughlin
Re: Town Clerk Staff Report for April 2024

- Performed an internal review of all current HR and Insurance administrative procedures. Completed a list of action items to be reviewed and updated with the Town Administrator including annual employee evaluation templates and timelines.
- Worked with accounting team to reconcile accounts for Q1 and address General Ledger errors we encountered due to a bug in our Court Payment system. After updating the system, we were able to fix the bug and we are just making the proper adjustments now.
- Continued progress on the utility billing audit adjustments so we can send out Q2 utility bills. They are being delivered to residents late this quarter due to these pending audits, but we will be extending the due date for payment accordingly. All paperless billing accounts have been audited and updated to ensure paper bills are not sent in error.
- Assisted Events Committee with Business and Liquor Licensing requirements for the Taco Tuesday events.
- Assisted Mountain View Police Department with HR administration regarding recent personnel changes.
- Creation of new Minutes procedure and requirements is still in progress. All outstanding Minutes for 2024 will be completed and presented to Council for approval once the new process is complete.
- Continued work with Town Administrator to prepare for May BOAA meeting and training arrangements for BOAA members.
- Ongoing processing of all monthly payroll, daily and monthly internal reporting, benefits administration, accounts payable, accounts receivable, utility account management, utility and court cash receipting, licensing, permit payments, public notices, meeting preparation as well post meeting tasks including minutes, monthly reconciliations with the accounting team, and other various support tasks to assist the other Town departments.



**Staff Report:
Town Court Department**

Date: April 15, 2024
 To: Mountain View Mayor, Council, and Staff
 From: Court Clerk Vicki Wilcox
 Re: Court Staff Report for April 2024

- Court was held on March 20, 2024, with the new presiding Judge Nicholas Jonson, who did a great job. Attached is an excel spreadsheet detailing the cases and court activity.
- We will be working to finalize the backup Judge agreement with Judge Peters as well as preparation for Judge Peters to fill in for the May 15, 2024, court date.

2024													
Cases	Offense Type	Jan	Feb *	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
	Animal	1	0	1									
	Ordinance	1	0	5									
	Traffic	6	0	42									
	Parking	1	0	0									
Court Activity		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
	First Appearance/Bond	11	0	41									
	Disposed	6	0	19									
	Trials Set	0	0	1									
	Reviews	4	2	2									
	Continuances	6	0	4									
	FTA/FTP/FTC	7	3	20									
	Payment Plan Paid	2	2	2									
Revenue	Source	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
	Court Fines	\$765.00	\$480.00	\$2,520.00									
	Court Costs	\$50.00	\$105.00	\$325.24									
	Surcharge	\$210.00	\$120.00	\$600.00									
	Parking Fines	\$50.00	\$0.00	\$0.00									
	Collections	\$215.00	\$252.50	\$504.50									
	Payment Plans	\$100.00	\$260.00	\$360.00									
	Total	\$1,390	\$1,217.50	\$4,309.74									
	*Court was not held in Feb												



**Committee Report:
Mountain View Events Committee**

Date: April 15, 2024

To: Mountain View Council and Staff

From: Council Members Brittany Loecher and Laura Dennis

Re: Events Committee

- Thank you all for attending our Spring Fling! There was a huge turnout this year and the committee heard a lot of positive feedback from attendees. The committee would also like to thank staff, public works, and MVPD officers for their help. It was a great way to connect with our residents and we hope all of our future events continue to hold a strong sense of community.
- Council member Dennis met with Mayor Mitcham on April 2nd at Devil's Cup Coffee to discuss flyer designs and coordinate town event communication.
- Council members Brittany Loecher and Laura Dennis reorganized the events committee storage area on April 3rd. Older boxes were replaced with new storage bins, and all were labeled. During this process, a general inventory check took place to determine future purchases and item replacements. Table runners and cloths were also washed.
- The committee has reached out to three more food trucks for our town's Taco Tuesdays coming up in May. There is also a possibility for music and vending during these evenings. All who might be interested in this are encouraged to reach out to our committee as soon as possible.



**Committee Report:
Mountain View Finance Committee**

Date: April 10, 2024

To: Mountain View Council and Staff

From: Council Member Davis

Re: Finance Committee Report

- Summary of February 2024 Town Finances:
 - a. Total General Fund revenue: \$208,845.47
 - b. Total General Fund expenditures: \$241,704.85
 - c. Net General Fund revenue over expenditures: -\$32,859.38
 - i. (Note: This is not a final amount for accounts payable due to the fact that some invoices may be billed in February for the previous month, and ACH payments are not included)
- COLOTRUST General investment fund balance at end of January: \$4,143,076.46

Mountain View Town Council Agenda Schedule

May 6th Workshop Meeting

Public Safety review with Traffic Engineers
2021 Building Codes
Council-Manager Governance Changes

May 15th BOAA Meeting (7:00pm)

Legal Training for BOAA – Austin on quasi-judicial & rules of order
Rules of Procedure for BOAA
Variance request for 5465 West 41st

May 20th Regular Meeting

Town Clerk Appointment
Resolution – Comprehensive Plan Adoption
Resolution – Conditional Use Permit fees
Resolution - Tree Planting Contract <\$25k

June 3rd Workshop Meeting

Council-Manager Governance Changes

June 17th Regular Meeting

June 18th-21st Colorado Municipal League Annual Conference

July 15th Combined Workshop Meeting and Business Meeting

Parking Lot Items

Town Council Retreat

- Mission Statement
- Rules of Procedure

Legal training 2x per year (Quasi-judicial/Legislative/Administrative training subject)

Code Enforcement – Moving In-House

Maintaining fences (Public Works Recommendation)

2025 Budget Hearing (no later than October per Charter)

2025 Tax Levy (no later than Nov 1 per Charter)

Trash Billing Changes

7.05.070 Noisy dogs prohibited – code review

Street paving update

Zoning discussion (44th and Sheridan)

Council/Mayor Pay Changes (\$4,800/\$37,500)

Annual fee schedule