

# CITY OF THORNTON CANDIDATE BRIEFING

Thursday  
June 5, 2025

6:00 P.M.

Training Room

1. Welcome and Introductions – *Kristen Rosenbaum, City Clerk*
2. Election Guidelines (Estimated 20 Minutes) – *Kristen Rosenbaum, City Clerk*
3. Sign Code (Estimated 15 Minutes) – *Mike Hankinson, Code Compliance Supervisor*
4. Legal Overview (Estimated 30 Minutes) – *Tami Yellico, City Attorney*
5. Questions and Answers (Estimated 30 Minutes)
6. Adjournment

Additional information in the Candidate Briefing packet:

- City Council Appointments to Outside Boards and Committees Overview
- Description of City Services by Department
- Ward Map
- Current Projects map
- CML Municipal Candidates Guide



CITY OF  
**THORNTON**

# 2025 Regular Election Candidate Briefing

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June 5, 2025

# Agenda

- Welcome and Introductions
- Election Guidelines
- Sign Code
- Legal Overview

# City Council Candidacy

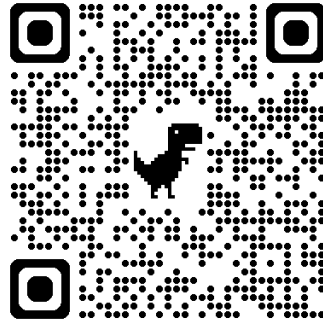
## Eligibility – City Charter 4.4

- U.S. Citizen
- At least 25 years of age
- Registered elector
- Resident of Thornton and of appropriate Ward for 12 consecutive months
  - Exception for annexed property or when reapportionment occurs
- Not convicted of a felony
- Does not hold another elected position in government

# Nomination Petitions

*C.R.S. 31-10-302*

- Petitions will be available August 5, 2025 at 8:00 a.m. in the Clerk's office or online at <https://www.thorntonco.gov/government/mayor-council/elections-voter-information>



- Petitions must be returned by 5:00 p.m. on August 25, 2025
- Casting of lots (drawing of names) by the Election Commission on Wednesday, September 3, 2025 at 6:00 p.m. in the Council Conference Room of City Hall
- Ballot certified on September 5, 2025

# Nomination Petitions

## Petition requirements

- All petition pages need to be turned in at the same time
- Before circulating completely fill out top portion of petition

 **THORNTON** **NOVEMBER 4, 2025 REGULAR ELECTION NOMINATION PETITION**  
**May be circulated August 5, 2025 through August 25, 2025 Only**

**THE INFORMATION CONTAINED IN THIS BOX MUST BE FILLED OUT PRIOR TO CIRCULATING THE PETITION**

TO: Kristen Rosenbaum, City Clerk, City of Thornton, 9500 Civic Center Drive, Thornton, CO 80229:

I, \_\_\_\_\_ (full name of candidate) who resides at \_\_\_\_\_ (street address) in the City of Thornton, Colorado hereby petition to be a candidate for the office of City Council in Ward \_\_\_\_ to be voted at the Regular Municipal Election to be held November 4, 2025.

**SIGNATURES OF PETITIONERS**

	Date	Signature	Printed Name	Address Number and Street	City	County
1.						
2.						
3.						

# Nomination Petitions

## Signature Requirements

- At least 25 registered electors who reside within the ward you are running in
  - No one can sign more than one petition
- Elector must date, sign, and completely fill out name, address, City, and County
  - Ditto marks are not accepted
  - Elector can only sign for themselves
    - *Exception: Another registered elector can assist but cannot be the petition circulator and cannot assist more than one person.*

### SIGNATURES OF PETITIONERS

	Date	Signature	Printed Name	Address Number and Street	City	County
1.						
2.						

# Nomination Petitions

- Circulator needs to initial pages 1-2.

16.					
# of signatures on this page		<b>Circulator's Initials</b>		# of VALID signatures on this page	

- Circulator needs to sign and notarize second page of each petition after circulating but before submitting to the Clerk's office

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## AFFIDAVIT OF CIRCULATOR

I \_\_\_\_\_ (full name of circulator) hereby certify that I circulated this petition and that each signature is the signature of the person whose name it purports to be and that each signer has stated that he/she is a registered elector of Thornton and of Ward 1 for which this nomination is made.

\_\_\_\_\_  
Signature of Circulator

\_\_\_\_\_  
Date

Subscribed and sworn before me in the County of \_\_\_\_\_, State of Colorado, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
(Notary's official signature)

(Notary Stamp)

\_\_\_\_\_  
(Commission Expiration)

# Nomination Petitions

## ACCEPTANCE OF NOMINATION

I, the undersigned, being first duly sworn, depose and state that:

- I am a citizen of the United States.
- I am at least twenty-five years of age.
- I have been a resident of Ward \_\_\_ of the City of Thornton for twelve consecutive months immediately preceding the election.
- I am a registered elector.
- I have never been convicted of a felony.
- I am aware that, if elected, I cannot hold another elected position in government.

I, \_\_\_\_\_ (full name of candidate), hereby accept the nomination tendered me by the foregoing petitioners for the office of Ward \_\_\_ for the term of 4 years.

Signature of Candidate \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address \_\_\_\_\_

Subscribed and sworn before me in the County of _____, State of Colorado, this ___ day of _____ = 2025 =	
_____ (Notary's official signature)	(Notary Stamp)
_____ (Commission Expiration)	

**PLEASE INDICATE BELOW THE WAY YOU WISH YOUR NAME TO APPEAR ON THE BALLOT. NO DEGREE OR TITLE IS PERMITTED. PLEASE PRINT LEGIBLY.**



**PRINT NAME HERE**

- Candidates only need to fill in one “Acceptance of Nomination”
- Fill out how you want your name to appear on the ballot
  - Quotation marks are allowed but not parenthesis

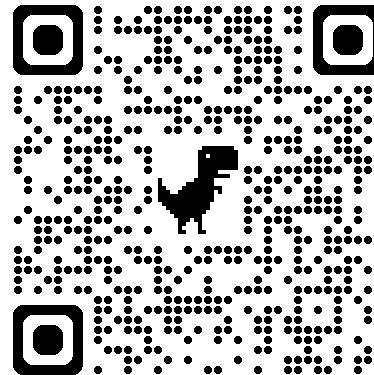
# Nomination Petitions

## Sufficient Petitions

- Candidates will be notified concerning sufficiency of their petition

# Campaign Finance

- Resources
  - City Charter, Chapter III – Elections.
  - City Code, Article VI – Elections.
  - Colorado Constitution, Article XXVIII
  - Colorado Revised Statutes, Title 1, Article 45
- Colorado Secretary of State's Office, [www.sos.state.co.us](http://www.sos.state.co.us)
- City's Election Website – <https://www.thorntonco.gov/government/mayor-council/elections-voter-information>
- City of Thornton's Electronic Reporting - <https://candidatemanager.thorntonco.gov/>



# Campaign Finance

## Who needs to file with the City Clerk?

- All local candidates
- All local committees (Candidate, Political, Small Donor, Issue)
- All committees contributing to a local candidate

# Campaign Finance

## What needs to be filed with the City Clerk?

- **Candidate Affidavit**
  - Within 10 days of becoming a candidate
- **Candidate Committee Registration**
  - Must be submitted prior to accepting any contributions
  - Each candidate may only have one candidate committee
- **Candidate Committee Reports**
- **Statement of Personal Expenditure by a Candidate**
  - Has not received contributions but has made expenditures of personal funds

“A person is a candidate for election if the person has publicly announced an intention to seek election to public office or retention of a judicial office and thereafter has received a contribution or made an expenditure in support of the candidacy.” - *Colorado Constitution, Article XXVIII, Section 2*

- **Candidate Statement of Non-Receipt of Contributions or Non-Expenditure of Funds**
  - Candidates who do not have a committee and have not received contributions or made expenditures

# Campaign Finance

## Contributions

*Anything of value given, directly or indirectly to a candidate committee*

- Bank Accounts
  - All contributions received must be deposited and maintained in a separate account which must include the name of the committee
- Limits
  - Limit of \$400, per election, of aggregate contributions from any one person, including a political party and excluding a small donor committee
  - Limit of \$4,000, per election, in aggregate contributions from any one small donor committee
- Reporting requirements
  - Contributions of \$20, including in-kind, or more must be itemized
  - Contributions of \$100 or more, including in-kind, must also include occupation and employer of the contributor
  - Political committees and small donor committees that contribute to your campaign must also file a report with the City Clerk (a copy of the report submitted to the SOS is sufficient)
- Prohibitions
  - Cash or coin exceeding \$100
  - A person acting as a conduit for contributions to a committee
  - Anonymous contributions of \$20 or more
  - Making a contribution with the expectation of being reimbursed
  - Contributions from another candidate committee

# Campaign Finance

## Expenditures

*Money an individual or committee spends and occurs when it is made, obligated, or a contract established*

- Reporting requirements
  - All expenditures of \$20 or more must be itemized
  - Reimbursements by the campaign to candidates, staff, and volunteers
- Prohibitions
  - \$100 in cash or coin in any single expenditure

# Campaign Finance

## When do reports need to be filed?

Report	Due	Reporting Period
120 days prior	July 7, 2025	Date of first expenditure or contribution – July 2, 2025
90 days prior	August 6, 2025	July 3, 2025 – August 1, 2025
60 days prior	September 5, 2025	August 2, 2025 – August 31, 2025
30 days prior	October 6, 2025	September 1, 2025 – September 30, 2025
15 days prior	October 20, 2025	October 1, 2025 – October 15, 2025
30 days after	December 4, 2025	October 16, 2025 – November 29, 2025

- Reports can be filed electronically provided the report has been signed by the Candidate or Registered Agent
- Annually on November 1 (unless 1<sup>st</sup> falls on Saturday, Sunday, or holiday) until committee is terminated
- Reports will be published on the City’s website the next business day after the report is due

# Campaign Finance

## Late and Incomplete Filings

- Penalty for past due reports
  - \$50 per day, including weekends and holidays for every day a report remains outstanding beyond the due date
- Registered Agent or Candidate will have 30 days from the date the notice is received to file an amended report

# Campaign Finance

## Terminating a Candidate Committee

- Must file a zero report to terminate
- Cannot have outstanding debt
- For a candidate not elected, the committee must be terminated within one year following the election, unless there is a campaign finance complaint against the committee
- For a candidate elected, the committee must be terminated within one year following the date the candidate leaves office, unless there is a campaign finance complaint against the committee
- Unexpended contributions can be donated to:
  - Political party
  - Another candidate committee established by the same candidate (councilmember now running for Mayor)
  - Recognized charitable non-profit
  - Returned to contributors

# Use of City Logo and Pictures

- City time and resources cannot be used to endorse political candidates
- The City and City employees cannot endorse or appear to endorse political candidates in their official capacity
- The City does not authorize the use of its logo, photos of City personnel, or other items identifying Thornton government in connection with campaign materials



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# Code Compliance

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# Temporary signs

# Temporary signs placement

- Signs may not be placed on sidewalks, streets, medians or roundabouts.
- A sign cannot be attached to another sign, tree, pole, utility box or vehicle.
- Signs should not block sidewalks, trails or driveways.
- Temporary signs may not be installed on city property, facilities or parks unless they are associated with a permit issued by the city for the use of the facility.

# Signs on Private Property

- Temporary signs may be located on private property **with** the permission of the property owner.
- Signs must be placed at least five feet from all property lines, and at least 25 feet away from intersections (inside property line) to ensure people can see oncoming traffic. If the sign is taller than five feet, then it must be placed at least the height of the sign away from the property lines.
- There is no limit to the number of signs that can be displayed on private property, but the total area of all signs cannot exceed the maximum allowed by the Thornton City Code.
- Residents living on single-family lots less than one acre can display up to 72 square feet of signs with a maximum height of six feet.

# Signs on Private Residential Property

Property Size	Sign Size
<b>Maximum sign area per property</b>	
Less than once acre	72 square feet
One acre or larger	100 square feet
<b>Maximum sign height</b> (measured from the ground to the top of the sign)	
Less than once acre	6 feet
One acre or larger	10 feet

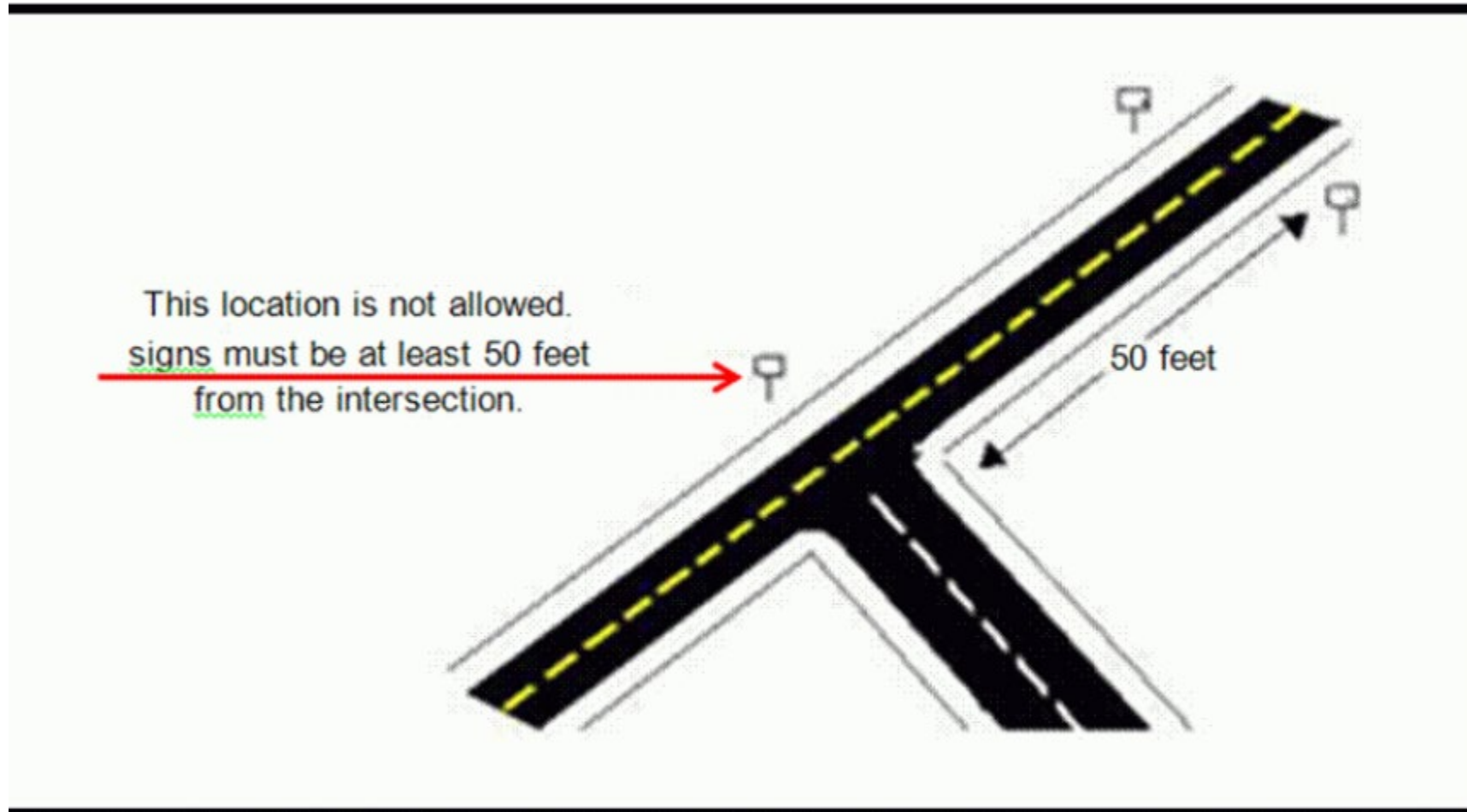
# Signs on Private NON-Residential Property

Nonresidential Property Sign Requirements	Neighborhood Service and Eastlake Zones	Other Nonresidential Zones
<b>Maximum sign area per building user or tenant</b> (based on the floor area of the business)		
Less than 25,000 square feet	60 square feet	60 square feet
25,000 to less than 100,000 square feet	105 square feet	105 square feet
100,000 square feet or larger	230 square feet	230 square feet
<b>Maximum sign height</b> (measured from the ground to the top of the sign)		
Freestanding signs and feather flags	10 feet	20 feet

# Signs in Public Rights-of-Way

- There is no limit to the number of signs that can be displayed in the public rights-of-way. However, signs may only be displayed beginning Friday at 5 a.m. and extending to 7 a.m. the following Monday.
- A sign may be no larger than six square feet and be no taller than four feet.
- Nothing can be attached to the sign.
  - Balloons, pennants, lighting or moving parts are not allowed.
- Signs must be placed at least 50 feet away from all intersections.
- Signs must be placed at least five feet back from the curb or edge of the road.
- Signs found in violation may be removed without notice and disposed of in accordance with Thornton City Code.

# Signs in Public Rights-of-Way



# Resources

- COT Website - <https://www.thorntonco.gov/city-services/code-compliance/temporary-signs>
- ADCO Accessor's Interactive GIS mapping - [https://gisapp.adcogov.org/Html5Viewer/index.html?viewer=AdvancedExt.Advanced\\_HTML](https://gisapp.adcogov.org/Html5Viewer/index.html?viewer=AdvancedExt.Advanced_HTML)
- Code Compliance – 303-538-7517 or [code@thorntonco.gov](mailto:code@thorntonco.gov)

# Resources

## CITY CODE

The display of signs is regulated throughout the city in order to prevent the visual clutter resulting from proliferation or inappropriate placement of signage.

To find answers to frequently asked questions about temporary sign regulations visit [ThorntonCO.gov](http://ThorntonCO.gov) and search "temporary signs".

To view the Thornton City Code visit [ThorntonCO.gov](http://ThorntonCO.gov).

For questions about the city's code regarding signs contact the City Development Department at 303-538-7295 or email [citydevelopment@ThorntonCO.gov](mailto:citydevelopment@ThorntonCO.gov).

## A GUIDE TO Temporary Signs



 **City of Thornton**  
City Development Department  
9500 Civic Center Dr.  
Thornton, CO 80229

[THORNTONCO.GOV](http://THORNTONCO.GOV)



# Resources

*This brochure provides basic information about the display of temporary signs. The information provided does not apply to any other types of signs, which are regulated by separate sections of the Thornton City Code.*

## SIGN PLACEMENT

### TEMPORARY SIGNS INCLUDE:

- Signs that can stand on their own installed with stakes or weights.
- Banners that are securely fastened to a house or other building.
- Banners or signs attached to fences, if the fence is at least five feet from the city's rights-of-way.
- Feather flags that are securely fastened to the ground.
- Signs that are placed in windows.

### PLACEMENT:

- Signs may not be placed on sidewalks, streets, medians or roundabouts.
- A sign cannot be attached to another sign, tree, pole, utility box or vehicle.
- Signs should not block sidewalks, trails or driveways.
- Temporary signs may not be installed at city property, facilities or parks unless they are associated with a permit issued by the city for the use of the facility.

## SIGNS ON PRIVATE PROPERTY

Temporary signs may be located on private property with the permission of the property owner.

Signs must be placed at least five feet from all property lines, and at least 25 feet away from intersections to ensure people can see oncoming traffic. If the sign is taller than five feet, then it must be placed at least the height of the sign away from the property lines.

There is no limit to the number of signs that can be displayed on private property, but the total area of all signs cannot exceed the maximum allowed by the Thornton City Code.

- Residents living on single-family lots less than one acre can display up to 72 square feet of signs with a maximum height of six feet.
- For limits for other properties, visit [ThorntonCO.gov](http://ThorntonCO.gov) and search for "temporary signs" or contact the City Development Department at 303-538-7295.

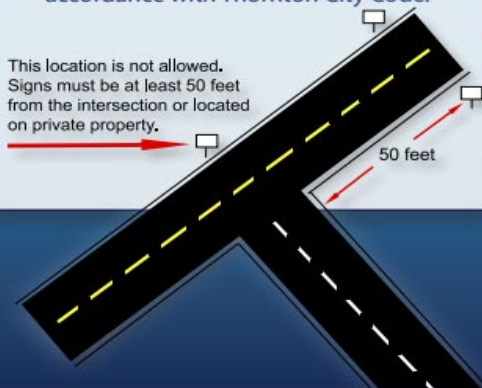
## SIGNS IN PUBLIC RIGHTS-OF-WAY

There is no limit to the number of signs that can be displayed in the public rights-of-way. However, signs may only be displayed beginning Friday at 5 a.m. and extending to 7 a.m. the following Monday.

In addition,

- A sign may be no larger than six square feet and be no taller than four feet.
- Nothing can be attached to the sign. Balloons, pennants, lighting or moving parts are not allowed.
- Signs must be placed at least 50 feet away from all intersections.
- Signs must be placed at least five feet back from the curb or edge of the road.
- Signs found in violation may be removed without notice and disposed of in accordance with Thornton City Code.

This location is not allowed. Signs must be at least 50 feet from the intersection or located on private property.



**Balloons, air dancers, pennant strands and inflatable devices require a special event sign permit. Contact the City Development Department at 303-538-7295.**



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# Discussion & Questions?

# Legal Overview

# Legal Overview Agenda

1. Home Rule Authority
2. Roles of City Manager, City Attorney & Council
3. Quasi-judicial duties
4. Open meetings/Open records

# Home Rule Authority

- The State Constitution grants home rule cities the –
  - “full right of self-government in both local and municipal matters...”
- *Colorado Constitution, Art. XX, Sec.6*

# Home Rule Authority

## *Continued*

- The Colorado Supreme Court expressly stated that:
  - “a home-rule city is not inferior to the General Assembly with respect to local and municipal matters”

*Bd. of County Comm'rs v. City of Thornton*, 629 P.2d 605, 609 (Colo. 1981)

# CHARTER – Duties of City Manager

(continued)

## General Administrative Organization

- City Manager
  - Appointed by City Council
  - Chief administrative officer
  - Responsible to Council for efficient administration of all departments except the City Attorney's Office

# CHARTER – City Attorney Duties

(continued)

- City Attorney
  - Legal advisor for City Council
  - Charter separates the City Attorney's department from the City Manager's
  - Advises Officers, Department and Boards & Commissions
  - Prepares or reviews all ordinances, contracts, bonds and other written instruments
  - Hires special counsel for assistance
  - Manages all legal claims made by the City and against the City

# Three Major Roles of Council:

Administrative

Legislative

Quasi-Judicial

# CHARTER – Administrative Duties of Council

- Approve an annual budget
- Power to make contracts
- Approve intergovernmental contracts
- Appoint City Manager, City Attorney and Municipal Court Judge
- Approve pay plan
- Approve union contracts

# CHARTER – Council’s Legislative Role

- Ordinances in many subjects
  - Development Code (e.g., citywide zoning districts)
  - Building Code
  - Sign Code
  - Finance and Taxation
  - Licenses, Permits and Businesses
  - Parks and Recreation
  - Health, Sanitation, Police Powers

# Council's Quasi-Judicial Role

Public Hearings to decide individualized applications.

These decisions impact applicants and can be subject to legal challenge in District Court.

Because the Council is essentially serving in a judge-like role, certain procedures have to be followed and other activities must be prevented.

*See also* Thornton City Code Section 2-197

# Public Hearings

1. Promote fairness to all sides, opportunity for comment
2. Evidence entered during the hearing process
3. Ex parte communications not permitted – the decision of Council must be supported by the evidence on record at the public hearing

# Examples

- Development Applications
  - Rezoning
  - Conceptual Site Plans
- Amendments to Chapter 18 require public hearings
- A public hearing is required on the proposed budget
- Oil and gas permits and marijuana businesses

# Conflicts of Interest

- Elected and appointed officials of the City must recuse themselves from discussing and voting on matters in which they have a conflict of interest.
- Actual conflicts – financial interest, more than an interest shared by the common public
- Perceived conflicts – should also be avoided
- *See also* Thornton City Code Section 2-192

# Open Meetings Law

- Official business must be conducted at either a special or regular meeting. (Council Chambers)
- Planning sessions and Council updates are working sessions, allow for more questions and discussion.
- All meetings of 3 or more members of Council conducting business are open meetings at which the public may attend and which must be noticed 24 hours in advance.

# Open Records Law

- The Colorado Open Records Act (CORA) provides that all public records be open for inspection at reasonable times. C.R.S. 24-72-201 to 206.
- As an elected official the safest assumption is that any email, text or written document discussing public business is subject to the open records law.
- Consider whether you are comfortable with the newspaper reading or publishing your email or other communication?

**Questions?**

CITY COUNCIL  
BOARDS AND COMMISSIONS  
Descriptions

**ADAMS COUNTY REGIONAL ECONOMIC PARTNERSHIP (AC-REP)** – AC-REP is a private, nonprofit economic development business organization, that serves the Greater Adams County region with more than 10,000 companies and just over half a million residents. AC-REP is working to write the next chapter for the area by amplifying its unique business story, championing real estate developments, and focusing on new infrastructure. AC-REP empowers its members and community leaders to promote and expand economic opportunity in the entire region. The Board employs a professional staff to carry out its policies and accomplish its goals. AC-REP’s Mission is to champion the businesses of the Greater Adams County Region — giving them a voice by supporting innovation, forging connections with local government, and leading the community toward prosperity with our expertise as a private, investor-driven organization.

The board usually meets quarterly on the fourth Thursday of the month March through September and the second Thursday in December.

*Why the City should be represented:* AC-REP is a contact point for businesses looking to develop in Adams County and the City needs to ensure that business inquiries are directed to the City as well as the County. AC-REP negotiates county incentives on behalf of the Board of County Commissioners and in coordination with the City.

**ADAMS COUNTY COMMUNITY TRANSIT POLICY COUNCIL** - The Council was established in 2000 and is renewed annually through an IGA with Adams County. It is comprised of representatives from the cities of Thornton, Westminster, Northglenn, Commerce City, Federal Heights and Adams County. The purpose is to assure adequate transportation services for older adults and the disabled in Adams County. The policy council provides oversight of federal and local City match dollars.

The City’s staff representative is Jessica Romito, Older Adult Services Manager. Meetings are held every other month and an annual retreat for developing new goals and objectives is held each November.

*Why the City should be represented:* The City should be involved in this program to ensure that the City continues to receive funding for the transit services that are provided to older adults of Thornton. This group submits a grant to DRCOG for transportation services for Adams County and provides coordination of this effort. The Thornton Active Adult Center receives funding through this program to help offset the cost of transportation program.

**AIRPORT COORDINATING COMMITTEE** - This Committee was established in 1988 through an IGA among Adams County and the cities of Aurora, Brighton, Commerce City, Federal Heights, Westminster, and Thornton. The City of Westminster withdrew in late 2013. The Committee is comprised of the five Adams County Commissioners and two elected officials from each of the cities. The purpose of the Committee is to coordinate the participation of the above parties in, and as they may be affected by, the operation of Denver International Airport (DIA). The two primary areas of coordination are with respect to noise (and enforcement of the noise standards) and planning/development on DIA. The IGA provides for the coordination of the parties in planning and environmental review processes as well as preparation for and to undertake litigation or other actions. The IGA also provides for the sharing of fees, costs, and other expenses among the parties. With Westminster's withdrawal, the City's share will be 5.0%.

In 2014 and 2015, the ACC and representatives from Denver negotiated an amendment to the land use provisions in the IGA between Adams County and Denver which provided for a one-time payment of \$10 million from Denver and sharing of 50% of the revenue from the new development on DIA on Designated Development Parcels as authorized pursuant to the IGA. The amendments to the IGA between Adams County and Denver were approved by the voters in both counties at the November 2015 election. The amendment requires Denver to pay Adams County, on an annual basis by March 31 of each year, 50% of the revenue derived from Denver taxes on the development or use of any Development Parcel. Denver is also required to provide an annual report to the ACC regarding land development and revenue generation. Included in the amendment was a provision providing for the creation of a Regional Planning and Marketing Entity, by separate intergovernmental agreement among the ACC and Denver. The purpose of the new regional entity is to promote and market development opportunities on and around the New Airport and assist in coordinating land use and infrastructure planning efforts by the respective jurisdictions on and around DIA.

In December 2015, the ACC also revised the 1988 agreement amongst themselves to address issues pertaining to land use, revenue sharing, and other provisions that were included in the IGA amendments. Discussions in 2017 and 2018 focused on the creation of a Regional Planning and Marketing Entity and development at Aerotropolis. In mid-2018, Adams County Board of Commissioners filed suit against Denver alleging that DA underestimated the noise impact through the use of an outdated, archaic aircraft noise modeling system. The lawsuit is seeking Denver to stop using the outdated modeling program and requesting DIA be ordered to install a new airport noise monitoring system. The court awarded noise violations to Adams County and parties, but it was appealed to the Colorado Court of Appeals in November of 2021.

The Committee usually meets quarterly on the second Wednesday of each month, February through November.

*Why the City should be represented:* The City is there to represent the interests of the city particularly with respect to airport noise and enforcement of the noise violation provisions. While the planning aspect is important, with an eye towards directing development within Adams County rather than just Denver, because of the City's

distance from DIA, this aspect isn't as important as airport noise. The actions of the Committee impact the City—financially as well as operationally.

*Expectation of the representative:* In the past, the entities participating in this Committee have wanted to present a united position to Denver as it relates to DIA. The City's representatives to this Committee need to be able to separate the issues from the emotion since there is a great deal of distrust between Adams County and City/County of Denver. There are also different and competing interests between the Adams County members, particularly as it relates to potential development around DIA.

**COLORADO MUNICIPAL LEAGUE (CML) POLICY COMMITTEE** - CML's primary role is to represent cities' interests in the Colorado legislature. In that role, they act to secure the enactment of legislation that will be beneficial to municipalities and oppose legislation that might injure them. CML is governed by a 21-member Executive Board who is elected by the member cities. The Policy Committee, one of several advisory committees, is responsible for developing the League's legislative program and for reviewing legislative proposals/providing recommended positions to the CML Executive Board. Issues that will be prevalent in the 2025 session includes affordable housing; land use, climate change, and the budget deficit.

The Policy Committee generally meets, one to two times, shortly before the start of each legislative session to consider member proposals and any items regarding potential legislation brought to the committee by staff. Workshops are also held during the session from time to time to review key municipal issues being considered by the legislature.

*Why the City should be represented:* The Policy Committee consists primarily of elected officials from around the State advocating on behalf of issues that impact their municipality. As a statewide organization that advocates on behalf of all Colorado municipalities, it is essential that Thornton have a voice in this advocacy.

*Expectation of the representative:* To be familiar with the various legislative issues and proposals that CML is proposing to take a position on and provide timely and influential feedback of the City's position to the CML Executive Committee, directly, as well as through the Policy Committee.

**DENVER REGIONAL COUNCIL OF GOVERNMENTS (DRCOG)** - DRCOG is the metro area's federally designated metropolitan planning organization, federally designated Area Agency on Aging, and state designated regional planning commission. DRCOG will soon have the federal Economic Development Designation. The DRCOG Board of Directors is comprised of 59 representatives from the 58 jurisdictions within the Denver metro area. Its mission and vision are as follows:

Mission: The Denver Regional Council of Governments is a planning organization where local governments collaborate to establish guidelines, set policy and allocate funding in the areas of:

- Transportation and Personal Mobility

- Growth and Development
- Aging and Disability Resources
- Decarbonization

Vision: Our region is a diverse network of vibrant, connected, lifelong communities with a broad spectrum of housing, transportation and employment, complemented by world-class natural and built environments.

The DRCOG Board regularly meets in-person on the third Wednesday of each month at 6:30 p.m. and as a DRCOG Board Work Session that regularly meets virtually on the first Wednesday of each month at 4 p.m.

*Why the City should be represented:* There are four primary areas that DRCOG focuses on: transportation, regional planning, active adult services, decarbonization, and soon will have the federal Economic Development District designation. Regarding transportation, the primary reason for having City representation on DRCOG is because this agency determines how transportation dollars will be spent in the DRCOG area.

In addition to transportation, DRCOG is also a hub for federal monies related to active adult services. The three primary programs that are run through DRCOG are nutrition (meals on wheels program), in-home services, and grants to provide transportation for active adults.

A third area that is overseen by DRCOG is regional planning. As part of the Metro Vision planning, DRCOG has established an urban growth boundary/area for the Denver region to promote an orderly, compact and efficient pattern of future development. DRCOG uses this UGB/A to increase the region's overall density. As a perimeter growth community, DRCOG's goals to densify are frequently in conflict with the City's goals to have good, planned development but development that is appropriate for a primarily residential, suburban community.

The fourth area that is overseen by DRCOG is decarbonization. DRCOG received a grant of just under \$200 million dollars to decarbonize residential buildings and distribute local government funding related to building review.

*Expectation of the representative:* To become familiar with the representatives of the DRCOG Board and their positions on issues presented by DRCOG staff and be able to influence policy decisions and present/propose alternative solutions. The four areas the representatives are expected to promote Thornton's interests are: transportation, regional growth (to ensure DRCOG growth policies don't prohibit our ability to grow in a manner as planned by Council), active adult services, and distribution of the decarbonization money. Thornton's DRCOG representatives also serve on the ADCOG Subregional Transportation Forum and the SW Weld Subregional Transportation Forum. These Forums are subregions of DRCOG.

*DRCOG committees* - DRCOG standing committees include:

- Advisory Committee on Aging
- Executive Committee
- Finance and Budget Committee

- Performance and Engagement Committee
- Regional Transportation Committee (RTD, CDOT, DRCOG)
- Transportation Advisory Committee (all staff)
- Regional Decarbonization Oversight Committee
- Economic Development District Advisory Committee (being formed)

**E-470 HIGHWAY AUTHORITY** - The E-470 Public Highway Authority is a political subdivision of the State of Colorado, formed in 1985 to construct and maintain a 46-mile toll highway running generally to the east of I-25. The highway consists of four segments from I-25 in Thornton to I-25/ C-470 interchange. The eight-member Board of Directors consists of elected officials of the cities of Aurora, Brighton, and Commerce City and Thornton; the Town of Parker; and Adams, Arapahoe, and Douglas counties. Ex-officio members include CDOT, RTD, and DRCOG. Affiliates include Weld County, the cities of Arvada, Greeley and Lone Tree, and the City/County of Broomfield. The Board provides direction and considers recommendations from staff related to the construction and operation of the highway.

The Board usually meets on the second Thursday of each month at 9:00 a.m.

*Why the City should be represented:* Thornton is a member of the Authority and will benefit from the full development of the Quebec Street Interchange, construction in the future of multi-modal regional trail, and as an alternate to I-25.

*Expectation of representative:* To be familiar with the issues and decisions the E-470 Authority will be making and how they impact Thornton; to voice Thornton's issues and work with the other representatives to provide viable solutions.

**NORTH I-25 COALITION** - This group includes: Adams, Larimer and Weld Counties; City/County of Broomfield; CDOT; towns of Berthoud, Evans, Erie, Firestone, Frederick, Johnstown, Mead, Milliken, Windsor, and Timnath; and the cities of Dacono, Erie, Firestone, Fort Collins, Longmont, Loveland, Thornton, Westminster, and Wellington. This group was formed to address transportation needs for the North I-25 Corridor from Thornton to the Wyoming border. Representatives from the offices of Senator Bennet and Hickenlooper and Representatives Neguse and Caraveo normally attend.

*Why the City should be represented:* In order for the plans of this group to integrate with the City's plans, it is important that Thornton be represented to convey our interests, and to maintain open communication. The North I-25 Coalition also has been very active legislatively to push for transportation funding within this corridor. N I-25 is an important freight corridor for our businesses.

**NORTH AREA TRANSPORTATION ALLIANCE (NATA)** - The North Area Transportation Alliance (NATA) is a partnership of public and private entities in the North Denver metro area working to *identify, develop, advocate and lobby* at the local, state and federal level for multimodal transportation solutions that will enhance sustainable mobility options and improve transit service, promote economic opportunity to improve

quality of life and reduce traffic congestion to safely and equitably move all people in the north metro area. NATA meetings are scheduled for the fourth Thursday of the month and are scheduled to begin at 7:30 a.m. Meetings are in-person at 1870 W. 122nd Ave, Westminster CO, 80234.

The following communities are members of NATA: cities of Brighton, Commerce City, Dacono, Erie, Federal Heights, Firestone, Frederick, Longmont, Northglenn, Thornton and Westminster; City and County of Broomfield; Adams County, and the AC-REP. Each member has a representative and an alternate, one of whom must be an elected official. Ex-Official members include State representatives from Congressional districts and Senators offices, State legislators, CDOT, RTD, and DRCOG.

Why City should be represented: The north I-25 corridor is the major transportation corridor for the City and future improvements in this area will have a significant impact on future economic development and congestion relief for people living and working in Thornton. NATA provides a collective voice to promote and obtain improved transportation within the NATA area in the form of passenger rail, bus service, and highway improvements in the north I-25 Corridor and the north metro area. The NATA area includes communities located north of I-70, east of Highway 287, west of US 85 and south of the Boulder/Larimer County line extended.

*Expectation of representative:* To become familiar with the major transportation needs/issues of Thornton and the north area; provide information to City Council; represent Thornton and NATA's interests in various arenas. The expectation is that the City's representative will advocate Thornton's transportation priorities within NATA.

**SCHOOL DISTRICT 27-J CAPITAL FACILITIES FOUNDATION** - The purpose of the Capital Facilities Foundation is to promote and assist in the development, financing and acquisition of educational facilities and improvements, which will benefit the residents of Adams County, Weld County, the City of Brighton, the City of Commerce City and the City of Thornton. The primary goal of the Foundation is to address a shortfall between the bonding capacity of the district and the capital construction needs of the district for new schools.

The Foundation meets on the second Thursday in February, April, June, September, and November at 2:00 p.m.

*Expectation of the representative.* The expectation is that Thornton's representative will advocate for adequate resources to be provided to Thornton residents which includes planning for future expansion of services and areas within which the parties can collaborate on services and facilities.

**STATE HIGHWAY 7 COALITION** – By 2040, there are projected to be more than 56,000 new residents and 38,000 new jobs along the Colorado State Highway 7 (CO 7) corridor between Brighton and Boulder because of large areas of undeveloped parcels in unincorporated areas of Adams and Boulder Counties, Lafayette, Erie, Broomfield, Thornton and the east side of Brighton. This will lead to a 37% increase in traffic along an already congested corridor. In order to prepare for the growth and development, the

CO 7 Coalition, CDOT and RTD are planning multimodal transportation improvements, including Bus Rapid Transit, a regional bikeway, pedestrian improvements and first and final mile connections.

The Coalition meets on the last Friday in January, April, June, and October.

# Thornton Boards & Commissions



THORNTON

*Making a difference in our community*

Thornton is a home-rule community and is governed by its City Charter. The Charter serves as the City's constitution. Provisions of the charter are voted on by its citizens. These provisions provide the basis for all City ordinances, policies, and procedures. All boards and commissions are created by ordinance. Each board/commission has bylaws or rules of procedure that guide the conduct of their meetings. The terms of office for most boards and commissions are four years. Board and Commission members are selected from the community, and may not be employees or elected officials of the City of Thornton.

## **BUILDING CODE ADVISORY BOARD**

**Profile:** The Building Code Advisory Board has several functions. All appeals of written rulings or administrative decisions of the Chief Building Official or the Fire Chief are taken to this Board. The Board may also determine the suitability of alternate methods and materials, and may be asked to provide reasonable interpretations of the provisions of the adopted building and fire codes. However, the Board has no authority to grant deviations or exceptions to the City's Building or Fire Codes, and does not have the authority to recommend a decrease in public safety or fire-resistant standards as set forth in the Code.

Membership consists of five individuals. Members must be qualified by experience and training pertaining to building construction and represent the following trades: engineering, architecture, building construction and design. Meetings are generally held on the second Wednesday of each month at 6 p.m., 10 to 15 days after an appeal is filed or when there is other business to discuss.

## **BUSINESSES OF THORNTON ADVISORY COMMISSION**

**Profile:** The Businesses of Thornton Advisory Commission represents Thornton businesses and makes recommendations to City Council on issues impacting the ability of businesses to be successful in Thornton. The Commission recommends to Council the use of the Vendor Fee funds on an annual basis, which is the source of funds used in commercial graffiti removal, Thornton business development programming, the shop-local campaign ShopThorntonFirst.com, and along with City staff, the Business Improvement Grant (BIG) Program. Applicants must be a business owner or manager.

Membership consists of a minimum of 9 and a maximum of 15 individuals. It is the intent that the members represent City of Thornton interests and may be a resident and/or an owner/manager in the City of Thornton. Members are appointed at the discretion of City Council. Meetings are held on the second Wednesday of each month at 6:30 p.m.

## **ELECTION COMMISSION**

**Profile:** The Election Commission makes ward reapportionment recommendations, assists with activities on election day and establishes City election precincts, along with other duties that may be set by City Council.

Membership consists of four or more citizens, with the City Clerk as Chair of the Commission. During their term of office, members cannot be candidates for elective City office. Meetings will be held during the ward reapportionment process and as needed.

## **LOCAL LICENSING AUTHORITY**

**Profile:** The Local Licensing Authority has several functions including conducting hearings and making findings of fact on whether to grant or deny a local liquor license, and reviewing alleged liquor and beer violations. The Authority also considers applications for manager registration, change of location, transfer of ownership, change in corporate structure, and request to modify the premises. Chapter 42, Article II, of the City Code has delegated approval of some of these applications, under certain circumstances, to City staff.

Membership consists of nine members. Members must be at least twenty-one years of age and represent and reflect the conscience of the community. Meetings are held the third Wednesday of each month and normally begin at 6 p.m.

## **PARKS AND OPEN SPACE ADVISORY COMMISSION**

**Profile:** The Parks and Open Space Advisory Commission advises and makes recommendations to the City Council on developing and updating the Parks and Open Space Plan. The Commission recommends projects to be funded from the proceeds of the .25% Parks and Open Space Sales and Use Tax. To be considered for funding, projects must be part of the Master Plan and must take into consideration costs for design, construction and ongoing maintenance.

Open space projects include the acquisition of land for the preservation of wildlife, wetlands, view corridors and other sensitive

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code to apply



ecosystems. Open space may also be acquired as part of a future park site or to provide buffers between neighborhoods.

Parks projects include interconnected trail systems, passive parks for family recreation and active parks for a variety of youth and adult sports activities. Membership consists of nine citizens. Meetings are generally held the fourth Tuesday of January, April, July and October at 6:30 p.m.

## PLANNING COMMISSION/BOARD OF ADJUSTMENT PLANNING COMMISSION

The purpose of the Planning Commission is to assist in the orderly development of the city by providing review of planning, zoning, and development-related matters. The Planning Commission is responsible for holding public hearings to review and provide recommendations to City Council on the following applications and city-initiated plans:

- Major Comprehensive Plan Amendments and supporting Master Plans, Area Plans and other land use-related assessments or analyses
- Amendments to the Development Code (Chapter 18 of the City Code)
- Annexations
- Zoning Amendments
- Planned Development Zoning and Overall Development Plans
- Conceptual Site Plans

## BOARD OF ADJUSTMENT

The Planning Commission also holds public hearings to review and make decisions on Specific Use Permits (SUP) and Major Development Permits that require an SUP. Development Permits approve specific site design and layout for a property.

The Board of Adjustment consists of the same individuals who serve on the Planning Commission. This board is responsible for holding public hearings on Variances which are requests to grant an exception to or variation from the zoning regulations when there are practical difficulties or unnecessary hardships in carrying out the provisions of the Development Code. The board also considers appeals of administrative planning decisions and interpretations of the Development Code.

## Membership and Qualifications

Membership consists of nine individuals appointed by City Council with representation from each ward. Two of the members must have professional experience in fields such as urban planning, architecture, land use, real estate, transportation, engineering, environmental science, or law. The experience should demonstrate a comprehensive understanding of planning principles, practices, and the ability to analyze and evaluate development proposals.

Meetings are held the first and third Tuesday of each month and normally begin at 6 p.m.

## THORNTON ACTIVE ADULT BOARD

**Profile: The purpose of the Thornton Active Adult Board is to promote and facilitate communications between the Board and City Council in matters impacting the needs and interest of citizens 55 years of age and older, and to better assist the City Council in being responsive and well**

**advised as to issues of particular relevancy to active adults. The Board makes recommendations for the most appropriate and beneficial use of the Thornton Active Adult Center and how to improve and expand citywide services for active adults.**

The Board consists of 11 members appointed by City Council, with representation from each ward, the business community, one member recommended by the 55+ Organization, Inc., one member recommended by the Mayor, and four members appointed at large. Nine of the members must be 55 years of age at the time of the appointment. The Thornton Active Adult Board meets the third Wednesday of January, April, and October at 1:30 p.m. and the third Wednesday of July at 4 p.m. at the Active Adult Center unless otherwise scheduled.

## THORNTON ARTS, SCIENCES AND HUMANITIES COUNCIL (TASHCO) BOARD OF DIRECTORS

**Profile: The TASHCO Board of Directors advises and makes recommendations to City Council regarding budgeting and master planning for visual and performing arts, science and history programming projects in the City.**

Membership consists of a minimum of five and a maximum of thirteen citizen board members appointed by City Council for the purpose of recommending goals and policies, maintaining donations and bequests, sponsoring fund raising events, applying for and accepting awards, grants, funds or cultural benefits on behalf of TASHCO, acting as a service and advocacy body for the arts, sciences and humanities, dispersing funds to carry out the purposes authorized in the approved budget, developing an Arts and Culture Master Plan and to authorize the purchase and placement of public artwork provided in the approved budget. Meetings are generally held on every second Monday of each month at 6:30 p.m.

## THORNTON ASSISTANCE FUNDS COMMITTEE

**Profile: The Thornton Assistance Funds (TAF) Committee is an advisory committee that reviews the grant applications from nonprofit organizations that serve the basic needs of Thornton residents and promote self-sufficiency. The committee provides a recommendation to City Council on which applications to fund and the level of funding.**

Each year Council appoints five to seven members to serve on the committee. All members must be residents of Thornton. One member is appointed by the Mayor, each of the four wards must be represented by a member, one member must have financial expertise, and one member must have human services/nonprofit expertise. Members may not be associated with any organization that is applying for funds. Committee terms are for one year; however, the time commitment is for four months out of the year. This committee has a four month time commitment that will start in February. The committee meets once a week every Tuesday from 4 to 7 p.m. starting in February through March. In addition, there are presentations to City Council in April and/or May.

**Apply in person or at ThorntonCO.gov.**

Revised: 9/12/2023

## CITY MANAGER'S OFFICE

### DEPARTMENT OVERVIEW

The City Manager is appointed by and serves at the pleasure of the City Council. The City Manager is the chief executive officer of the City. The responsibilities of the City Manager's Office are to carry out the policies of City Council; implement City Council's vision, goals and objectives; develop and recommend policy solutions to community problems; and plan and develop new programs to meet the future needs of the City.

### CITY CLERK'S OFFICE

The City Clerk is responsible for managing the official records of the City and providing information to the public. City Clerk functions include: reviewing, compiling, and publishing documents submitted for City Council, Thornton Development Authority, Thornton Arts, Sciences and Humanities Council, General Improvement District, and Thornton Emergency Telephone Service Authority (E-911) meetings; serving as the primary support for the Local Licensing Authority and Election Commission; preparing packets, agendas and minutes for such meetings; recording proceedings of City Council; administering City elections; administering liquor, marijuana, and other miscellaneous licensing; serving as a Passport Acceptance Facility; coordinating the recruitment process for the City's boards and commissions; providing primary notary services to the public and other departments; and coordinating the approval of the City Charter amendments, subsequent printing of the Charter, and Code amendments.

### COMMUNICATIONS

Communications produces information for citizens and community partner organizations regarding City programs, projects, events and policies, as well as Council activities and initiatives. Communications manages and produces: publications such as the City Voice newspaper; programming for the City's government access Cable Channel 8; the televising and Web streaming of City Council meetings; the City's Web page; and collateral communication materials such as brochures, bus shelter posters, and video presentations for the City as a whole and for specific departments. Communications also produces weekly electronic newsletters and administers the City's social media Web presences to keep City employees and citizens informed about City matters. Communications also handles media relations issues and communications in the event of citywide emergency situations.

### HUMAN RESOURCES

Human Resources is responsible for recruitment and selection of employees; classification and compensation analysis; processing payroll, administering employee policies, directives, and employment law; managing employee benefit programs; and

maintaining effective communications with employees at all levels of the organization.

### MANAGEMENT AND BUDGET OFFICE

The Office of Management and Budget is responsible for coordinating the annual operating and five-year capital budget process for the City. This group provides policy and resource management information and research to support the City Manager, City Council, and management staff. The Management and Budget Office coordinates the City policy planning and corporate reporting processes, including the Annual Budget Book, Annual Accomplishments Report, and the Monthly Financial Report (in collaboration with the Finance Department). In addition, the division implements reviews of departmental levels of service, tracks performance measures, and analyzes comparative benchmarking data. The division also provides policy staff support to the Mayor and Council representing the City on various outside boards and commissions. Finally, the Office of Management and Budget coordinates federal and state legislative efforts.

# CITY DEVELOPMENT DEPARTMENT

## DEPARTMENT OVERVIEW

City Development is responsible for guiding the current and future growth of the City. The Department provides the following services: providing information to the public; managing development processes; promoting and regulating development in the City; enforcing compliance with codes and ordinances; reviewing and approving development applications; administering and amending the codes and ordinances related to development; developing and maintaining GIS databases and web applications; and maintaining standardized maps.

## LONG RANGE PLANNING DIVISION

The Long Range Planning Division is responsible for maintaining, updating and implementing the Comprehensive Plan; preparing area plans and growth documents; providing professional and analytical support on other local and regional issues, and maintaining statistical data for the City. This Division also reviews and processes Metropolitan Districts, Metropolitan District Intergovernmental Agreements, and some Development Code amendments and updates.

## CURRENT PLANNING DIVISION

The Current Planning Division is responsible for the coordination of many development review functions for the City including annexations, zone change requests, conceptual site plans, subdivisions, development permits, and landscape architecture. Current Planning works with developers, residents, and other staff to address issues and prepare development projects for public hearings. Current Planning staff is the primary liaison with the Development Permits and Appeals Board and also processes Development Code amendments and updates.

## DEVELOPMENT ENGINEERING DIVISION

The Development Engineering Division includes two areas: engineering and inspection. The Division provides plan reviews and inspections for infrastructure improvements for commercial and residential projects or any project completed by a developer. Infrastructure improvements include water, sanitary sewer, curb and gutter, paving, drainage within public and private rights-of-way, and parks. This division also issues construction and traffic control permits for development projects.

## BUILDING INSPECTION DIVISION

The Building Inspection Division is responsible for the plan review, permit issuance and inspection of new construction projects and remodel of existing structures throughout the City. The Division ensures the City's standards and codes for safety, health, and public welfare are implemented and maintained by regulating and controlling the design,

construction, quality of materials, use and occupancy, and location of all buildings and structures. The division provides for the issuance of all building-related permits and associated inspections.

### CODE COMPLIANCE DIVISION

The Code Compliance Division works to preserve, stabilize, or revitalize the community neighborhoods through cooperation and collaboration with residents, local resource organizations, and other City departments. The Code Compliance Division is responsible for enforcing City ordinances on development regulations, and outside property maintenance issues, such as junk, litter, and outside storage. Code Compliance also operates the City's free graffiti removal programs.

### REGIONAL TRANSPORTATION DIVISION

The Regional Transportation Division initiates and coordinates mid- and long-range local and regional transportation planning projects. This includes updating the City's Transportation and Mobility Master Plan; monitoring state and federal transportation trends and legislation; coordinating and serving on working groups and committees with the Denver Regional Council of Governments (DRCOG); coordinating with the Regional Transportation District (RTD) regarding bus and rail service; coordinating with the Colorado Department of Transportation (CDOT) on issues relative to the City and region; and coordinating and participating in regional transportation groups such as the North Area Transportation Alliance (NATA), Smart Commute Metro North, I-25 North Coalition and Highway 7 Coalition.

# ECONOMIC DEVELOPMENT

## DEPARTMENT OVERVIEW

Economic Development is responsible for managing programs and policies that expand economic opportunity for residents and businesses in the City of Thornton, while building the local tax base. This is done through the attraction, retention and growth of businesses with the goal of creating quality jobs and increasing the City's retail base. In early 2011, City Council restructured Economic Development to specifically focus on primary employment attraction, retention, and expansion as well as retail development, redevelopment, and small business support. The department has a staff of eight full time and one contract employee, this includes the Director, the Marketing Administrator, the Executive Assistant, Alliance Business Outreach Specialists in addition to the administrators for each of our four focus areas. Our web page can be found at [www.businessinthornton.com](http://www.businessinthornton.com).

## PRIMARY EMPLOYMENT ATTRACTION, RETENTION, AND EXPANSION

Primary Employers are those whose markets are predominantly not local; they sell their products and services nationally and internationally, outside of the metro Denver region. This is important because these products and services are typically of a specialized nature, demanding higher skill sets and education. As such, they typically command higher wages and benefits and better economic opportunity for residents. Because their markets are external, they bring new money into the community, which is then circulated by businesses with local markets. The City has been historically under-served in primary employment, however in recent years, the number of primary jobs has grown dramatically.

## RETAIL DEVELOPMENT

Retail sales taxes typically represent about 65% of general fund revenues for local governments in Colorado. As such, their activity is important to the economic health of the City. The department's goals include providing an increased range of goods and services to support our residents, but to also draw shoppers from outside the community to encourage them to spend their money in Thornton. While retail wage levels are not as high, their benefits to the health of the City budget are critical. City staff works to both recruit and retain retail businesses. In recent years, the City has been able to attract several regional retailers to build new construction projects including the Simon Premium Outlets, Top Golf, Chicken N' Pickle, Billy Burch restaurant, K1 Speed, Main Event and the new large format King Soopers Marketplace. In addition, there have been significant efforts to fill vacancies in large retail centers resulting in the recruitment of Gordon Foods in the former K-Mart building, Malibu Jacks and the Picklr occupying space in Thornton Town Center, and Living Spaces opening in the former Sears Grand building.

## REDEVELOPMENT

The Redevelopment departmental responsibility includes working to revitalize areas of the City with development or redevelopment challenges such as blight and underutilization. There are three urban renewal areas (URAs) in Thornton including the South Thornton URA (includes most commercial areas south of 104<sup>th</sup> Avenue), the North Washington Street Corridor URA (includes the Larkridge development, generally bounded by Highway 7, 144<sup>th</sup> Avenue, I-25 and Washington Street), and the East 144<sup>th</sup> Avenue URA (The Grove development). Significant progress in redevelopment includes acquisition, tenant relocation, demolition and community reuse visioning at the Thornton Shopping Center, with major efforts in environmental cleanup continuing into 2025. In addition, Council has approved a plan to make significant public improvements to Washington Street between Eppinger and 84<sup>th</sup> Avenue and funded a pilot grant program aimed at improving facades, signage and landscaping in the area.

## LOCAL BUSINESS SUPPORT

Thornton's small business support services have evolved and grown tremendously in recent years. Focused on enhancing the success of local business owners, the City has implemented several opportunities for small businesses to utilize.

Opened in 2020, the Alliance Business Assistance Center is an alliance of private, public and non-profit resource providers joined together under one roof to help local businesses start, grow, and thrive. Here, business owners from across Metro Denver are able to make use of the free and bilingual services such as meeting and co-working space, business and legal consulting and technical assistance, workshops, access to capital, site selection assistance, and networking events.

Exclusive to Thornton businesses are grant programs, a Small Business Task Force, marketing support, the Thornton Area Business Safety (TABS) program, and ribbon cutting events.

# FINANCE DEPARTMENT

## DESCRIPTION OF DEPARTMENT

The Finance Department is responsible for the administration of all financial record keeping and reporting functions required by the City Charter. There are three divisions within Finance: Accounting & Finance, Sales & Use Tax, and Utility Billing. Each division has its own role in the Department's overall mission of supporting a financially responsible and self-sustaining City.

## ACCOUNTING & FINANCE

The purpose of the Accounting & Finance Department is to aid in the proper stewardship of City resources and maintain long term financial sustainability. The Department is responsible for revenue forecasting; long-term financial planning; accounts payable; collecting, analyzing, and reporting financial data to City management, creditors, and the general public; as well as investment and debt management.

## SALES & TAX

The purpose of the Sales & Use Tax Department is to ensure compliance with Thornton tax code and monitor and collect revenues for the City. This is done through providing Thornton Taxpayers excellent service by helping them understand our tax laws and filing requirements by applying these laws accurately and fairly.

## UTILITY BILLING

The purpose of the Utility Billing Department is to manage the billing and collections for the water, sewer, stormwater, and sanitation utilities. The department ensures accurate and timely billing and collections of utility charges while providing exceptional customer service.

# FIRE DEPARTMENT

## DEPARTMENT OVERVIEW

The Fire Department is responsible for all the life safety emergencies within our community, including all types of fires, technical rescue, hazardous materials, and emergency medical services (EMS). The Thornton Fire Department has automatic and mutual aid agreements with our neighboring jurisdictions for them to assist us and for us to assist them when additional resources are needed. The department is comprised of five divisions: Fire Administration, Emergency Operations, EMS and Ambulance Services, Fire Training, and Fire Prevention. The department currently has seven fire stations, with an eighth fire station scheduled to open in 2025.

## FIRE ADMINISTRATION

This division includes the Fire Chief, the Deputy Chief of Administrative Operations, the Assistant Chief of Planning, Emergency Management, and respective support staff. The Fire Chief oversees the department's organization, budget, planning, operations, ambulance service, and fire prevention efforts. The Deputy Chief of Administrative Operations provides budget implementation and tracking, planning and logistical needs including purchasing, and emergency management oversight.

## EMERGENCY OPERATIONS

The Deputy Chief of Operations supervises the Emergency Operations Division. The division is comprised of the frontline personnel (firefighter/EMTs, paramedics, engineers, company officers, assistant chief of training, assistant chief of EMS, assistant chief of logistics and special operations, and the shift battalion chiefs) that respond to all hazard emergencies including fire and EMS. This division is staffed by the firefighters who respond on the engines, ladder truck, and ambulances on a 24-hour a day basis. The services they provide include fire suppression, emergency medical responses, wildland firefighting, hazardous materials mitigation, technical rescue operations that may include water, high and low angle, confined spaces, collapse, and vehicle extrication. These specialty teams are overseen by the assistant chief of logistics and special operations who also oversees the department's health and safety program.

## TRAINING SERVICES

The Assistant Chief of Training supervises this division. The Assistant Chief of Training reports to the Deputy Chief of Operations to coordinate Fire Department training needs. The division coordinates all of the internal and external departmental training, outside training, new recruit training and the annual firefighting academy.

## EMERGENCY MEDICAL AND AMBULANCE SERVICES

The Thornton Fire Department provides emergency medical services (EMS) at the advanced life support (ALS) level using fully trained and certified paramedics. They also operate full-service ambulances, staffed with cross-trained firefighter/paramedics, who have dual responsibilities of fire suppression and medical duties. Over 70% of the calls responded to by the department annually are emergency medical calls. The Assistant Chief of EMS reports to the Chief of Operations to coordinate the medical training, serves as the liaison to the department's Medical Director, supervises the shift Safety and Medical officers (SAM), oversees the medical billing operation, and chairs various EMS and quality assurance committees.

## FIRE PREVENTION

The Fire Prevention Division is responsible for reviewing all building plans for new businesses in the community with respect to fire protection elements. It also oversees all building inspections, with respect to fire protection elements, which include schools, as well as new construction and remodels. This division works diligently to prevent fires and harm to our citizens, as well as assuring that all the buildings constructed in the community are the safest possible. The Deputy Chief of Fire Prevention (Fire Marshal) oversees this division and its staff of Fire Protection Specialists. Prevention also includes the Public Education/Information Office that delivers life safety education programs to the community. This office hosts the annual Citizens' Fire Academy, and the Hook and Ladder Academy for high school students. Additionally, this division oversees the fire investigations program as well as counsels youth in need of help through the juvenile fire-setter diversion program.

# INFRASTRUCTURE DEPARTMENT

## DEPARTMENT OVERVIEW

The Infrastructure Department is responsible for the water utility in addition to a variety of public works services. A staff of roughly 220 employees plan, operate, and maintain the City's infrastructure, which includes the transportation system including streets and traffic systems, stormwater or drainage systems, water and wastewater systems; residential solid waste collection and recycling services; and the procurement, operation, and treatment of the City's water supply. The functional areas within the Infrastructure Department include Street Operations, Traffic Engineering and Operations, Environmental Services, Utilities Operations, Water Treatment and Quality, Water Resources, Engineering Services, and the Thornton Water Project Team.

## STREET OPERATIONS DIVISION

The Street Operations Division maintains the City's street and drainage systems. The primary programs are street rehabilitation and maintenance, concrete replacement, snow removal, street sweeping, unimproved road grading, drainageway and detention pond debris removal, and storm sewer flushing.

## TRAFFIC ENGINEERING AND OPERATIONS DIVISION

The Traffic Engineering and Operations Division provides engineering services related to the safe and efficient movement of people through the City and maintenance of traffic control devices. Primary programs are the design, operation, and maintenance of traffic signals, signs, pavement markings, and streetlights; preparation of traffic studies; coordination of the iwatch™ Speed Awareness Program; and coordination of the Residential Collector Speed Reduction Program. The division also coordinates with school districts for school routes and zones.

## ENVIRONMENTAL SERVICES DIVISION

The Environmental Services Division is responsible for providing customers with a convenient, efficient, economical, and dependable integrated solid waste management system. Components of the collection service include weekly trash collection, semi-monthly recycle collection, and various special collection programs.

## UTILITIES OPERATIONS DIVISION

The Utilities Operations Division is responsible for maintenance and repairs of the water distribution system, sanitary sewer collection system, meter reading and

meter maintenance functions, operation and maintenance of pump stations, water tanks, and sewage lift stations. Thornton contracts with Metro Wastewater for the treatment of the City's wastewater.

### WATER TREATMENT & QUALITY DIVISION

Water Treatment is responsible for the operation and maintenance of the Thornton and Wes Brown Water Treatment Plants, operation of the water distribution system, and maintenance of the City's electronic control system for all water, wastewater, and raw water-related infrastructure.

Water Quality is responsible for monitoring the quality of water from its origins in the mountains all the way to the customers' homes. Water Quality maintains an extensive laboratory to conduct accurate monitoring and to ensure potable water meets all state and federal drinking water requirements and to assist with periodic compliance testing of wastewater discharges.

### WATER RESOURCES DIVISION

The Water Resources Division manages, operates, maintains, and accounts for the City's raw water systems and water rights in the water basins from which the City draws water for its potable water supply. The division is responsible for the acquisition and protection of raw water resources and coordinates associated adjudication efforts. The Water Resources Division identifies and pursues opportunities to develop cost-effective alternative water supplies, encourages reduced water consumption throughout the community through implementation of water conservation programs, and promotes school-based education programs. The division operates and maintains the City's reservoirs and non-potable irrigation supply systems. The Water Resources Division also manages the farms and water rights in Weld and Larimer Counties that were purchased by the City in the mid-1980s. This division creates and manages leases with farmers, and undertakes other duties related to managing large amounts of farmland and preparing the farmland for removal of water for use in Thornton.

The division is also responsible for the acquisition, disposition, and inventory of City-owned real estate, including water and mineral rights. Further, the division oversees the writing and execution of real estate related policies.

### ENGINEERING SERVICES DIVISION

The Engineering Services Division manages the design, right-of-way acquisition, and construction of the Capital Improvement Program pertaining to the City's infrastructure (streets, drainage, water, sewer, traffic), and provides surveying support to all divisions within the Infrastructure Department. Additional responsibilities of the division include construction management of the street rehabilitation program, coordinating the federally mandated stormwater

management program, performing utility locates, issuing right-of-way permits for construction, and floodplain management.

### THORNTON WATER PROJECT DIVISION

The Thornton Water Project Division is responsible for the implementation of the water supply project to convey the City's Poudre Basin water rights for use in the City. The division directs consultants and contractors in the permitting, rights-of-way acquisition, design, procurement, and construction of the pipeline and associated facilities necessary to deliver the water to Thornton. The division also directs the communications and outreach efforts associated with the Project.

# MANAGEMENT SERVICES DEPARTMENT

## DESCRIPTION OF DEPARTMENT

The Management Services Department is responsible for providing internal support to all City Departments. Nine Divisions exist within Management Services, each with their own role in the Department's overall mission of supporting the City's daily operations and services to help keep them running as efficiently as possible. The support areas that make up these Divisions include: Risk Management, Information Technology, GIS, Contract Administration, Purchasing, Building Maintenance, Fleet Maintenance, and Custodial Services. The Department also manages the operations of the Municipal Court.

## RISK MANAGEMENT

The mission of the City of Thornton's Risk Management Division is to manage the City's risk management and self-insurance programs to protect the City's financial and operational assets. Risk Management is responsible for evaluating risk exposures throughout the City and coordinating ways to transfer and manage the exposures via contractual agreements or through insurance coverages. Risk Management works with insurance brokers and pool administrators to negotiate the best terms, conditions, and premiums for nine lines of insurance. Risk Management manages a Workers' Compensation self-insurance program. Risk Management manages insurance claims internally or through partners and works directly with the City Attorney's Office on lawsuits against the City. Risk Management is responsible for citywide employee safety training and programs including overseeing the City-wide Safety Committee. Risk Management is responsible for managing over 600 Certificates of Insurance from contractors throughout the City. Finally, Risk Management is responsible for the city's overall ADA compliance.

## INFORMATION TECHNOLOGY

Information Technology provides the technology services for all City operations. Responsibilities include acquisition, implementation, support, and ongoing maintenance for computers, servers, mobile devices, network connectivity and voice systems for all City departments. From a strategic perspective, Information Technology works closely with City departments to match technology tools to business needs to improve efficiency and effectiveness of day-to-day operations.

I.T.'s mission is to provide state-of-the-art technology solutions coupled with superior customer service. The City of Thornton IT Division enables City departments to deliver high quality, reliable and cost-effective services to the community by providing the best technology service offerings to staff through innovative leadership and planning.

The GIS division (Geographic Information System division) within Thornton is responsible for managing and utilizing spatial and geographic data to support various City planning, infrastructure, and public service functions. GIS technology involves mapping and analyzing data related to locations and geographic features. We support the City by creating maps and web applications that can provide senior staff with the metrics needed to make data-driven decisions that can benefit residents as well as streamline City operations.

## SUPPORT SERVICES

Support Services provides administrative support, supervision, and guidance to the following divisions: Contract Administration, Purchasing, Building Maintenance, Fleet Maintenance, and Custodial Maintenance. Support Services is also responsible for the project management of all City building construction efforts.

The Contract Administration Division and Purchasing Division are responsible for: bidding, negotiating, and administration of all contracts related to capital construction and related professional services; monitoring and negotiating changes to existing contracts; coordinating financial aspects of those changes with Budget Office staff; and enforcing equity and transparency, through open-market competition as directed by the City Purchasing Ordinance. The Purchasing Division also provides centralized purchasing of commodities and capital equipment needed for City operations; solicits proposals; negotiates and administers all contracts for non-professional services; disposes of all surplus or obsolete material and equipment; and administers the city-wide Procurement Card program.

The Building Maintenance, Fleet Maintenance, and Custodial Maintenance Divisions are responsible for coordinating and performing general maintenance and repair for all City buildings, coordinating remodeling or new construction work required at any City building, overseeing all work performed by the City's fleet maintenance contractor, and providing oversight of fleet needs from origin to disposal.

## MUNICIPAL COURT

City Council appoints a Presiding Municipal Court Judge and Associate Judges who preside over the City's Municipal Court. The Court has the jurisdiction to hear and determine all matters outlined in Thornton's City Charter and adopted ordinances. City Council establishes the costs and fees levied by the Municipal Court based on recommendations by the Presiding Judge.

The Municipal Court staff processes all summons and complaints, schedules arraignments and trials, and coordinates dates and times with involved parties. The Court receives assessed fines and fees and administers payments to jurors and witnesses. The Court Manager is responsible for all records of the Court.

# PARKS AND RECREATION DEPARTMENT

## DEPARTMENT OVERVIEW

The Parks and Recreation Department provides a wide array of activities and programs to meet the parks, recreation and community service needs of the City of Thornton. The areas which make up the Parks and Recreation Department include Parks and Planning, Recreation (Golf), Active Adults, Arts and Culture, Volunteerism and Community Connections (Human Services).

## PARKS AND PLANNING DIVISION

The Parks Division is responsible for the general maintenance of all parks, trails, open space, civic building landscaping, City-owned vacant land and undeveloped rights-of-way. Responsibilities include, but not limited to, turf management; irrigation; mowing; Naturally Thornton (bluegrass conversions) and amenity maintenance of pavilions, playgrounds, ball fields, tennis, and basketball courts, in-line hockey rinks, and skate parks. This division provides all landscape maintenance for developed medians and streetscapes throughout the city as well as manages lakes, fishing facilities, and oversees all urban forestry programs. The division plays a significant role in the setup and operations of all City sponsored festivals and special events.

The Planning Division is responsible for working with the Parks and Open Space Advisory Commission in the creation and implementation of the Parks and Open Space Master Plan. The division is also responsible for the design and construction management of the capital improvement projects for the Parks and Recreation Department and for applying for outside grant funding toward related projects.

## RECREATION DIVISION

The Recreation Division manages and oversees the Trail Winds and Carpenter Recreation centers, two full-service recreation facilities. These exquisitely maintained buildings offer an impressive variety of amenities which include state of the art fitness equipment, full size gymnasiums, indoor pools, sauna and steam, locker rooms, exercise studios, multi-purpose rooms, racquet ball courts, a climbing wall, meeting rooms, party rooms and childcare. The Thornton Community Center (rebuilt in 2023/2024), which is home to the Youth and Teen Center and Boxing Club, will replace the original center build in the 70's. In addition, the division manages other community facilities including the Thorncreek Golf Course, 3 skate parks, the Riverwalk batting cages and ballfields, two outdoor swimming pools, tennis courts, pickle ball courts, the boathouse and carousel, and a plethora of City-owned park facilities.

The division coordinates programs and activities which include teen nights, an extensive swim lesson program, youth and adult swim teams, a preschool and gymnastics program, girls' softball, youth tennis and track programs, fitness classes, personal training, community walks and an Adaptive and Inclusive program for all ages. The Recreation Division also offers some general interest classes, such as cooking, pottery and beginning line dancing, as well as adult sports leagues (basketball and softball). Additionally, the Recreation Division oversees the coordination of a variety of annual special events that include the 4th of July Celebration, the Easter Egg Scramble, Lions Club Relays, Trunk or Treat, Paws for a Dip, as well as the three major annual community festivals (Thorntonfest, Harvest Fest, and WinterFest) attracting over 200,000 participants.

### THORNTON ACTIVE ADULT DIVISION

The Thornton Active Adult Center and Active Adult Wing at Trail Winds Recreation Center serves active adults focusing on the 62+ population, providing opportunities to thrive and grow through the aging process. By encouraging community engagement, active older adults are able to continuously learn, achieve, and age well.

The division works with the Council-appointed Thornton Active Adult Board to make recommendations to City Council on various active adult issues. The center, in conjunction with community partnerships, provides a broad range of activities and services for active adults that includes adult enrichment, fitness and health programming, a meal program, outdoor recreation, wellness services, and intergenerational programming opportunities. The division also works to provide enrichment programming for active adults over 18.

### ARTS AND CULTURE

The Arts and Culture Division was established in 2006 to offer community-based programs and year-round events in partnership with other City departments and nonprofit organizations. The Arts and Culture division mission is to engage and celebrate a creative community that welcomes all forms of culture expression. The division develops and presents art classes, camps, annual concert series and cultural events, exhibits and public art with funding provided by the City, Adams County, and the Scientific Cultural and Facilities District (SCFD). Arts and Culture staff also serve as liaisons for the Thornton Arts, Sciences and Humanities Council (TASHCO) with Thornton City Council, City management and City services, and provide year-round administrative, financial, and logistical support for TASHCO-sponsored public art projects, community events, and monthly board meetings.

## VOLUNTEERISM

The volunteer program is based in the Administration division of the department and works with division managers to identify beneficial volunteer projects and opportunities for individuals and groups. Community service volunteers assist the city's lower income community and seniors through the Snowbuster and Yardbuster programs. Other initiatives include major community projects pulling in hundreds of volunteers for specific initiatives.

## COMMUNITY CONNECTIONS

Community Connections is Thornton's neighborhood resource center. English-Spanish bilingual team members work to understand the diverse needs of Thornton neighbors and provide heartfelt service in connecting them to opportunities for employment, housing, home repairs, health, financial assistance, food access, education and beyond. Staff champion and facilitate the development of affordable and workforce housing and oversee Thornton's Homeless Outreach Team (HOT) and homelessness initiatives. The Community Connections team is responsible for Thornton's outreach to schools, faith-based organizations, housing communities, nonprofit service providers, government partners, and the larger community, sharing information and available supports. The division lifts nonprofit allies through financial awards from federal and City sources and builds collaboration through hosting farmers markets, holiday programming, community gardens, and educational classes. Community Connections offers free wi-fi, equipment lending, and access to private and shared workspaces. Together the Community Connections team is meeting the mission of enhancing lives through connection.

# POLICE DEPARTMENT

## DEPARTMENT OVERVIEW

The Thornton Police Department's major objectives include crime prevention, safe public spaces, and traffic safety. These objectives are achieved through neighborhood patrol, investigations, partnerships, and community engagement.

## MISSION

To serve and protect in partnership with the community, working to reduce crime and disorder, while providing the highest quality police services.

## VISION

A safe and prosperous City served by a police department recognized as the standard of excellence.

## CORE VALUES

The police department's core values establish the guiding principles that are the standards of behavior and performance by which we achieve our mission and vision. The activities of the department, awards, promotions, and strategies will be grounded in the mission, vision, and core values.

- Integrity
- Leadership
- Service
- Teamwork
- Accountability
- Safety

## Office of the Chief

The department is guided by the **Office of the Chief of Police**, which is responsible for executive leadership, strategy, intergovernmental relations, and management of special projects. The functions and units assigned to the Office of the Chief include Budget and Grants Administration, Media and Community Engagement, and Policy and Planning. The chief of police and deputy chiefs are responsible and accountable for the efficient operations of the department's two Bureaus: Operations Bureau (Patrol, Criminal Investigations), and Administration Bureau.

The **Patrol Division** provides a highly visible presence, forging partnerships, responding to calls for service, and engaging the community at events, regular neighborhood safety meetings, and through information campaigns. The Patrol Division has two district stations: District One, which is located at police headquarters, and District Two, located at the Fossil Ridge Public Safety Center. Among other units and functions, Patrol consists of the following:

- Neighborhood Patrol
- Co-Responder Team
- Traffic Enforcement
- Animal Control
- SWAT
- Traffic Investigations
- Youth Services (SRO)
- K9 Service Dogs
- Crisis Negotiations

The **Criminal Investigation Division (CID)**, also known as the Detective Division, supports the efforts of Patrol by conducting investigations and follow-up on major cases, including homicides, shootings, serious assaults, robberies, burglaries, and other incidents as assigned. CID investigators also participate in local and federal task forces that focus on violent crime, aggravated robberies, white collar crime, and narcotics trafficking. The major units within the division include Crimes Against Persons, Property Crime, and the Victims Services Unit.

The **Administration Division** supports department operations and manages risk and liability through training and active accountability measures. The Administration Division plays a vital role in the department's success and includes:

#### Support Services

- Emergency Communications/911
- Records Management
- Property and Evidence Warehouse
- Vehicle Services
- Field Technology

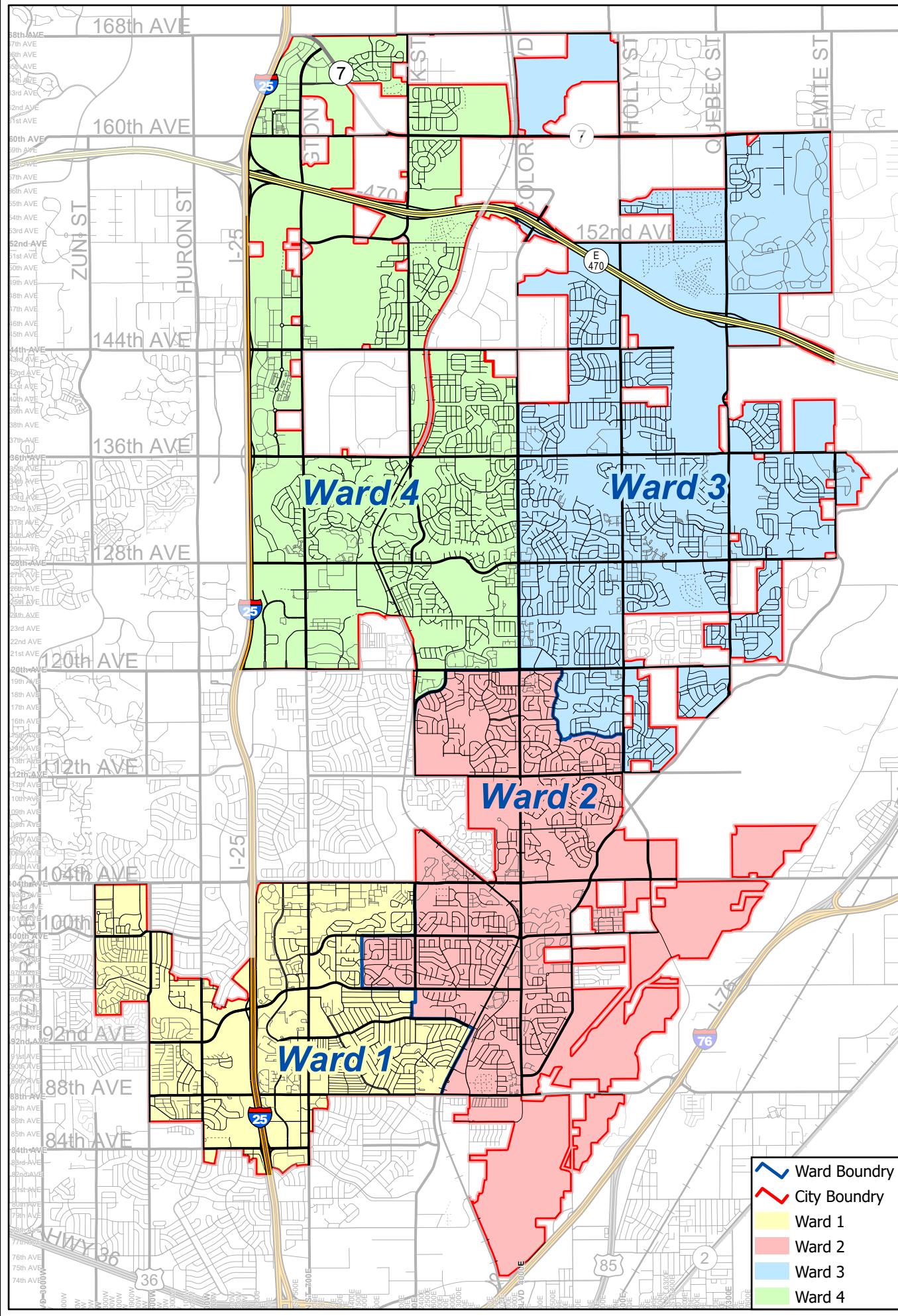
#### Professional Standards

- Training Unit
- Internal Affairs
- Audits and Inspections
- Accreditation
- Recruiting

## MAJOR PROJECTS

In 2024, the police department's training unit became state-certified by Colorado Peace Officer Standards and Training (POST) to conduct basic police certification for individuals interested in entering a law enforcement career. The inaugural class for Thornton PD's first ever state-certified police academy is set to kick off in April of 2025.

Additionally, phase two of the training center (firearms range) opened in October 2024, which is highly beneficial, allowing officers to train on critical job functions while being able to stay within the city.



1:75,600  
Printed  
5/8/2024

City of Thornton  
9500 Civic Center Drive, Thornton, Colorado 80229. (303) 538-7295

# Wards

Effective January 1, 2023

**GIS DATA DISCLAIMER**

The City of Thornton GIS has made every reasonable effort to represent geographic data as accurately as possible, and assumes no liability associated with the use or misuse of its products. Information contained herein is for representational purposes only and is not intended to be substituted for accurate boundary locations, legal or professional opinions.



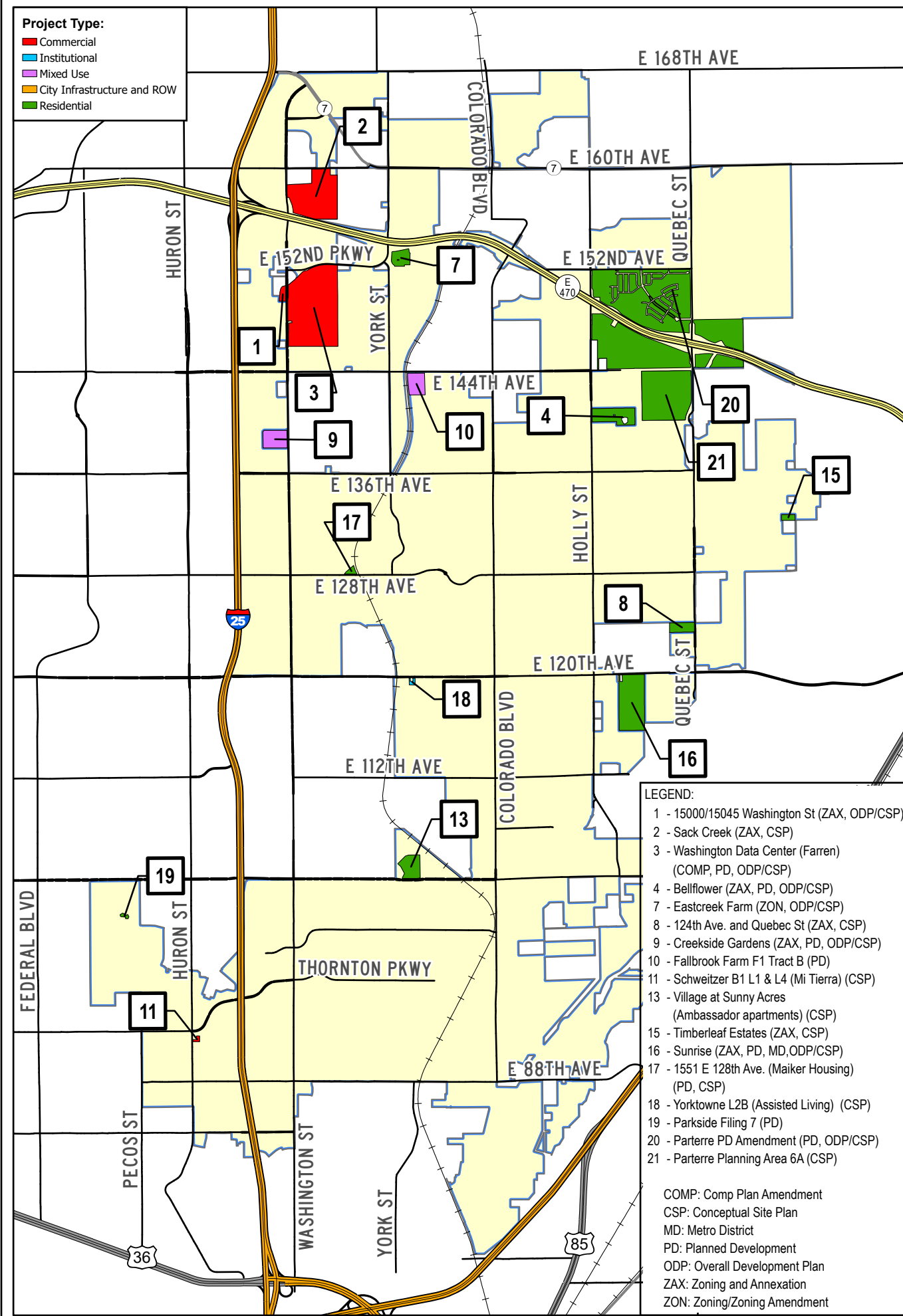
- Ward Boundary
- City Boundary
- Ward 1
- Ward 2
- Ward 3
- Ward 4

**Project Type:**

- Commercial
- Institutional
- Mixed Use
- City Infrastructure and ROW
- Residential



1:79,628



**LEGEND:**

- 1 - 15000/15045 Washington St (ZAX, ODP/CSP)
- 2 - Sack Creek (ZAX, CSP)
- 3 - Washington Data Center (Farren) (COMP, PD, ODP/CSP)
- 4 - Bellflower (ZAX, PD, ODP/CSP)
- 7 - Eastcreek Farm (ZON, ODP/CSP)
- 8 - 124th Ave. and Quebec St (ZAX, CSP)
- 9 - Creekside Gardens (ZAX, PD, ODP/CSP)
- 10 - Fallbrook Farm F1 Tract B (PD)
- 11 - Schweitzer B1 L1 & L4 (Mi Tierra) (CSP)
- 13 - Village at Sunny Acres (Ambassador apartments) (CSP)
- 15 - Timberleaf Estates (ZAX, CSP)
- 16 - Sunrise (ZAX, PD, MD, ODP/CSP)
- 17 - 1551 E 128th Ave. (Maiker Housing) (PD, CSP)
- 18 - Yorktowne L2B (Assisted Living) (CSP)
- 19 - Parkside Filing 7 (PD)
- 20 - Parterre PD Amendment (PD, ODP/CSP)
- 21 - Parterre Planning Area 6A (CSP)

COMP: Comp Plan Amendment  
 CSP: Conceptual Site Plan  
 MD: Metro District  
 PD: Planned Development  
 ODP: Overall Development Plan  
 ZAX: Zoning and Annexation  
 ZON: Zoning/Zoning Amendment

**City of Thornton**  
 9500 Civic Center Drive, Thornton, Colorado 80229. (303) 538-7295  
**Quasi-Judicial Applications**  
 as of February 25, 2025

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## QUASI-JUDICIAL APPLICATION SUMMARIES

### 1) 15000/15045 Washington Street

Application: Zoning and Annexation (ZAX) & Conceptual Site Plan (CSP)

Applicant: Terra Partners, LLC (Cory Furst), [cfurst@terrapartnersco.com](mailto:cfurst@terrapartnersco.com), (303) 630-9537

Property Owner: Waynes Way LLC, Barry and Deborah Dodd

Address/General Area/Property size: 15000/15045 Washington Street, located on the west side of Washington St between E 148<sup>th</sup> Avenue and East 152<sup>nd</sup> Parkway, encompassing two parcels of land equaling approximately 4.94 acres.

Proposal: The applicant is requesting to annex the subject properties for the purpose of constructing a single-story 43,202 square-foot flex warehouse and a four-story 128,860 square-foot indoor mini warehouse building. The proposed zoning for the properties will be Planned Development (PD).

Planner Contact: Ellie Hassan, Senior Planner, [Ellie.Hassan@ThorntonCO.gov](mailto:Ellie.Hassan@ThorntonCO.gov), 303-538-7438

### 2) Sack Creek

Application: Annexation, Zoning (BP), Conceptual Site Plan (CSP)

Applicant: Scannell Properties, LLC (Noam Newman), [moamn@scannellproperties.com](mailto:moamn@scannellproperties.com), 303-385-8545

Property Owners: Robert J Harmoush Trust (Robert Harmoush), 1800 Jackson, LLC (Philip Day) and ELV Ltd. (Dan Pergola)

Address/General Area/Property Size: 15770 / 15800 / 15850 Washington Street and 1300 East 160th Avenue, located on the east side of Washington Street between East 160th Avenue and E-470. The property is approximately 121.6 acres.

Proposal: A portion of the subject property is located outside of the City limits, necessitating annexation and zoning. The applicant is requesting Business Park (BP) zoning with the annexation and for the balance of the property. The requested zoning will allow industrial, and warehouse uses, as well as numerous institutional, retail and office uses. The proposed CSP shows six warehouse / industrial buildings, one of which is close to 500,000 square feet in size. The Future Land Use Plan shows the site as Employment Center – Warehousing Overlay.

Planner Contact: Collin Wahab, Principal Planner, [collin.wahab@thorntonco.gov](mailto:collin.wahab@thorntonco.gov), 303-538-7379

### 3) Washington Data Center (Farren)

Application: Comprehensive Plan Amendment (COMP), Planned Development Amendment (PD), and Conceptual Site Plan (CSP)

Applicant: Kimley-Horn (Stephen Litsas), [stephen.litsas@kimley-horn.com](mailto:stephen.litsas@kimley-horn.com), 720-647-6231

Property Owners: Bullwash 31 LLC ET EL (Clarke Carlson)

Address/General Area/Property Size: The property is approximately 232 acres and is generally located southeast of Washington Street and East 152<sup>nd</sup> Parkway, west of Big Dry Creek.

Proposal: The proposed Comprehensive Plan Amendment proposes to change the Future Land Use Designation from Mixed-Use Neighborhoods to Employment Center to support the proposed Planned Development Zoning Amendment and Conceptual Site Plan. The proposal includes the development of six (6) approximately 225,000 square-foot data center buildings, a substation, and associated site improvements.

Planner Contact: Collin Wahab, Principal Planner, [collin.wahab@thorntonco.gov](mailto:collin.wahab@thorntonco.gov), 303-538-7379

#### **4) Bellflower**

Application: Annexation, Zoning (PD), Overall Development Plan / Conceptual Site Plan (ODP/CSP)

Applicant: Boulder Creek 14000 LLC (Mike Cooper), [mcooper@livebouldercreek.com](mailto:mcooper@livebouldercreek.com), 720-837-5491

Property Owners: 14000 Holly Street Trust and Holly Street Ventures LLC

Address/General Area/Property size: Generally located east of Holly Street and north of East 140th Avenue. The two properties are approximately 37.7 acres total.

Proposal: The applicant is proposing an Annexation, Zoning, and a CSP for approximately 37.1 acres of land across two parcels for a residential development consisting of single-family detached patio homes. A total of 110 units are proposed for the property with a density of 2.9 dwelling units per acre (du/acre). Surrounding land uses include single-family detached homes, open space, and vacant land. One full-movement access point is proposed with southern access from East 140th Ave and an emergency-only access is proposed from Ivy Court. The development will have two parks and a trail through the northeast corner of the site. The parks include outdoor cooking areas, community gardens, shade structures, and outdoor recreation spaces. The proposed zoning designation is Planned Development, and the Future Land Use Designation is Single-Family Neighborhood, with a corresponding density range of 1-8 DU/acre.

Planner Contact: Ellie Hassan, Senior Planner, [ellie.hassan@Thorntonco.gov](mailto:ellie.hassan@Thorntonco.gov), 303-538-7438

#### **7) Eastcreek Farm ODP/CSP Amendment**

Application: Planned Development Amendment (PD) & Overall Development/ Conceptual Site Plan (ODP/CSP)

Applicant: Henry Design Group, Inc (Monika Krapichler. PLA)

Property Owner: Lennar Colorado, LLC. (Brian Stockton), [brian.stockton@lennar.com](mailto:brian.stockton@lennar.com), 303-957-8477

Address/General Area/Property size: The proposal encompasses a parcel, known as Planning Area 3 Eastcreek Farm, that is currently vacant. The site is approximately 17.18-acres and is generally located north of E. 152<sup>nd</sup> Ave and east of York Street, directly south of E-470.

Proposal: The applicant is requesting approval of a PD Amendment and an ODP/CSP to develop 174 single-family attached- townhomes on individual lots for a density of 10.13 units per acre. The proposal is the final phase of the overall 93-acre Eastcreek Farm development. The proposed ODP/CSP includes a 2.52-acre neighborhood park and several small pocket parks scattered throughout the neighborhood. The development includes two access points one from E 152 Ave and an access from single-family development to the east. The site currently has a zoning designation of Planned Development for the development of a Multifamily campus. The Zoning Amendment proposes to change this Multifamily designation to allow for the development of Single Family Attached- Townhomes. The proposed Zoning Amendment is consistent with the Comprehensive Plan's Future Land Use Designation of Mixed Residential Neighborhoods.

Planner Contact: Ellie Hassan, Senior Planner, [ellie.hassan@Thorntonco.gov](mailto:ellie.hassan@Thorntonco.gov), 303-538-7438

### **8) 124<sup>th</sup> Ave. and Quebec St.**

Application: Annexation, Zoning (SFA), Conceptual Site Plan (CSP)

Applicant: Norris Design (Elyse Applegate)

Property Owners: CO Land Group LLC

Address/General Area/Property Size: W of intersection of Quebec St and E 124<sup>th</sup> Ave, APN 0157132400003. The property is 14.61 acres in size

Proposal: Annexation, Initial Zoning, and a Conceptual Site Plan for a new residential community consisting of at least two different home types which may include duplexes, triplexes, townhomes, or other medium density residential uses.

Planner Contact: Warren "Walt" Rivera, Planner II, [warren.rivera@thorntonco.gov](mailto:warren.rivera@thorntonco.gov), 303-538-7596

### **9) Creekside Gardens**

Application: Annexation, Zoning (PD), Conceptual Site Plan (CSP)

Applicant: Evergreen Development (Tina Hippeli), [thippeli@evgre.com](mailto:thippeli@evgre.com), 303-803-1434

Property Owner: Isabelle Estates, Inc. – Byron R. Chrisman

Address/General Area/Property size: The proposal encompasses one parcel equaling approximately 26 acres in size. The property is generally located on the southwest corner of Washington Street and E. 140<sup>th</sup> Avenue, adjacent to Denver Premium Outlets.

Proposal: The applicant is requesting approval of an Annexation, Zoning Amendment, and Conceptual Site Plan (CSP) which proposes to zone the subject property to Planned Development (PD) in order to support a mixed-use development. The application includes PD Standards, an Overall Development Plan, and a CSP. The proposed development includes a mix of uses including approximately 500 multi-family residential units and commercial.

Planner Contact: Collin Wahab, Principal Planner, [collin.wahab@thorntonco.gov](mailto:collin.wahab@thorntonco.gov), 303-538-7379

### **10) Fallbrook Farm Filing 1 Tract B**

Application: Zoning Amendment and Conceptual Site Plan/Overall Development Plan (CSP/ODP)

Applicant: Cushing Terrell (Michael White), [MichaelWhite@cushingterrell.com](mailto:MichaelWhite@cushingterrell.com), 303-653-6004

Property Owner: Archdiocese of Denver

Address/General Area/Property size: Southwest corner of E. 144th Avenue and Detroit Street

Proposal: The applicant is requesting approval of a Zoning amendment to the Planned Development and a CSP/ODP to allow for additional land uses within the development of Tract B of the Fallbrook Farms subdivision. The property is an approximately 23-acre vacant site located at the southwest corner of East 144th Avenue and Detroit Street. The property is currently zoned Planned Development and designated for Church/School land uses. The proposed development of Tract B is for a church campus, mixed-residential, and commercial uses.

Required public improvements are also proposed as part of the development including traffic and roadway infrastructure, water and sewer utilities, storm water detention, and landscaping.

Planner Contact: Jay Ruchti, Senior Planner, [jay.ruchti@thorntonco.gov](mailto:jay.ruchti@thorntonco.gov), 303-538-7249

### **11) Schweitzer B1 L1 & L4**

Application: Conceptual Site Plan (CSP)

Applicant: Root & Architectural Development, Chad Wallace, [cwallace@root-ad.com](mailto:cwallace@root-ad.com), 720-560-1719

Property Owner: VBrothers Investments LLC, Martin Vargas, [martin0430@hotmail.com](mailto:martin0430@hotmail.com), 720-319-9205; City of Thornton, Scott Twombly, [scott.twombly@thorntonco.gov](mailto:scott.twombly@thorntonco.gov), 720-977-6228

Address/General Area/Property size: 9150 & 9160 Huron Street; the combined property is approximately 1.5 acres.

Proposal: The applicant is requesting approval of a CSP to construct an addition of a restaurant and rooftop bar to the recently approved market located at 9150 Huron Street. The properties are zoned Community Retail (CR) and are designated for commercial uses. The CSP proposes to combine Lot 1 and Lot 4 of the Schweitzer Subdivision Block 1 to allow for the provision of required parking and landscaping requirements for the proposed uses. The proposed Market, restaurant and bar is a two-story building with a floor area of 13,801 square feet and a height of 30 feet.

Planner Contact: Erin Rogowski, Planner II, [erinn.rogowski@thorntonco.gov](mailto:erinn.rogowski@thorntonco.gov), 303-538-7301

### **13) Village at Sunny Acres (Ambassador Apartments)**

Application: Conceptual Site Plan (CSP)

Applicant: Sunny Acres Health Holdings LLC (Joe Ostroski), [jostroski@ensignservices.net](mailto:jostroski@ensignservices.net), 970-682-0015

Property Owner: Sunny Acres Health Holdings LLC

Address/General Area/Property size: The proposal encompasses a portion of the Village at Sunny Acres, approximately 7.31 acres at 2513 E 104<sup>th</sup> Ave. The overall Village at Sunny Acres property is approximately 26.13 acres and is generally located north of 104<sup>th</sup> Avenue and east of York Street.

Proposal: The applicant is requesting approval of a Conceptual Site Plan (CSP) on the Village at Sunny Acres campus to subdivide an existing 85-unit apartment building (The Ambassador) from the rest of the site. The Ambassador building's use will change from independent living units (nursing home) to multifamily apartments, and includes additional parking and landscaping.

Planner Contact: Ellie Hassan, Senior Planner, [Ellie.Hassan@ThorntonCO.gov](mailto:Ellie.Hassan@ThorntonCO.gov), 303-538-7438

### **15) Timberleaf Estates**

Application: Annexation, Zoning (SFD) and Conceptual Site Plan (CSP)

Applicant: DSS Properties (Doug Small), [dssstates@aol.com](mailto:dssstates@aol.com), 303-909-5383

Property Owners: Douglas and Hedy Small

Address/General Area/Property Size: 13251 Yosemite Street. The property is approximately 5 acres.

Proposal: The applicant is requesting Single-Family Detached (SFD) zoning with this annexation. The requested zoning will allow up to five dwelling units per acre (du/acre). The proposed CSP shows 18 dwelling units resulting in a density of 3.8 du/acre and proposes to utilize the existing right-of-way stubbed into the west side of the property in the Timberleaf subdivision. The Future Land Use Plan shows the site as Single-Family Neighborhoods (SFN).

Planner Contact: Collin Wahab, Principal Planner, [collin.wahab@thorntonco.gov](mailto:collin.wahab@thorntonco.gov), 303-538-7379

## **16) Sunrise**

Application: Annexation, Zoning (PD), Overall Development Plan / Conceptual Site Plan (ODP/CSP), Metro District (MD)

Applicant: Carlson Associates (Scott Carlson), [scottcarlson@carlsonland.net](mailto:scottcarlson@carlsonland.net), 303-457-2966

Property Owner: iHeartMedia + Entertainment, Inc.

Address/General Area/Property size: South of E. 120th Avenue and east of Holly Street

Proposal: The applicant is requesting approval of an Annexation, Zoning Amendment and Overall Development Plan/Conceptual Site Plan to incorporate the property into the City's boundaries allowing the development of a single-family detached residential project on approximately 86 acres of unincorporated land generally located south of E. 120th Avenue and east of Holly Street. 201 single-family detached units are proposed for an approximate density of 2.3 dwelling units per acre (du/ac). The land is currently vacant/unimproved with the exception of four iHeartMedia radio towers that currently exist on site. A 355-foot buffer is proposed around the base of each tower, and homes will be situated outside of the buffer area. Fencing and landscaping will be provided to delineate the tower buffer/setback and to provide more natural and attractive separation.

One point of access is proposed on E. 120th Avenue with two additional accesses to adjacent subdivisions – Mayfield to the east and Skylake Ranch to the west. Sidewalks and trail connections will be provided within the development and to existing off-site sidewalks and trails.

Planned Development zoning designation is proposed for the project. The Comprehensive Plan's Future Land Use Map currently designates the property as Single Family Neighborhoods with a corresponding density range of 1-8 du/ac.

Planner Contact: Kira Stoller, Senior Planner, [kira.stoller@thorntonco.gov](mailto:kira.stoller@thorntonco.gov), 303-538-7443

## **17) 1551 E 128<sup>th</sup> Avenue (Maiker Housing)**

Application: Zoning (PD) & Conceptual Site Plan (CSP)

Applicant: VTBS Architects (Erik Hall)

Property Owner: Maiker Housing Partners (Adam Zard)

Address/General Area/Property Size: The site is located at 1551 E 128<sup>th</sup> Avenue and is approximately 3.7 acres in size.

Proposal: The applicant is requesting approval of a Zoning Amendment and Conceptual Site Plan in order to develop the site with a three-story multifamily building. The structure is proposed to contain 80 affordable rental apartments for multi-generational residents. Planned Development (PD) zoning is being requested to allow for an

increased dwelling unit density and a reduced minimum parking requirement. Aside from revising these standards, the PD would be based on the existing Multifamily (MF) zone district.

Planner Contact: Kira Stoller, Senior Planner, [kira.stoller@thorntonco.gov](mailto:kira.stoller@thorntonco.gov), 303-538-7443

### **18) Yorktowne L2B (Assisted Living)**

Application: Conceptual Site Plan (CSP)

Applicant: Ping Zhuang, [zh8ng@yahoo.com](mailto:zh8ng@yahoo.com), 720-394-1117

Property Owner: PINGGUO, LLC, 415 E 6<sup>th</sup> St, Loveland, CO 80537

Address/General Area/Property size: 2.03 Acres generally located on the south side of E 120<sup>th</sup> Avenue between Claude Court and York Street.

Proposal: CSP for the addition of a 24,800 square-foot, 110-bed assisted living facility and associated parking lot and landscape improvements located on Lot 2B of the Yorktowne Subdivision. The property is zoned Community Retail (CR) and contains two existing buildings which operate as a day care. The assisted living facility is proposed as new construction on the southwest corner of the site.

Planner Contact: Erinn Rogowski, Planner II, [erinn.rogowski@thorntonco.gov](mailto:erinn.rogowski@thorntonco.gov) 303-

### **19) Parkside Filing 7**

Application: PD Zoning Amendment with an associated Overall Development Plan/Conceptual Site Plan (ODP/CSP) and PD Standards

Applicant: Hope Homes (Chris Meeks), [chris@hopehomesco.com](mailto:chris@hopehomesco.com), 719-210-4997

Property Owner: Peter Austin and Michael Oleasz, 1802 W. 102nd Ave., Denver, CO 80260

Address/General Area/Property size: Approximately 1.5 acres south of W. 102nd Avenue and west of Quivas Street

Proposal: The applicant requests approval of a PD Zoning Amendment for a residential development generally located south of W. 102nd Avenue and west of Quivas Street. The PD Zoning Amendment and associated ODP/CSP would allow 11 townhome units within the Parkside residential community. One 3-unit and two 4-unit buildings are proposed along with other site improvements including parking, landscaping, and utilities. Access to the site is proposed on W. 102nd Avenue.

Planner Contact: Ellie Hassan, Senior Planner, [ellie.hassan@Thorntonco.gov](mailto:ellie.hassan@Thorntonco.gov), 303-538-7438

### **20) Parterre PD Amendment 2**

Application: Zoning Amendment (Z)

Applicant: HT Parterre Land LP (Chad Murphy), [chad.murphy@hines.com](mailto:chad.murphy@hines.com), 303-357-6302

Property Owners: HT Parterre Land LP (Chad Murphy)

Address/General Area/Property Size: Intersection of Quebec Street and E-470 and bordered by East 152<sup>nd</sup> Avenue on the north, Quebec Street and unincorporated Adams County on the east, East 144<sup>th</sup> Avenue and the City's future regional Aylor Park on the south, and Holly Street on the west. The property is approximately 798.8 acres.

Proposal: Zoning Amendment to the Parterre Planned Development Standards and Overall Development Plan/Conceptual Site Plan allowing the proposed recreation center within Planning Area 1A to be relocated south of E-470. The 3.5 acres currently designated for the recreation center is proposed to be replaced with eight single family detached homes and a 2.5 acre park.

Planner Contact: Collin Wahab, Principal Planner, [collin.wahab@thorntonco.gov](mailto:collin.wahab@thorntonco.gov), 303-538-7379

**21) Parterre Planning Area 6A CSP**

Application: Conceptual Site Plan (CSP)

Applicant: HT Parterre Land LP (Chad Murphy), [chad.murphy@hines.com](mailto:chad.murphy@hines.com), 303-357-6302

Property Owners: HT Parterre Land LP (Chad Murphy)

Address/General Area/Property Size: Tract V1 of the Parterre Subdivision Amendment 1, generally located on the southwest corner of Quebec Street and E. 144<sup>th</sup> Avenue. The property is approximately 151 acres.

Proposal: Conceptual Site Plan for the development of 543 single family detached homes, consisting of 310 (50'x100') lots, 166 (60'x110') lots, and 67 (32'x100') alley loaded lots. The Planning Area includes a 10-acre school site and 16.5 acres of park space, featuring six themed parks, a large neighborhood park, a recreation center, and a regional trail.

Planner Contact: Collin Wahab, Principal Planner, [collin.wahab@thorntonco.gov](mailto:collin.wahab@thorntonco.gov), 303-538-7379

**Note: These referenced projects are quasi-judicial applications. As such, you are advised to limit your contact with the applicant and the public until the applications can be considered at a public hearing, whenever that may be. This specific proposal may change without further notice subject to the review by City staff unless the changes are deemed by staff to be significant, in which case Council will be advised.**

# Colorado Municipal Candidate Guide



COLORADO  
MUNICIPAL  
LEAGUE

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“There are countless reasons why people choose to run for public office. As an elected official, you have the opportunity to make important contributions toward shaping the future of your community.”



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The *Colorado Municipal Candidate Guide* has been prepared by the Colorado Municipal League as a guide for prospective candidates who are seeking useful information on municipal government. The guide includes tips on how to be an effective municipal official, as well as an overview of how municipal government works.

Published in 2019 by the Colorado Municipal League.

# Becoming a municipal official

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Serving as an effective municipal elected official requires dedication, knowledge, and a substantial time commitment. There are countless reasons why people choose to run for public office. Whatever your reason may be, as a member of the municipal governing body, you have the opportunity to make important contributions toward shaping the future of your community. For this reason, becoming a municipal elected official can be one of the most rewarding experiences of your life.

Whether you are still undecided about your candidacy – or you have already made the decision to run for a municipal elected office, the information in this guide can help you. What follows is general information on what it takes to be an effective member of a governing body, a synopsis of municipal government in

Colorado, and information about the Colorado Municipal League. Material contained in this brochure should not be viewed as a substitute for legal advice or specific information applicable to your community. If you are serious about your candidacy, you should consider other, more detailed information sources available to you, including:

- attending city council or board of trustee meetings;
- examining your charter, if your municipality is home rule;
- checking the Colorado Revised Statutes;
- reviewing municipal ordinances; and
- for elections, asking the municipal clerk for additional information, consulting your own attorney, or otherwise making yourself familiar with the requirements of the election laws.

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“For this reason, becoming a municipal elected official can be one of the most rewarding experiences of your life.”

# Qualifications for municipal office

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At a minimum, successful elected officials must devote a significant amount of time and energy to fulfill a position that answers directly to citizens. Some desirable leadership attributes include:

- a general understanding of municipal government;
- willingness to learn about a wide range of topics;
- integrity;
- consistency;
- confidence;
- dedication to the interests of citizens and the community as a whole;
- strong communication and team-building skills, including being a good listener;
- openness to the thoughts and ideas of others;
- being approachable and accessible; and
- a willingness to work cooperatively with others.

## **Mayors, councils, boards of trustees, and presiding officers**

The mayor and city council or town board of trustees collectively serve as the governing body for a municipality and normally possess all legislative powers granted by state law. The positions of both councilmember and trustee have been compared to those of the members of state legislatures and U.S. Congress. All of these positions require elected officials to represent their constituents, make policy decisions, budget for the execution of policies, and ensure that their policies are carried out. Unlike their counterparts in state and federal offices, municipal officials are in direct contact with the people they serve on an ongoing basis.

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“Unlike their counterparts in state and federal offices, municipal officials are in direct contact with the people they serve on an ongoing basis.”



## **An elected official wears many hats**

To meet the responsibilities of being a municipal elected official, candidates should consider the number of disciplines involved in becoming an effective mayor, councilmember, or trustee.

Municipal elected officials share the following job titles as part of their responsibility:

- legislator;
- decision-maker;
- financier;
- employer of municipal staff;
- constructive critic;
- intergovernmental participant;
- public relations representative; and
- facilitator.

## **Are you eligible?**

To run for office in a statutory municipality in Colorado, you must:

- be a citizen of the United States;
- be registered to vote;
- be at least 18 years old on the date of the election; and
- have resided in your city or town for at least 12 consecutive months prior to the election.

In home rule municipalities, check with your municipal clerk on whether additional or different requirements apply.

# Petitions, practices, and basics

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## Nomination petitions

To run for municipal office, you must get a nominating petition from your municipal clerk and have that form signed by a specific number of registered voters in your community. The number of signatures needed will vary depending on whether you live in a statutory or home rule municipality. Most candidates try to get more signatures than needed in case some are ruled invalid.

Different municipalities have different rules about how the petition must be signed and the date on which the petition must be returned. Your municipal clerk will inform you of the nomination procedure rules and deadlines.

## Fair Campaign Practices Act

Candidates for a municipal office who accept contributions must meet the filing requirements of the state Fair Campaign Practices Act. Among other requirements, you must register any "candidate committee" and report its contributions and expenditures. Information about reporting deadlines and copies of the reporting forms are available from your municipal clerk.

## Municipal government basics

Municipal elected officials should have a basic understanding of municipal government and the duties, authority, and limitations of an elected body.

Of course, there is no better way to understand what elected officials do than to attend council or board of trustee meetings. In addition, most cities and towns have advisory boards that are formed to make or recommend policy or quasi-judicial decisions, such as a planning commission or parks and recreation commission. Serving on these and other appointed boards is another excellent way to become informed.

Finally, reviewing Title 31 of the Colorado Revised Statutes and – if you are in a home rule municipality – having a basic familiarity with the municipal home rule charter will help you have a better understanding of municipal government and your role as an elected official.

What follows is a brief introduction to a few basic governance issues.

# What is a municipality?

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## What is a municipality?

An area becomes a municipality when residents vote to incorporate as a city or town. Colorado has four classes of municipalities:

### Home rule municipalities

- have chosen to adopt a home rule charter based on the principle that local citizens should have the right to decide how their local government should be organized and how local problems should be resolved;
- have their own form of government set forth in their charters;
- may call themselves either a city or town; and
- have considerable protection from state interference in their affairs (except where the courts determine that a matter is of statewide concern or mixed state and local concern, then state law may prevail over home rule authority).

### Statutory towns

- traditionally are less than 2,000 in population; and
- have a mayor–council (board of trustees) form of

government in which the mayor is elected by popular vote, with legislative power held by the board of trustees.

### Statutory cities

- usually are more than 2,000 in population; and
- may have a mayor–council or council–manager form of government, with the mayor elected by the people or by the council.

Statutory towns and cities are under greater legal control of the state legislature. They look to state law (generally Title 31 of the Colorado Revised Statutes) to determine their legal authority and limitations. Nevertheless, state laws traditionally have given statutory cities and towns considerable authority to make decisions on local issues.

### Territorial charter cities

The only remaining territorial charter city is Georgetown. Its charter dates from before Colorado became a state. The charter can only be changed by the state legislature.

# Forms of municipal government

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There are two prevalent forms of municipal government in Colorado: mayor–council and council–manager.

## Mayor–council structure

- The mayor is the ceremonial head of government and presides over council or board of trustee meetings.
- The council or board of trustees sets policy.
- Depending on local charter, applicable statute, or local practice, broad or limited administrative authority is vested with the mayor,

members of the council, board of trustees, an administrator, or designated department heads appointed by the mayor, council, or board of trustees.

## Council–manager structure

- The mayor is the ceremonial head of government and presides over council meetings.
- The council sets policy and hires and fires the manager.
- The city manager normally has broad administrative authority.

# Basic municipal services

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Services provided by municipalities vary from community to community. However, typical services include:

- **Public safety** (police, fire, and sometimes ambulance service);
- **Utilities** (water and wastewater, and sometimes trash collection, electric power, and natural gas);
- **Land use** (planning, zoning, code enforcement, and other regulatory activities);
- **Transportation** (street construction and maintenance, traffic safety, and sometimes public transit);
- **Recreation/cultural facilities** (parks, recreation, libraries, and sometimes cultural facilities); and
- **Legal** (ordinances protecting the public health, safety, and welfare of the community).



# Municipal finance

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In budgeting, the governing body makes important decisions about the operation and priorities of the municipality. Is a swimming pool more important than storm drains? Does the municipality need a new library more than it needs additional police personnel? Should the potholes be filled or the street completely rebuilt?

Budgeting is a process by which the governing body determines the community's standard of living – what the community needs and wants, what it is willing and able to pay, and what services it can expect to receive for its tax dollars.

Municipalities levy specific taxes to finance municipal services. The following are the most common taxes levied by Colorado municipalities:

- **Sales tax** is levied on retail sales of tangible personal property and some services.
- **Use tax** is levied on the retail purchase price of tangible personal property and some

services purchased outside the municipality, but stored, used, or consumed within the municipality.

- **Property tax** is levied on the valuation of taxable property located within the municipality.
- **Occupation tax or business license fee** is levied at a standard rate for all or specified businesses and professions.
- **Liquor and beer occupation tax** is a special occupation tax levied on retail liquor and beer establishments.
- **Utility occupation tax and/or franchise fee** is levied on non-municipally owned utilities (telecommunications, electric, gas, cable TV).

In addition, many municipal services are financed in whole or in part by user fees and charges. Finally, municipalities receive revenues from various federal and state grant and allocation programs.

# Knowing the law

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## Term limits

In 1994, the Colorado Constitution was amended to place term limits on local elected officials, including all mayors, councilmembers, and board of trustee members in both statutory and home rule municipalities. All municipal elected officials (except judges) are limited to serving two consecutive terms in office, except if the term of office is two years or shorter, in which case officials are limited to serving three consecutive terms in office. Terms are considered consecutive unless they are four years apart.

Municipal voters may modify or eliminate term limits through a local option election; you should check to determine the status of term limits in your community.

## Ethics and conflict of interest

A municipal elected official must adhere to an ethical level of conduct while in office. Elected officials are vested with the public trust and must carry out their responsibilities in an ethical manner. Ethics and conflict of interest requirements for local government officers

are addressed in the Colorado Constitution, state statutes, and sometimes in local charter or ordinance provisions. In general, these requirements are aimed at preventing those in a position of public trust from using that position for personal financial gain. State law provides that, among other things, elected officials may not:

- use confidential information for personal benefit;
- accept gifts or economic benefits as rewards or inducements for official action;
- engage in substantial business with one who supervises or inspects; and
- vote on matters involving a "personal or private interest."

## Open meetings

Before assuming public office, become familiar with Colorado's Open Meetings Law, which covers local public bodies such as a municipal governing council or

board. You will need a basic understanding of what constitutes a public meeting, the minimum requirements for a quorum, when "full and timely notice" prior to a meeting is required, and the basic requirements concerning "executive sessions" (that is, meetings that are not open to the public).

The open meetings law reflects the policy that public bodies are engaged in the public's business. Consequently, their meetings should be open to the public and held only after "full and timely" public notice. Therefore, the open meetings law permits executive sessions only on specific topics. The law also requires that these sessions be for deliberation only; decisions must be reached in an open meeting. In home rule municipalities, you may be subject to additional or varying requirements under your charter or ordinances.

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“A municipal elected official must adhere to an ethical level of conduct while in office.”

# About CML

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Founded in 1923, CML is a nonprofit, nonpartisan organization that represents and serves Colorado’s cities and towns. Of Colorado’s 272 Colorado cities and towns, 270 are members of CML, representing more than 99% of the municipal population in the state.

The Colorado Municipal League believes that local problems are best resolved at the local level of government and that people are best served by a strong and responsive local government.

The League’s core functions are advocacy, information, and training.

## Advocacy

CML represents the interests of Colorado municipalities before the state and federal governments and in the courts. The League employs a team of legislative and legal advocates to ensure that all municipalities are well-represented in the state capitol and that the interests of cities and towns and their residents are protected through participation in certain appellate court cases. The work of state agencies also is under the watchful eye of CML, as are statewide ballot issues.

## Information

CML provides accessible information that you need to serve your municipality and its residents. Each year, staff responds to individual inquiries with information, advice, and sample documents. CML periodicals include the award-winning bimonthly magazine, *Colorado Municipalities*; biweekly *CML Newsletter*; and *Statehouse Report*, a weekly report on legislation of municipal interest that is sent while the General Assembly is in session.

Publications produced by CML reflect important technical and legal research on a variety of issues impacting municipal government.

The CML website, [www.cml.org](http://www.cml.org), and presence on social media platforms, ensure that the most up-to-date information is available to our members. CML also produces short, informative videos on topics important to municipal officials; visit the CML website to view.

## Training

Each year, CML offers dynamic events and workshops to support your continuing education and training on such topics as

leadership, council collaboration, municipal finance, land use and planning, personnel issues, telecommunications, legislative issues, strategic planning, and more.

MUNiversity recognizes the efforts of officials who go the extra mile to increase their knowledge and their capacity to lead. Since 1991, hundreds of municipal elected officials have participated in this highly successful program. MUNiversity is based on interactive, affordable, capacity-building learning opportunities that promote a better understanding of municipal government and provide the tools to be a more effective community leader. The program is simple:

- Any municipal elected official may participate. This includes mayors, councilmembers, and trustees.
- There is no cost for enrolling.
- There are no required courses. You select the credited training that fits your specific needs from CML workshops and conferences.

For more information about this program and other League services, contact the League office in Denver at 303-831-6411 / 866-578-0936.

## Colorado municipal facts

### Number of incorporated municipalities: 272

Population (2017 estimates)

State:	5,609,445
Municipal:	4,159,526
Municipal as percent of state:	74%

Range in municipal population:

Lakeside: 8                      Denver: 705,651

Municipalities with CML membership: 270

### Structure of Colorado municipal governments

Structure	#	Population	% of municipal population
Home Rule	102	3,886,636	93.44%
Statutory	169	271,815	6.53%
Territorial Charter	1	1,075	0.026%

### Municipal finance

#### Property tax (2017)

Assessed valuations

State:	\$111.63 billion
Municipal:	\$74.99 billion
Municipal as percent of state:	67.2%

#### Sales tax (2019)

Total municipalities levying a local sales tax:	222
Municipalities with self-collected sales tax:	71
Low: 1%	High: 7%

### Municipal elections (1993-April 2019)

Ballot issues	Passed	Failed	% Passed
TABOR revenue and spending changes	494	78	86%
Municipal tax/tax rate	636	414	61%
Municipal debt/obligation	313	138	69%

### Other facts

- Colorado has 272 municipalities (including the City and County of Denver and the City and County of Broomfield).
- There are approximately 1,800 municipal elected officials in Colorado (mayors, mayor pro tems, councilmembers, trustees).
- Pay for mayors, councilmembers, and trustees is determined locally. Compensation varies from no compensation to modest compensation levels for part-time officials. There are a few full-time paid positions, i.e., mayors in Denver and Aurora.

*Compiled by the Colorado Municipal League, April 2019*

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# CHARTER OF THE CITY OF THORNTON, COLORADO

## **PREAMBLE**

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We, the people of Thornton, Colorado, under the authority of the Constitution of the State of Colorado, do ordain, establish, and adopt this Charter for our municipal government.

## **CHAPTER I NAME AND BOUNDARIES**

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**1.1. NAME AND BOUNDARIES.** The municipal corporation heretofore existing as the “City of Thornton” in Adams County of Colorado shall remain and continue a body politic and corporate and under this Charter shall be known as the “City of Thornton” with the same boundaries until changed in a manner authorized by law.

## **CHAPTER II MUNICIPAL POWERS**

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**2.1. POWERS, RIGHTS, AND LIABILITIES.** By the name of the City of Thornton the municipal corporation shall have perpetual succession; shall own, possess and hold all property, real and personal heretofore owned, possessed and held by the City of Thornton and does assume and shall manage and dispose of all trusts in any way connected therewith; shall succeed to all the rights and liabilities and shall acquire all benefits and does assume and shall pay all bonds, obligations and indebtedness of said City of Thornton; may, in the name of the City of Thornton, sue and defend, plead and be impleaded in all courts and places and in all matters and proceedings; may purchase, receive, hold and enjoy, or sell and dispose of real and personal property; may have and use a common seal and alter the same at pleasure.

The City shall have all the power of local self-government and home rule and all power possible for a city to have, under the Constitution of the State of Colorado. The City shall also have all powers that now or hereafter may be granted to municipalities by the laws of the State of Colorado, and the enumeration of particular powers in this Charter is not exclusive of others. All such powers shall be exercised in the manner prescribed in this Charter or, if not provided for herein, in such manner as shall be provided by ordinance of the Council of the City. All ordinances of the City of Thornton in force at the time this Charter goes into effect shall continue in force

except insofar as they may conflict with the provisions of this Charter or shall be amended or repealed by ordinances enacted under the authority of this Charter.

**2.2. FORM OF GOVERNMENT.** The municipal government provided by this Charter shall be known as the “Council-Manager Government.” Pursuant to its provisions and subject only to the limitations imposed by the State Constitution and by this Charter all powers of the City shall be vested in an elective Council and such other boards, commissions, departments, and officials as are provided for in this Charter.

## **CHAPTER III ELECTIONS**

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**3.1. REGULAR MUNICIPAL ELECTIONS.** Regular municipal elections shall be held on the first Tuesday in November in the odd-numbered years.

**3.2. SPECIAL MUNICIPAL ELECTION.** Special City elections shall be held when called by resolution of the Council at least forty (40) days in advance of such election, or when required by this Charter or statute. Any resolution calling a special election shall set forth the purpose of such election.

**3.3. LAWS GOVERNING ELECTIONS.** Regular and special municipal elections shall be governed by the Colorado Municipal Election Law as now existing or hereafter amended or modified, except as otherwise provided in this Charter or as Council may prescribe by ordinance. The Council may by ordinance establish election procedures, the method for registration of electors, the number, qualifications and compensation for election judges and clerks, and the boundaries of election precincts.

**3.4. RECALL FROM OFFICE.**

- (a) Any person holding elective office may be recalled at any time after six months in office pursuant to the procedures set forth in this Charter, in those State statutes, as from time to time amended, which do not conflict with this Charter and which establish procedures for the recall of municipal elective officers, and in those City ordinances which do not conflict with the Charter or those State statutes.
- (b) A recall petition must be signed by registered electors of the City numbering at least twenty-five percent of the entire vote cast at the last preceding election for all candidates for the office which the incumbent sought to be recalled occupies. For the purpose of this Section, the “last preceding election” shall

be the last preceding election at which the person sought to be recalled was elected to office, unless the person sought to be recalled was appointed to fill a vacancy, in which event it shall be the last preceding election at which the person who created the vacancy was elected to office.

- (c) No signature on a recall petition shall be valid if signed on a date more than sixty days prior to the date the signed petition is filed with the City Clerk.
- (d) No recall election shall be held if the person sought to be recalled occupies one of the offices to be filled at a regular election which is scheduled within ninety days after submission of the recall petition.
- (e) After one recall petition and election, no further petition shall be filed against the same person during the term for which such person was elected or appointed, unless the signers number at least fifty percent of the votes cast at the last preceding election for all candidates for the office held by such person, the number to be determined in the manner described in this Section.
- (f) A copy of the recall petition shall be filed with the City Clerk prior to any signatures being placed on the petition. The City Clerk shall provide, upon request, sample forms of petitions which conform to the requirements of this Charter.
- (g) The officer with whom any protest is filed shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents. Upon failure of any witness to obey the subpoena, the officer may enforce the subpoena as provided by ordinance or may petition the Municipal Court and, upon proper showing, the Court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the order of Court shall be punishable as a contempt of court.
- (h) Except as to requirements contained in this Charter, in the State statutes, as from time to time amended, applicable to the recall of municipal elective officers, and in City ordinances, the form, content, approval and other petition requirements in the municipal initiative statutes, as from time to time amended, shall apply as nearly as practicable to recall petitions.
- (i) If a regular Municipal election is scheduled to be held within ninety (90) days after submission of the recall petition, even though that election is not the one at which the office held by the person sought to be recalled would otherwise be filled, the recall election shall be held at the same time as that regular Municipal election.

- (j) If a general statewide election is scheduled to be held within ninety (90) days after submission of the recall petition, the recall election shall be held at the same time as that statewide election.
- (k) A recall petition may be withdrawn at any time prior to thirty (30) days preceding the day scheduled for a vote, by filing with the City Clerk a written request for withdrawal signed by a majority of the persons who are designated in the petition as representing the signers on matters affecting the petition. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

## **CHAPTER IV**

### **CITY COUNCIL - MEETINGS**

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**4.1. CITY COUNCIL.** The City Council shall consist of nine (9) members, one of whom shall serve as Mayor. The City Council shall constitute the legislative and governing body of the City and shall have power and authority, except as otherwise provided in this Charter, to exercise all powers conferred upon or possessed by the City, and shall have the power and authority to adopt such laws, ordinances and resolutions as it shall deem proper in the exercise thereof. The Council shall also have all legislative powers and functions of municipal government conferred by general law, except as otherwise provided in this Charter.

**4.2. WARDS.**

- (a) The City is hereby divided into four (4) wards. The Council shall change the boundaries of such wards to reflect population shifts at least once every ten (10) years. Changes in the boundaries of wards shall be made by ordinance adopted by the City Council, which changes shall be made at least one hundred eighty (180) days prior to any regular municipal election, except that territory added to the City shall become a part of the ward or wards as determined by ordinance even if the addition is effective within the one hundred and eighty day period. Wards shall be contiguous and compact, and, as far as practical, shall have approximately the same number of residents.
- (b) No change in the boundary of any ward shall operate to exclude any Councilmember from office before the expiration of the term for which the incumbent was elected or appointed.

**4.3. TERMS.**

- (a) The terms of office of the Councilmembers hereafter to be elected in accordance with the provisions of this Charter shall be for four (4) years commencing on the first Council meeting, regular or special, following their election and shall continue during the term for which they shall have been elected until their successors shall have been elected and qualified. Every two (2) years at the regular municipal election one Councilmember shall be elected from each ward for a four (4) year term.
- (b) A Mayor shall be elected at-large for a term of four (4) years, the term of the Mayor commencing at the same time as herein provided for Councilmembers.

**4.4. QUALIFICATIONS.** No person shall be eligible to be elected or appointed to the office of Mayor or Councilmember unless the person is a citizen of the United States, at least twenty-five (25) years of age, shall have been for one (1) year immediately preceding such election or appointment a resident of the City of Thornton, Colorado, and is a registered elector. In addition to these requirements no person shall be eligible for the office of Councilmember unless the person is and has been a resident of the ward for the time period required by the Colorado Municipal Election Code. Any person who is a resident of the City or of any area annexed to or consolidated with the City for the required length of time, as herein provided, shall be deemed to meet the resident requirements of this Section. A person who has been convicted of a felony shall not be eligible to become a candidate for City office. No person shall serve as Mayor or Councilmember while also holding another elected position in government.

**4.5. VACANCY.**

- (a) If a vacancy occurs in the office of Mayor, the Mayor Pro-Tem shall become the Acting Mayor immediately. The Acting Mayor shall serve until the next regular election and then the Acting Mayor shall resume the duties as Councilmember for the remainder of that Councilmember's unexpired term of office. The term of office for Mayor at a regular election following a vacancy in that office shall be for four years.
- (b) If a vacancy occurs in the office of Councilmember, the Council shall appoint an eligible person to fill such vacancy if one year or less of the term remains. Such appointment shall be by a majority of the members of the Council in office at the time. If more than one year of the vacant term remains, such vacancy shall be filled at a special election to be held within 120 days of the date of the vacancy but not within 90 days of a regular municipal election. Should the vacancy occur within 90 days

of a regular municipal election, the vacancy will be filled at the regular election. The term of office for a Councilmember elected to fill a vacancy shall be for the remainder of the vacated term.

- (c) A vacancy shall exist when an elective officer fails to qualify, dies, resigns, is removed from office, moves from the City, moves from the ward from which elected, is incapacitated or is absent continuously therefrom for more than three (3) months, is convicted of a felony, or is judicially declared mentally incompetent. That such cause of vacancy exists shall be established by competent evidence thereof and placed on record in the Council minutes. The Council shall determine the validity of the evidence and, based on its determination, decide when a vacancy exists.

**4.6. COMPENSATION OF MAYOR AND COUNCILMEMBERS.** The members of the Council shall receive such compensation as the Council shall by ordinance prescribe; but such compensation may increase or decrease only on the date of the first regular or special Council meeting following any regular election and only if the increase or decrease was adopted prior to the date of the election. The Mayor and Councilmembers may, upon order of the Council, be paid such necessary bona fide expenses incurred in service in behalf of the City as are authorized and itemized.

**4.7. OATH OF OFFICE.** Every elective and appointive officer of the City, before entering upon the duties of the office, shall take the oath or affirmation of office prescribed by Section 8 of Article XII of the Constitution of the State, together with an oath or affirmation to support this Charter and the ordinances of the City and to faithfully perform the duties of the office. In case of failure to comply with the provisions of this Section within ten (10) days from the date of appointment, or within ten (10) days from the date prescribed in this Charter to take office, such officer shall be deemed to have declined the office and such office shall thereupon become vacant unless the Council shall, by resolution, extend the time in which such officer may qualify as above set forth.

**4.8. MAYOR.**

- (a) The Mayor shall preside over meetings of the Council, shall have the right to speak and vote therein as any other member, shall be recognized as head of the City government for all ceremonial purposes, and shall execute and authenticate legal instruments requiring the signature of the Mayor.
- (b) The Mayor shall be a conservator of the peace, and in emergencies may exercise within the City the powers conferred by the Governor of the State of Colorado for purposes

of military law, and shall have authority to command the assistance of all able-bodied citizens to aid in the enforcement of the ordinances of the City and to suppress riot and disorder. Except as may be required by statute, the Mayor shall exercise only such power as specifically conferred by this Charter or the Council. For the purposes of this Section 4.8, “emergencies” means existing conditions actually arising from unforeseen contingencies which immediately endanger public property, health, peace, or safety.

**4.9. MAYOR-PRO TEM.** The Council shall, during the first Council meeting, regular or special, following each regular election, elect one of its members to serve as Mayor-Pro Tem for a term of two (2) years. In the event of absence or disability of the Mayor, the Mayor-Pro Tem shall serve as Mayor. Such election shall be by written ballot and by majority of the members of the Council in office at the time. In the event of absence or disability of both the Mayor and the Mayor-Pro Tem, the Council may designate another of its members to serve as Acting Mayor during such absence or disability. The Mayor-Pro Tem and Acting Mayor, when serving as Mayor, shall have all the power, duties, responsibility and authority of the Mayor.

**4.10. REGULAR MEETINGS.** The Council shall provide by ordinance for the time and number of regular Council meeting or meetings each month provided the Council may, by resolution, change the time and place of any particular regular meeting.

**4.11. SPECIAL MEETINGS.** Special meetings of the Council shall be called by the Clerk on the written request of the Mayor, or by any three members of the Council on at least twenty-four (24) hours written notice to each member of the Council, served personally, left at the member’s usual place of residence, or delivered electronically or by other technology to the member’s residence; but a special meeting may be held on shorter notice if all members of the Council are present or have waived notice thereof in writing.

**4.12. BUSINESS OF SPECIAL MEETINGS.** No business shall be transacted at any special meeting of the Council unless the same has been stated in the notice of such meeting. However, any business which may lawfully come before a regular meeting may be transacted at a special meeting if all the members of the Council present consent thereto and all the members absent file their written consent.

**4.13. MEETINGS TO BE PUBLIC.** All regular and special meetings of the Council shall be open to the public and citizens shall have a reasonable

opportunity to be heard under such rules and regulations as the Council may prescribe. The Council may hold executive sessions as the Council may determine and may exclude from said meetings the public and citizens, provided however, no formal and legally binding action by the Council for the City shall be taken at any such executive sessions.

**4.14. QUORUM.** A majority of the members of the Council in office at the time shall be a quorum for the transaction of business at all Council meetings.

**4.15. ORGANIZATION AND RULES OF THE COUNCIL.** The Council shall determine its own organization, rules, and order of business subject to the following provisions:

- (a) Minutes of each meeting shall be kept in the English language by the Clerk and shall be signed by the presiding officer and clerk of the meeting.
- (b) A vote upon all ordinances and resolutions shall be taken by a "Yes" or "No" vote and entered upon the records, except that where the vote is unanimous it shall only be necessary to state that the vote was unanimous.
- (c) There shall be no standing committees of the Council.
- (d) The Council shall follow Robert's Rules of Order, newly revised, as from time to time amended, except to the extent otherwise provided by this Charter or by ordinance.
- (e) The Council shall, by ordinance, adopt procedures relating to its organization and operation, including attendance at meetings, which are consistent with this Charter, and shall compile its procedures which are of a general and permanent nature in a procedures handbook.

**4.16. BOARD OF HEALTH.** The Council shall see that provision is made for the public peace and health, and for the safety of persons and property. The Council shall constitute the Board of Health of the City, and it and its officers shall possess all powers, privileges and immunities granted to boards of health by statute. The Council may by ordinance designate and appoint an existing area-wide health department as the City Health Department.

**4.17. POWER TO MAKE CONTRACTS.**

- (a) The Council may enter into contracts and leases on behalf of the City and may, by ordinance, delegate such power to officers or employees of the City subject to limits specified within the ordinance. All written contracts, to which the City is a party, including utilities contracts, shall be approved as to form by the City Attorney before final approval. All written contracts to

which the City is a party shall be reviewed as to substance by the City Manager before final approval.

- (b) The Council may make contracts or spend money for capital improvements including those financed in whole or in part by issuance of bonds, and may make contracts or leases or contracts for services for a period exceeding the budget year in which such contract or lease is made, if otherwise not prohibited under this Charter. The City may enter into long term contracts or leases.
- (c) Except for contracts issued for acquiring water and rights thereto, or for acquiring, improving, or extending a municipal water system and except for long term rentals and leaseholds entered into pursuant to Section 11.7, any contract which is made for a period exceeding the budget year in which it is made and which contains an express statement that the full faith and credit of the City is pledged for its payment shall be subject to the election requirement of Section 11.2(a) and the debt limitation of Section 11.3.

**4.18. CONTRACTS WITH OTHER GOVERNMENTAL BODIES.** In addition to any authority granted by state statute or constitution, the Council by resolution may enter into contracts with other governmental bodies to furnish governmental services and make charges for such services, or enter into cooperative or joint activities with other governmental bodies.

**4.19. APPOINTMENTS BY COUNCIL.** The Council shall appoint the officers and all members of the boards and commissions as provided in this Charter. Except as otherwise provided herein, such persons shall serve at the pleasure of Council and may be removed at any time, with or without cause.

**4.20. CONFLICT OF INTEREST.** No member of the Council shall be interested directly in any contract with the City. No member of the Council shall vote on any question in which the member has a financial interest, other than the common public interest, or on any question concerning the member's own conduct.

**4.21. ELECTIVE OFFICERS NOT TO BE EMPLOYED FOR TWO YEARS.** No elective officer, under this Charter, may be appointed to any City office or be employed by the City during the term of office for which elected or for two (2) years thereafter, provided that after the expiration of that term of office, the officer may be appointed as a member of an independent board or commission or fill a vacancy in the position of Councilmember.

**4.22. SELL OR OTHERWISE DISPOSE OF CITY PROPERTY.** Any property owned by the City may be sold or otherwise disposed of by the City on approval of the Council by resolution passed by majority vote of members of the Council. After approval by the City Council, the City Manager and City Clerk are authorized to execute for the City the required documents including deeds, bills of sale, assignments or other appropriate documents. The Council may, by ordinance, delegate to officers or employees of the City the power to sell or otherwise dispose of any personal property owned by the City, subject to the limits specified within the ordinance.

**4.23. CONTINUITY OF GOVERNMENT – DISASTERS AND EMERGENCIES.** The City Council shall provide by ordinance for continuity of government of the City in the event of natural or enemy-caused disaster or emergency. Such ordinance shall provide for an orderly line of succession of City elected officials with the authority to take appropriate action for the protection of life and property, and provide for alternative Council meeting locations or use of telecommunication systems for Council meetings during a disaster or emergency notwithstanding the provisions of this Charter.

## **CHAPTER V GENERAL ADMINISTRATIVE ORGANIZATION**

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**5.1. DEPARTMENTS CREATED.** The administrative functions of the City shall be performed by the departments as are or may be established by this Charter or ordinances of the City.

**5.2. OPERATION OF DEPARTMENTS.** All departments of the City except as otherwise provided in this Charter, shall be under the supervision and control of the City Manager, who shall have the right to divide such departments into separate divisions and to assign the various functions and duties to the different departments and divisions.

**5.3. CITY MANAGER - APPOINTMENT AND QUALIFICATIONS.** The Council shall appoint a City Manager within ninety (90) days after any vacancy exists in such position. The City Manager shall hold office at the pleasure of a majority of the Council, subject to the rights herein contained. The City Manager shall be selected solely on the basis of executive and administrative qualifications with special reference to actual experience in and knowledge of accepted practice in respect to the duties of the office as hereafter set forth. At the time of appointment, the City Manager need not be a resident of the City or State, but during tenure of office the City Manager shall reside within the City. The entire time and business interest of the City Manager shall be devoted to the management of the City's

affairs, and the City Manager shall not, while in office, be an employee of, or perform any executive duty for any person, firm, corporation or institution other than the City of Thornton. The salary of the City Manager shall be fixed by the Council. Before the City Manager may be removed at any time after one year of service, the City Manager may demand written charges and a public hearing on the same before the Council, and the same shall be given prior to the date on which final removal of the City Manager shall take effect. Pending such a hearing, the Council may suspend the City Manager from office; and during such suspension, the Council shall designate some properly qualified person other than a member of the Council to perform the duties of the office. Following the hearing, the Council may remove the City Manager by resolution declaring it finds and determines that such removal is to the best interest of the City. Such decision shall be final. Upon such termination, the Council may in its discretion, provide termination pay.

**5.4. CITY MANAGER - FUNCTIONS AND DUTIES.** The City Manager shall be the chief administrative officer of the City government and shall have the following functions and duties:

- (a) To be responsible to the Council for the efficient administration of all administrative departments of the City government except the department under the direction of the City Attorney. As to this department the powers herein granted shall not be applicable unless specifically provided.
- (b) To see that all laws and ordinances are enforced.
- (c) To appoint the heads of the several City departments whose appointment is not otherwise specified in this Charter, and to direct and supervise such department heads.
- (d) To give to the proper department or officials ample notice of the expiration or termination of any franchises, contracts or agreements.
- (e) To see that all terms and conditions imposed in favor of the City or its inhabitants in any public utility franchise, or in any contract, are faithfully kept and performed.
- (f) To recommend an annual budget to the Council and to administer the budget as finally adopted under policies formulated by the Council, and to keep the Council fully advised at all times as to the financial conditions and needs of the City.
- (g) To recommend to the Council for adoption such measures as the City Manager may deem necessary or expedient; and to attend Council meetings with the right to take part in discussions but not to vote.
- (h) To exercise and perform all administrative functions of the City that are not imposed by this Charter or ordinance upon some other official. Notwithstanding any other provision in this

Charter to the contrary, the City Manager may, in the event of an emergency, exercise complete administrative authority over any department, department head, or City employee and all City owned property. The City Manager shall determine when such emergency exists.

- (i) To be responsible for the maintenance of a system of accounts of the City which shall conform to any uniform system required by the Council and which shall conform to generally accepted principles and procedures of governmental accounting. The City Manager shall submit financial statements to the Council monthly, or more often as the Council directs.
- (j) To act as Purchasing Agent for the City and in such capacity to purchase all supplies and equipment and dispose of the same in accordance with procedures established by the Council.
- (k) To establish, to the extent the authority is delegated by the City Council, personnel rules and regulations governing officers and employees of the City.
- (l) To perform such other duties as may be prescribed by this Charter or required of the City Manager by ordinance or by direction of the Council.
- (m) To prepare an annual report of the affairs of the City, including a financial report. Copies of such audit and annual report shall be made available for public inspection at the office of the City Clerk.

**5.5. ACTING CITY MANAGER.** The Council may appoint or designate an Acting City Manager during the period of vacancy in the office or during the absence of the City Manager from the City or disability of the City Manager. Such Acting City Manager shall, while in such office, have all the responsibilities, duties, functions, and authority of the City Manager.

**5.6. RELATIONSHIP OF COUNCIL TO ADMINISTRATIVE SERVICE.** Neither the Council nor any of its members shall dictate the appointment of any person to office by the City Manager or in any way interfere with the City Manager or other City officer to prevent the City Manager from exercising judgment in the appointment or employment of officers and employees in the administrative service. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager and neither the Council nor any member thereof shall give orders to any of the subordinates of the City Manager.

**5.7. CLERK - FUNCTIONS AND DUTIES.**

- (a) The City Clerk shall be the Clerk of the Council and shall attend all meetings of the Council and shall keep minutes of its

proceedings in the English language, and shall be appointed and removed by the City Manager with the approval of the Council.

- (b) The Clerk shall be custodian of the City seal and shall affix it to all documents and instruments requiring the seal, and shall attest the same. The Clerk shall also be custodian of all papers, documents, and records pertaining to the City, the custody of which is not otherwise provided for.
- (c) The Clerk shall certify by signature all ordinances and resolutions enacted or passed by the Council.
- (d) The Clerk shall have power to administer oaths of office.
- (e) The Clerk shall perform such other duties as may be prescribed by this Charter, by the Council or by the City Manager.

**5.8. CITY TREASURER - FUNCTIONS AND DUTIES.**

- (a) The City Treasurer shall be the Director of Finance. The Director of Finance shall be appointed by the City Manager with the approval of the City Council.
- (b) The Director of Finance shall keep and supervise all accounts and evidences of indebtedness of the City and shall receive and have custody of all monies of the City.
- (c) The Director of Finance shall keep and deposit all monies or funds in such a manner as may be directed by the City Manager or by ordinance.
- (d) The Director of Finance shall disburse all City funds in accordance with the provisions of this Charter and such procedures as may be established by ordinance.
- (e) The Director of Finance shall perform such other duties as may be prescribed by this Charter, by ordinance adopted pursuant to this Charter, or by the City Manager.
- (f) There shall be established, in conformity with generally accepted principles and procedures of governmental accounting, appropriate utility funds into which shall be deposited all revenues received from City utility services.

**5.9. CITY ATTORNEY.**

- (a) The Council shall appoint a City Attorney for an indefinite term. The City Attorney shall be an attorney at law admitted to practice law in the State of Colorado and have a minimum of five (5) years experience in the active practice of law. The Council may provide the City Attorney with such assistance as the Council may deem necessary.
- (b) The City Attorney shall act as legal advisor to, and be attorney and counsel for, the Council and shall be responsible solely to the Council. The City Attorney shall advise any officer or

- department head of the City in matters relating to the officer's or department head's official duties when so requested.
- (c) The City Attorney shall prosecute ordinance violations, shall conduct for the City cases in Court and before other legally constituted tribunals, and shall file with the Clerk copies of documents as the Council may direct.
  - (d) The City Attorney shall prepare or review all ordinances, contracts, bonds and other written instruments which are submitted by the Council or City Manager and shall promptly give an opinion as to the legal consequences thereof.
  - (e) The City Attorney shall call to the attention of the Council all matters of law, and changes or developments therein, affecting the City.
  - (f) The City Attorney shall perform such other duties as may be prescribed by this Charter or by the Council.
  - (g) The City Attorney or the Council may retain special legal counsel to handle any matter in which the City has an interest, or to assist and counsel with the City Attorney therein. The compensation of any special legal counsel retained by the City Attorney must be within budgetary limits established by the City Council.
  - (h) The compensation of the City Attorney and of special legal counsel shall be set by the Council.

## **CHAPTER VI**

### **MUNICIPAL COURT**

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**6.1. MUNICIPAL COURT.** There shall be a Municipal Court, which shall be a qualified municipal court of record, to hear and determine all cases arising under this Charter or the ordinances of the City, subject to appeal in the manner provided by law. The Court may punish contempt of Court within limitations established by ordinance. The Court may enforce its orders and judgments as provided by general law; and may render final judgment on any forfeited bond or recognizance returnable to such Court subject to appeal as in other cases. Cash bonds may be provided for or taken in lieu of property, individual, or corporate surety bonds.

**6.2. PRESIDING OFFICER - QUALIFICATIONS AND COMPENSATION.** The Municipal Court shall be presided over and its functions exercised by one or more judges, who are registered electors of the State of Colorado, at least twenty-five (25) years of age, and licensed to practice law by the Supreme Court of the State of Colorado, appointed by the Council to serve at the pleasure of the Council. The Council shall designate the presiding judge. Each 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. In the event all regularly appointed judges are absent, disqualified or unable to act in any matter or case, the presiding judge or, in the absence of the presiding judge, the Mayor, may call any eligible person to act and serve temporarily.

- (a) The Council shall provide a suitable place and all supplies and things necessary for the proper functioning of the Court.
- (b) The forms of the complaint and all other rules, procedures and proceedings in the Municipal Court shall be fixed by the presiding municipal judge. The court costs, fines, surcharges, assessments and fees in the Municipal Court shall be prescribed by the Council by ordinance or resolution after receiving the recommendation of the presiding judge.

## **CHAPTER VII**

### **PERSONNEL AND CAREER SERVICE**

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#### **7.1. CAREER SERVICE SYSTEM**

- (a) The Council shall enact an ordinance establishing a Career Service System. The City Council shall have authority over the assignment of positions to the Career Service System.
- (b) The ordinance establishing a Career Service System shall embody the following principles but shall not necessarily be limited to them:
  - (1) Subject to approval of the Council, classification of all regular Career Service positions shall be made by the City Manager. The City Manager shall determine the duties, requirements, and qualifications for each position.
  - (2) Employment shall be based on open and competitive examinations as to fitness for employment consistent with generally accepted employment guidelines established by the City Manager upon recommendation of the department responsible for human resources. Actual employment shall be made by the City Manager.
  - (3) Employment and promotions shall be made by the City Manager from an eligibility list approved by the department responsible for human resources.
  - (4) Placement of names on the eligibility list for employment and promotions shall be as follows:
    - (i) If there are more than three (3) qualified applicants for a position and all are regular employees, competitive examinations shall be given. The names shall be placed on the eligibility list based on the final passing scores from high to low score.

- (ii) If there are three (3) or fewer qualified applicants for a position and all are regular employees, the City Manager may determine whether competitive examinations will be given. In the absence of examinations, the names shall be placed on the eligibility list in alphabetical order by last name.
  - (iii) If any qualified applicant for a position is not a regular employee, competitive examinations shall be given. The names shall be placed on the eligibility list based on the final passing scores from high to low score.
  - (iv) Whenever a competitive examination is to be given pursuant to Paragraph (i) or (ii) of this Subsection (4), the City Manager may permit qualified applicants who are not regular employees to take the examination.
- (5) Each regular employee in the Career Service System shall be subject to a one (1) year probation employment period or such other probation employment period as the Council may set by ordinance for the employee's position. After the department responsible for human resources has verified that the employee has been continuously employed as a regular employee for the applicable probationary period and has, as determined by the City Manager, satisfactorily met all the terms and conditions of the probationary period, the City Manager shall declare an employee in the Career Service System to be "certified" as of the end of the employee's probationary period.
- (6) All certified employees who claim unjust suspension, demotion or discharge, shall have the right to request and receive a hearing as designated by ordinance. The decision following the hearing shall be final and binding on all parties. The procedure for the hearing shall be established by ordinance.
- (c) The City Manager or the Manager's designee shall annually conduct and complete a wage survey for all employees in the Career Service System. In preparing the pay plan, in addition to considering the wage survey, the City Manager or designee shall consider any recommendations and pay surveys made and conducted by employees or organizations representing employees. The pay plan, including fringe benefits shall be equal to general prevailing rates of employers (public and private sector) selected by the City Manager and approved by the City Council and shall provide like pay for like work. The City Council shall approve the pay plan.
- (d) The Council shall annually enact a pay plan for all positions in the Career Service System. The Council shall before adopting

a pay plan, conduct a public hearing on the pay plan. At said hearing any employees or agents or representatives of employees, including unions, may appear in addition to any other interested parties. Prior to said hearing, each employee shall be given written notice of the hearing. A notice advertising the public hearing shall be published in a manner set forth by ordinance at least ten (10) days before said hearing.

Following said hearing the Council shall adopt a resolution enacting a pay plan for the next ensuing fiscal year meeting the requirements of this Section. The adoption of such pay plan shall constitute a legislative act and shall be final and binding as to all wages for the next ensuing fiscal year.

- (e) Fringe benefits and overtime pay shall be annually based on the wage survey, but such benefits and pay shall not be less than the following:
  - (1) In addition to the annual salaries as set out in the adopted pay plan, hours of active duty assigned to and performed by members of the Career Service in excess of the established work day or established work week, shall be compensated by overtime or compensatory time off.
  - (2) Each eligible employee of the City shall be provided with a pension plan. The City shall annually contribute to said fund in accordance with the provisions of the pension contract.
  - (3) Each full-time regular employee shall be eligible for the City's group insurance program which shall be a comprehensive program including health insurance, life insurance and disability insurance. The City shall annually provide in the budget monies for the City participation in this program.
  - (4) The City shall provide the following schedule of annual vacation leave for each employee:
    - 1 - 5 years - 12 days per year accrued  
at 1 day per month
    - 6 - 10 years - 15 days per year accrued  
at 1-1/4 days per month
    - 11 - 15 years - 18 days per year accrued  
at 1-1/2 days per month
    - 16 - 20 years - 21 days per year accrued  
at 1-3/4 days per month
    - Over 20 years - 24 days per year accrued  
at 2 days per month
  - (5) The City shall compensate employees of the City for ten (10) paid holidays per year.

- (6) Sick leave shall be accumulated at a rate of one day per month of employment with the City.
  - (7) The City shall provide and/or furnish a uniform allowance to employees required to wear a uniform.
- (f) The policy and procedure concerning employee grievances are as follows:
- (1) Grievances are employee complaints on those matters involving a phase of employment, working conditions or working relationships that are of concern and interest to an employee. Wherein such employee feels that the employee has been dealt with in an unfair or capricious manner in violation of the employee's rights as an employee, the employee may resort to the grievance procedure hereinafter provided.
  - (2) A grievance procedure is necessary to resolve grievances as quickly as possible, to correct the causes and prevent future similar complaints, to assure fair and equitable treatment of all levels of employees. An employee who feels aggrieved, may have another employee from within the aggrieved employee's department attend each of the meetings with the aggrieved employee, upon requesting same from the aggrieved employee's supervisor. Every effort shall be made to resolve grievances through an oral discussion between the employee and the employee's immediate supervisor. If the dispute is not resolved in this manner, an established grievance procedure shall be followed. The grievance procedure shall not take more than thirty-five (35) calendar days. Time limits may be extended by mutual agreement or mitigating circumstances.
- (g) As used in this Section 7.1:
- (1) "Employment" is the initial hiring of a person by the City Manager to work for the City and does not include a demotion, promotion or transfer.
  - (2) "Regular employee" is an employee in a regular position, as established by the City Council, and may be within or outside the Career Service System.
  - (3) "Certified employee" is a regular employee in the Career Service System who has been declared certified by the City Manager as provided herein.

**7.2. SURETY BONDS.** Except as otherwise provided in this Charter, all officers of the City whose duties involve the custody of public property or the handling of public funds, either by way of receipt or disbursement or both, and all other officers and employees so required by the Council shall,

before they enter upon the duties of their respective offices, file with the City an official bond, in such form and amount as the Council shall direct and approve. Such official bond of every officer and employee shall be conditioned that the officer or employee will on demand deliver over to any successor in office, or other proper officer or an agent of the City, all books, papers, monies, effects, and property belonging thereto, or appertaining to the office, which may be in custody as an officer or employee; and such bonds may be further conditioned as the Council shall prescribe. The official bond of every officer whose duty it may be to receive or pay out money, besides being conditioned as above required, shall be further conditioned that the officer will, on demand, pay over or account for to the City, or any proper officer or agent thereof, all monies received as such officer or employee. The requirements of this paragraph may be met by the purchase of one or more appropriate blanket surety bonds covering all, or a group of, City employees and officers. The requirements of this paragraph may also be met by the purchase of one or more blanket crime insurance policies covering all, or a group of, City employees and officers as determined by the City Manager.

All official bonds shall be corporate surety bonds and the premiums thereon shall be paid by the City. The Clerk shall be custodian of all bonds of all officers or employees, except that the Treasurer shall be custodian of any bonds pertaining solely to the Clerk. In the event the offices of the Clerk and Treasurer are held by the same person, then the City Manager shall be custodian of any bonds pertaining to the Clerk and Treasurer.

**7.3. DELIVERY OF OFFICE.** Any officer or employee who ceases to hold such office or employment for any reason whatsoever shall within five (5) days, or sooner on demand, deliver to a supervisor or successor in office all books, papers, monies, and effects in the custody of such officer or employee. Any officer violating this provision may be proceeded against in the same manner as public officers generally for a like offense under the statute. Any employee found guilty by a competent tribunal of violating this provision may be punished by fine or imprisonment, or both, as determined by the Court.

**7.4. PECUNIARY INTEREST PROHIBITED.**

- (a) No contract or purchase involving an amount in excess of one hundred dollars (\$100.00) shall be made by the City in which an elective or appointive officer or any member of the officer's family has any pecuniary interest, direct or indirect. For the purposes of this Section 7.4 only, a "contract" shall include any arrangement or agreement pursuant to which any material, service or other thing of value is to be furnished to the City for a valuable consideration to be paid by the City or sold or

transferred by the City, except the provision of personal services within the scope of employment as an officer of the City; the term “member of the officer’s family” shall include spouse, children, and the spouse of any of them, and such other persons or classes of persons as may be provided by ordinance; and the term “officer” means each member of the City Council, each municipal judge, the City Manager and the City Attorney.

- (b) Without limiting the generality of Paragraph (a) of this Section, an officer shall be deemed to have a pecuniary interest in a contract if the officer or any member of the officer’s family is an employee, partner, officer, director or sales representative of the person, firm or corporation with which such contract is made. Ownership, individually or in a fiduciary capacity, by an officer or member of the officer’s family of securities, or of any beneficial interest in securities, of any corporation with which a contract is made, or which is a sales representative of any person, firm or corporation with which such contract is made, shall not be deemed to create a pecuniary interest in such contract unless the aggregate amount of such securities, or interest in such securities, so owned by such officer or the members of the officer’s family, shall amount to ten (10) percent of any class of the securities of such corporation then outstanding.
- (c) Any officer who knowingly permits the City to enter into any contract in which the officer has a pecuniary interest without disclosing such interest to the Council prior to the action of the Council in authorizing such contract, shall be guilty of misconduct in office or employment.
- (d) The City Council shall adopt, by ordinance, a code of ethics which shall apply to City officers and employees, to members of City boards and commissions, and to such other persons or classes of persons as the City Council may provide. The ordinance shall not conflict with the Charter and shall include, at a minimum, provisions regulating conflicts of interest, appearances of impropriety, use or disclosure of confidential information, appearances before City boards and commissions, use of City property and employee services, conduct following termination of City employment or conclusion of a term of office, receipt of gifts or favors, and definitions of the terms contained in this Section 7.4. No such ordinance or amendment thereto shall be adopted as an emergency ordinance.

## **7.5. COMPENSATION OF EMPLOYEES AND OFFICERS.**

- (a) The compensation of all employees and officers of the City whose compensation is not provided for herein shall be fixed

by the appointing officer or body within the limits of budget appropriations and in accordance with any pay plan adopted by the Council. The City may, from time to time, contract for professional services, and for such services pay such fees and charges as may be agreed upon.

- (b) Nothing contained in this Section shall prohibit the payment of necessary bona fide expenses incurred in service in behalf of the City.

**7.6. ANTI-NEPOTISM.** The following relatives and their spouses (a) of any elective official or spouse, or (b) of the City Manager or spouse are disqualified from holding any appointive office during the term for which said elective official was elected or during the tenure of office of the City Manager; child, grandchild, parent, grandparent, brother, sister, half brother and half sister. All relationships shall include those arising from adoption. This Section shall in no way disqualify such relatives or their spouses who are bona fide appointive officers or employees of the City at the time of the election of said elective official or the appointment of said City Manager.

## **CHAPTER VIII LEGISLATION**

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**8.1. PRIOR CITY LEGISLATION.** All valid bylaws, ordinances, resolutions, rules and regulations of the City which are not inconsistent with this Charter and which are in force and effect at the time of the effective date of this Charter shall continue in full force and effect until repealed or amended. Those provisions of any effective valid bylaw, ordinance, resolution, rule or regulation which are inconsistent with this Charter are hereby repealed.

**8.2. ORDINANCES AND RESOLUTIONS, AND MOTIONS.** In all legislative matters coming before it, the Council shall act only by ordinance, resolution or motion. In addition to such acts of the Council as are required by this Charter to be by ordinance, every act of the Council making an appropriation, authorizing the borrowing of money, levying a tax, establishing any rule or regulation for the violation of which a fine or jail penalty is imposed, or placing any burden upon or limiting the use of private property, shall be by ordinance.

**8.3. FORM OF ORDINANCES.** All ordinances shall be introduced in written form and no ordinance or Section thereof shall be amended or repealed except by an ordinance regularly adopted. The enacting clause of all ordinances shall be: "Be it ordained by the City Council of the City of Thornton, Colorado".

**8.4. PROCEDURE FOR PASSAGE OF ORDINANCES.**

- (a) An ordinance may be introduced at any regular or special meeting and shall be read in full at the time it is introduced or, in cases where copies of the ordinance are available to the Council and to those persons in attendance at said Council meeting, said ordinance may be read by title only. It may be passed on first reading by the affirmative vote of not less than a majority of the members elected to the Council at the meeting at which it is introduced.
- (b) No ordinance may be passed on second and final reading earlier than ten (10) days after the first reading, provided this provision shall not apply to emergency ordinances.
- (c) An ordinance may be read by title only for its second reading at any regular or special meeting. It may be passed on second and final reading by a majority of the members of the Council present, provided a quorum exists. An ordinance may be amended after first reading and passage and before second reading and final passage, provided said amendment or amendments do not change the stated purpose of the ordinance. The text of any such amendment or amendments shall be read in full unless copies of the amendment or amendments are available to the Council and to those persons in attendance at the Council meeting.
- (d) The effective date of all ordinances shall be on the date of final passage unless another date is prescribed herein.
- (e) The yes and no votes shall be taken upon the passage of all ordinances, resolutions, and motions and entered upon the journal of the Council proceedings. Should any Councilmember being present refuse to vote on any measure, the Councilmember's vote shall be recorded in the affirmative, but no such vote shall be recorded if the Councilmember refuses to vote because of a conflict of interest.

**8.5. PASSAGE OF EMERGENCY ORDINANCES.** An ordinance which is declared therein to be an emergency ordinance which is immediately necessary for the preservation of the public peace, health, safety, or financial well-being of the City, may be enacted at the regular or special meeting at which it is introduced by seven affirmative votes without any requirement of prior posting or publication and without any requirement of a second reading and passage. Such emergency ordinances, after passage, shall be posted and the title published as required by this Charter.

**8.6. POSTING AND PUBLICATION.** The full text of each ordinance after passage on first reading and before second reading and final passage, and after second reading and final passage, shall be posted as provided for by

ordinance of the Council. The title of each ordinance and a statement that the ordinance is on file in the City Clerk's office for public inspection shall be published in a manner set forth by ordinance as provided in this Charter after first passage and before second passage and again after second and final passage.

**8.7. AMENDMENT OR REPEAL.** No ordinance, section or subsection thereof shall be amended, superseded, or repealed except by an ordinance regularly adopted. No ordinance shall be amended by reference to its title only, but the revised sections or subsection of the ordinance, as amended, shall be reenacted. However, an ordinance, section or subsection thereof may be repealed by reference to its title and ordinance or code number only.

**8.8. RETAINING ORDINANCES.** All ordinances shall be retained by the Clerk and it shall be the duty of the Mayor and Clerk to authenticate such ordinances by their official signatures thereon, but the failure to so retain and authenticate an ordinance shall not invalidate it or suspend its operation.

**8.9. PENALTIES FOR VIOLATION OF ORDINANCES.** The Council may, by ordinance, provide for the enforcement of its ordinances by fine or imprisonment, or both.

**8.10. CODES.** The City Council may adopt, by ordinance, codes by reference in such manner as it deems appropriate.

**8.11. CODIFICATION OF ORDINANCES.** The Council shall direct and complete the codification of all ordinances of the City of a general and permanent nature and shall provide for the subsequent amendments thereto so that such amendments may readily be made a part of such published code and maintained thereafter in current form. Any such codification may originally include provisions not previously contained in ordinances of the City. The Council shall provide for making copies of the codification available for public inspection and for distribution to the public at a reasonable charge therefor and shall publish notice of the printing and availability of such codification before the effective date thereof. Such printing and making available of the codification and notice thereof shall constitute publication of any such codification, other provisions of this Charter for publication notwithstanding.

The copies of the ordinance and the codification thereof, and of provisions adopted by reference may be certified by the Clerk, and when so certified, shall be competent evidence in all Courts and other legally established tribunals as to the matter contained therein.

**8.12. INITIATIVE AND REFERENDUM.** The initiative and referendum apply only to ordinances of a legislative character. An ordinance may be initiated by petition, or a referendum on an enacted ordinance may be had by petition, as hereafter provided. The referendum provision of this Charter shall not apply to any ordinance which contains therein a declaration that said ordinance is necessary for the immediate preservation of the public peace, health or safety, nor shall the referendum provision apply to appropriations for the support and maintenance of any City department.

**8.13. INITIATIVE OR REFERENDUM PETITION.**

- (a) An initiative or referendum petition shall be signed by registered electors of the City numbering not less than ten (10) percent of the number of persons who were registered electors of the City, as of the date of the last regular City election, and all signatures on said petition shall be obtained within twenty-one (21) days before the date of filing the petition with the City Clerk. Any such petition shall be addressed to the Council and may be aggregate of two or more petition papers identical as to content and simultaneously filed by one person. An initiative petition shall set forth in full the ordinance it proposes to initiate, and no petition shall propose to initiate more than one ordinance. A referendum petition shall identify the ordinance or part thereof, or code section it proposes to have repealed. A referendum petition shall be void unless filed with the City Clerk within thirty (30) days from the effective date of the ordinances to which such petition refers.
- (b) Those State statutes applicable to the initiation or referral of a municipal ordinance and which do not conflict with this Charter shall apply to the initiation or referral of a City ordinance. The City Council may, by ordinance, provide for the withdrawal of any initiative or referendum petition, and establish initiative and referendum procedures which do not conflict with this Charter or with State statutes made applicable by this Charter.

**8.14. COUNCIL PROCEDURE ON INITIATIVE AND REFERENDUM**

**PETITIONS.** Upon the presentation to the City Council of an initiative or referendum petition by the City Clerk, the Council shall, within thirty days, either:

- (a) Adopt the ordinance as submitted by an initiative petition;
- (b) Repeal the ordinance, or part thereof, referred to by a referendum petition; or
- (c) Submit the proposal provided for in the petition to the electors and schedule an election thereon.

**8.15. SUBMISSION OF INITIATIVE AND REFERENDUM ORDINANCE TO ELECTORS.** Should the Council decide to submit the proposal to the registered electors, it shall be submitted at the next Municipal election held in the City for any other purpose or, in the discretion of the Council, at a special Municipal election called for that specific purpose. In the case of an initiative petition if no Municipal election is to be held in the City for any other purpose within one hundred fifty (150) days from the time the petition is presented to the Council and the Council does not enact the ordinance, then the Council shall call a special Municipal election within sixty (60) days from such date of presentation for the submission of the initiative proposal. The result of all Municipal elections held under the provisions of this Section shall be determined by a majority vote of the registered electors voting thereon.

**8.16. MISCELLANEOUS PROVISIONS ON INITIATIVE AND REFERENDUM.**

- (a) The presentation to the Council by the Clerk of a valid and sufficient referendum petition containing a number of signatures of registered electors of the City equal to ten (10) percent of the number of persons who were registered electors of the City as of the date of the last regular Municipal election, which signatures have been obtained within twenty-one (21) days before the date of filing the petition with the Clerk, shall automatically suspend the operation of the ordinance in question pending repeal by the Council or final determination by the electors.
- (b) An ordinance adopted by the electorate through initiative proceedings may not be amended or repealed for a period of six (6) months after the date of the election at which it was adopted, and an ordinance repealed by the electorate may not be reenacted for a period of six (6) months after the date of the election at which it was repealed; provided, however, that any ordinance may be adopted, amended, or repealed at any time by appropriate referendum or initiative procedure in accordance with the foregoing provisions of this Chapter or if submitted to the electorate by the Council on its own motion.
- (c) If two or more ordinances adopted at the same election shall have conflicting provisions, the provisions in the ordinance receiving the highest number of affirmative votes shall govern.
- (d) The Council, on its own motion, may submit any proposed ordinance or question to a vote of the registered electors at any regular or special election.
- (e) The City Clerk shall provide, upon request, sample forms of initiative and referendum petitions which conform to the requirements of this Charter.

- (f) An initiative or referendum petition may be withdrawn at any time prior to thirty (30) days preceding the day scheduled for a vote, by filing with the City Clerk a written request for withdrawal signed by a majority of the persons who are designated in the petition as representing the signers on matters affecting the petition. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

**8.17. SINGLE SUBJECT REQUIREMENT – INITIATED AND REFERRED MEASURES.**

- (a) No measure proposing an amendment to the ordinances of the City by means of a petition for initiative or referendum shall be submitted to the registered electors of the City if the measure contains more than one subject.
- (b) The City Clerk shall approve for petition circulation measures proposing referred ordinances or initiated ordinances only when such measures contain a single subject.
- (c) As used in this section, the single subject requirement means that the matters in the measure submitted for voter approval are necessarily or properly connected and are not disconnected or incongruous.

**CHAPTER IX  
GENERAL FINANCE - BUDGET, AUDIT**

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**9.1. FISCAL YEAR.** The fiscal year of the City and of all its agencies shall begin on the first day of January of each year and end on the thirty-first day of December of the same year unless otherwise provided by ordinance.

**9.2. BUDGET PROCEDURES.** The City Manager shall prepare and submit to the Council, as required by ordinance, a recommended budget covering a period including at least the next fiscal year, which shall include the Utilities Budget, and shall include therein at least the following information:

- (a) Detailed estimates of all proposed expenditures for each department, office, and agency of the City; and for the Court, showing the expenditures for corresponding items for the last preceding fiscal year in full; and for the current fiscal year.
- (b) Statements of the bonded and other indebtedness of the City, showing the debt redemption and interest requirements, the debt authorized and outstanding, and the condition of sinking funds, if any.
- (c) Detailed estimates of all anticipated revenues of the City from sources other than taxes with a comparative statement of the

amounts received by the City from each of the same similar sources for the last preceding fiscal year in full, and for the current fiscal year.

- (d) A statement of the estimated balance or deficit for the end of the current fiscal year.
- (e) An estimate of the amount of money to be raised from current and delinquent taxes and the amount to be raised from bond issues which, together with any available unappropriated surplus and any revenues from other sources, will be necessary to meet the proposed expenditures.
- (f) Such other information as the Council may request or require.
- (g) If required by Council by resolution or ordinance, a schedule showing all recommended capital outlay expenditures during the following five (5) fiscal years, including recommended capital outlay expenditures for all City operations.

**9.3. BUDGET HEARING.** A public hearing on the proposed budget shall be held before its final adoption at such time and place as the Council shall direct. Notice of such public hearing and notice that the proposed budget is on file in the office of the Clerk shall be published at least one week in advance of the hearing. The complete proposed budget shall be on file for public inspection during office hours at such office for a period of not less than one (1) week prior to such hearing.

**9.4. ADOPTION OF BUDGET.** Prior to the end of each fiscal year, the Council shall by resolution adopt a budget for a period including at least the next fiscal year, and shall provide for a levy of the amount necessary for at least the next fiscal year to be raised by taxes upon real and personal property for City purposes. The Council shall thereupon cause the total levy to be certified to the County Assessor for collection. On or before the last day of the current fiscal year the Council shall appropriate, by ordinance, the money needed for City purposes during a period including at least the next fiscal year of the City. The annual appropriation ordinance shall be based upon the budget as adopted.

**9.5. BUDGET CONTROL.**

- (a) Except for purposes which are to be financed by the issuance of bonds or by special assessment, no money shall be drawn from funds of the City except in accordance with an appropriation thereof, nor shall any obligation for the expenditure of money be incurred without an appropriation covering all payments which will be due under such obligation in the current fiscal year, except that money from any contingency fund may be transferred by resolution at any time during the year.

- (b) The Council by resolution may transfer any unencumbered appropriation balance or any unappropriated surplus of any fund or any portion thereof from one account, department, fund or agency to another.
- (c) The Council may by ordinance, amend the appropriations ordinance during the fiscal year but any supplemental 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 health, peace or safety. The Council may, by ordinance, reduce appropriations, except amounts required for debt and interest charges, to such a degree as necessary to keep expenditures within the revenues and for other purposes.
- (d) The City Manager shall submit to the Council data showing the relation between the estimated and actual revenues and expenditures to date on a monthly basis or more often if required by the Council.
- (e) The balance in any budget appropriation at the end of the fiscal year shall become a part of the same fund for the next fiscal year.
- (f) The City Manager may, at any time, transfer any unencumbered and unappropriated balance, or portion thereof, between accounts within any fund.

**9.6. DEPOSITORY.** The Council shall designate depositories for City funds, which shall be banks or savings and loan associations which are eligible public depositories under State law, and shall provide for the regular deposit in interest or non-interest bearing accounts of all City monies exclusive of investments as provided in Section 9.7. The Council shall provide for such security for City deposits as is authorized or permitted by statute, except that personal surety bonds shall not be deemed proper security.

**9.7. INVESTMENTS.** Subject to the provisions of this Charter, monies remaining in any fund which the City Treasurer may determine are available for investment may, in the discretion of the City Treasurer, be invested in one or more of the securities permitted by the statutes of Colorado for the investment of state funds or by the statutes of Colorado for the investment of municipal funds, or in bonds payable out of the revenues of any service or facility furnished by the City; or in general obligation bonds of the City. Interest on such investments shall be credited to the fund to which the invested money belongs, if such can be determined, otherwise to the General Fund of the City.

**9.8. INDEPENDENT AUDIT - ANNUAL REPORT.** Subject to the provisions of this Charter, independent audits shall be made of all City accounts at least annually, and more frequently if deemed necessary by the Council. Such audits shall be made by Certified Public Accountants, experienced in municipal accounting, selected by the Council.

**9.9. COPIES OF AUDIT.** Copies of such audit and annual report shall be made available for public inspection at the office of the City Clerk.

## **CHAPTER X TAXATION**

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**10.1. COLLECTION OF TAXES.** Until the Council shall otherwise provide by ordinance, the County Treasurer shall collect City taxes in the same manner and at the same time as State taxes are collected. In like manner the Council may provide for collection of special improvement assessments by said Treasurer. All laws of this State for the assessment of property and the levy and collection of general taxes, sale of property for taxes, and the redemption of the same, shall apply and have as full effect in respect to taxes for the City as of such general taxes, except as modified by this Charter. The County Treasurer shall report and pay to the City the amount of tax collections of the City for the preceding month.

**10.2. LIMITATION ON TAX INCREASES.** Any increase, as defined and interpreted in the Colorado Constitution, in property, sales or use tax rates shall be approved by the voters.

**10.3. AUTHORITY TO ACQUIRE PROPERTY.** In addition to all other power which it has to acquire property, the City of Thornton is hereby authorized to purchase or otherwise acquire property on which there are delinquent taxes and/or special assessments. The City may also dispose of any property acquired under this authority.

## **CHAPTER XI MUNICIPAL BORROWING**

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**11.1. FORMS OF BORROWING.** The City may borrow money and issue securities or enter into other obligations to evidence such borrowing in any form and in any manner determined by the Council to be advantageous to the City, and not in conflict with the provisions of this Charter.

**11.2. GENERAL OBLIGATION SECURITIES.**

- (a) No securities which mature after the close of the fiscal year in which they are issued and which are payable in whole or in part

from the proceeds of ad valorem property taxes or to which the full faith and credit of the City are pledged, shall be issued, except in pursuance of an ordinance, nor until the question of their issuance shall be submitted to a vote of the registered electors at a special or regular election and approved by a majority of those voting on the question.

- (b) The election requirement of Subsection 11.2(a) does not apply to securities issued for acquiring water and rights thereto, or acquiring, improving or extending a municipal water system.

**11.3. LIMITATION ON INDEBTEDNESS.** The City may issue general obligation securities and refunding securities which are general obligation securities only if the aggregate principal amount of all such securities does not exceed ten (10) percent of the assessed valuation of the taxable property within the City as shown by the last preceding assessment for City purposes. Excluded from this debt limitation shall be securities which mature prior to the close of the fiscal year in which they are issued, securities issued for acquiring water and rights thereto, or for acquiring, improving, or extending a municipal water system, or for refunding such water securities, and securities which have been refunded or otherwise defeased.

**11.4. REVENUE SECURITIES.** The City, pursuant to ordinance, shall have the power to issue revenue securities without an election for any public purpose payable in whole or in part from any source of revenues other than ad valorem property taxes or from any combination of sources of revenues other than ad valorem property taxes.

**11.5. REFUNDING SECURITIES.**

- (a) The City, pursuant to ordinance, may issue its securities without an election for the purpose of refunding outstanding securities to accomplish any refunding purpose determined by the Council to be advantageous and favorable to the City. Any refunding securities which are revenue securities may be payable in whole or in part from any source of revenue other than ad valorem property taxes or any combination of sources of revenues other than ad valorem property taxes.
- (b) Refunding securities may be issued in such principal amount and otherwise on such terms as the Council may determine to be necessary or appropriate to accomplish the refunding purpose. The period of payment of refunding securities shall not exceed the time necessary or appropriate to accomplish the refunding purpose and in no event shall exceed a longer term than thirty (30) years from the date of the refunding bonds.

**11.6. SECURITIES, INTEREST, SALE.** The maximum interest rate and all other terms of securities shall be fixed by or pursuant to an ordinance and such securities shall be sold to the best advantage of the City as determined by the Council. All securities may contain provisions for calling the same prior to the final due date.

**11.7. LONG TERM RENTALS AND LEASEHOLDS.** In order to provide necessary land, buildings, equipment, and other property for governmental or proprietary purposes, the City is hereby authorized to enter into long term rental or leasehold agreements. Such agreements may include an option or options to purchase and acquire title to such leased or rented property within a period of not exceeding the useful life of such property, and in no case exceeding forty (40) years. Each such agreement and the terms thereof shall be concluded by an ordinance duly enacted by the City, and no election shall be necessary to enter into such agreements. No such ordinance shall take effect before thirty (30) days after its passage. The Council is authorized and empowered to provide for the payment of said rentals from a general levy imposed upon both personal and real property included within the boundaries of the City, or by imposing rates, tolls, and service charges for the use of such property or any part thereof by others, or from any other available municipal income, or from any one or more of the above sources. The obligation to pay such rentals shall not constitute an indebtedness of the City within the meaning of this Charter or of the constitutional limitations on contracting of indebtedness by cities.

Property acquired or occupied pursuant to this Charter shall be exempt from taxation so long as used for authorized governmental or proprietary functions of the City.

**11.8. LIMITATION OF ACTIONS.** In addition to any other restrictions provided by ordinance, no action or proceeding, at law or in equity, to review any elections, acts or proceedings, or to question the validity of or to enjoin the performance of any act or the issuance or payment of any securities, or the levy or collection of any taxes, or for any other relief against any acts or proceedings of the City done or had under this Chapter XI of this Charter, and with reference thereto, whether based upon irregularities or jurisdictional defects shall be maintained, unless commenced within thirty (30) days after the election or performance of the act or effective date of the resolution or ordinance complained of, or else be thereafter perpetually barred.

## **CHAPTER XII**

### **IMPROVEMENT DISTRICTS**

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**12.1. POWER TO CREATE IMPROVEMENT DISTRICTS AND TO ACQUIRE, CONSTRUCT, OR INSTALL IMPROVEMENTS AND TO ISSUE SPECIAL ASSESSMENT SECURITIES.**

- (a) The Council shall have the power to contract for, acquire, construct, or install special or local improvements of every character within designated districts of said City, and to assess the cost thereof wholly or in part upon the property specially benefited.
- (b) The Council shall by ordinance prescribe the method and manner of creating special or local improvement districts, making such improvements, letting contracts therefor, assessing part or all of the cost thereof against the benefited property, and paying or issuing special assessment securities for costs and expenses of the organization of said districts and of the acquisition, construction, or installation of said improvements, and all things in relation thereto.
- (c) 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.

**12.2. IMPROVEMENT DISTRICT SECURITIES - GENERAL BENEFIT.**

- (a) In consideration of general benefits conferred on the City at large from the acquisition, construction, or installation of improvements in special or local improvement districts, the City Council may levy annual taxes on all taxable property within the City at a rate not exceeding three (3) mills in any one year, the proceeds thereof to be disbursed among the following purposes with such priority as contracted for or as otherwise determined by the Council:
  - (1) Paying any assessment levied against the City itself, whether or not imposed on City-owned property, in connection with securities issued for any special or local improvement districts;
  - (2) Advancing money to provide for the payment of principal or interest, or both, on securities issued for any special or local improvement district; or
  - (3) Establishing reserves or otherwise securing the payment of securities issued for any special or local improvement district in the manner provided for in the authorizing ordinance(s).
- (b) In lieu of such tax levies, the Council may, in its sole discretion, apply any available money of the City for the purposes listed above in Paragraph (a), but in no event shall the amount so applied (together with any such taxes so collected) in any

one year exceed the amount which would result from a tax levied in such year as herein limited. In the event of such application, the City may reimburse itself from taxes levied (not exceeding three (3) mills), or from the collection of assessments, to replace moneys so applied. The Council may direct by ordinance the disposition of such taxes or of such available moneys, or of any surplus assessments, including without limitation the deposit of such moneys to the surplus and deficiency fund provided for in Section 12.3 of this Charter.

- (c) The provisions of this Section do not limit or impair the powers granted in any other section of this Charter.
- (d) Securities of any special or local improvement district payable from special assessments, which payment may be secured or additionally secured as provided in this Section, shall not be subject to any debt limitation nor exhaust the City's debt incurring power, nor shall such securities be required to be authorized at any election; and such securities shall not be held to constitute a prohibited lending of credit or donation, nor to contravene any constitutional, statutory, or Charter limitation or restriction.

**12.3. SURPLUS AND DEFICIENCY FUND.** Where all outstanding securities have been paid in a special or local improvement district and any moneys remain to the credit of the district, the Council may transfer such moneys to a special surplus and deficiency fund. The Council may prescribe by ordinance the manner in which any moneys deposited in said surplus and deficiency fund may be applied.

**12.4. ADDITIONAL COMMITMENT TO PAY IMPROVEMENT DISTRICT SECURITIES.** If the City has so contracted in the ordinance(s) authorizing the issuance of improvement district securities, and if at least four-fifths of the outstanding securities for such special or local improvement district have been paid and canceled, and if for any reason the remaining assessments are not paid in time to take up the remaining securities of the district, then the City shall pay the remaining securities when due and shall reimburse itself by collecting the unpaid assessments due the district.

**12.5. REVIEW OF IMPROVEMENT DISTRICT PROCEEDINGS.** In addition to any other restrictions provided by ordinance, 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 Charter, or for any other relief against any acts or proceedings done or had under this Chapter, or of the City, with reference thereto, whether based upon irregularities or jurisdictional defects, shall be maintained, unless

commenced within thirty (30) days after the performance of the act or the effective date of the resolution or ordinance complained of, or else be thereafter perpetually barred.

## **CHAPTER XIII**

### **LAND USE AND PLANNING**

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**13.1. COMPREHENSIVE PLAN.** The Master Plan for the City shall also be known as the Comprehensive Plan. The Council shall approve the Comprehensive Plan and any amendments after considering any recommendations by boards or commissions. The Council shall periodically update the Comprehensive Plan and subsidiary land use, functional, or infrastructure plans, and may receive recommendations from boards or commissions on such updates as designated by resolution. The Council shall adopt and amend plans for clearing and rebuilding of blighted areas and plan for redevelopment in the City, and may receive recommendations from boards or commissions on such plans as designated by resolution.

**13.2. LAND DEVELOPMENT AND GROWTH MANAGEMENT.** The City may establish and collect from development projects payments, charges or impact fees for public improvements and facilities, dedications of property and fees in lieu thereof, and requirements to recover costs for public facilities provided to serve future land development in order for new development, not current citizens, to bear its proportionate share of the costs of public improvements and facilities reasonably necessitated by growth. Further, the City may regulate the rate of growth or adopt other measures to promote quality and coordinated development.

## **CHAPTER XIV**

### **BOARDS AND COMMISSIONS**

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**14.1. GENERAL PROVISIONS.**

- (a) The City Council shall establish by ordinance all citizen boards and commissions necessary and required to carry out the duties and responsibilities provided in City codes and ordinances.
- (b) All regular and special meetings of such boards and commissions shall be open to the public, except that any such board or commission may hold executive sessions if and to the extent permitted by ordinance, but no formal or legally binding action shall be taken at any such executive session. Copies of all minutes of such meetings shall be kept and placed in the office of the City Clerk for public inspection. Public records of such boards and commissions shall be open for inspection as and to the extent provided by the State public records statutes.

## **CHAPTER XV FRANCHISES**

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**15.1. FRANCHISES REMAIN IN EFFECT.** All franchises to which the City is a party when this Charter becomes effective shall remain in full force and effect in accordance with their respective terms and conditions.

**15.2. GRANTING OF FRANCHISES.**

- (a) All franchises and all renewals, and extensions thereof and amendments thereto shall be granted only by ordinance. No exclusive franchise shall ever be granted. No franchise shall be granted for a longer period than twenty (20) years.
- (b) Any ordinance granting a franchise shall be subject to an election upon the submission of a referendum petition in the manner provided in this Charter, except that the ordinance granting such franchise shall be subject to an election notwithstanding a declaration in such ordinance that the ordinance is necessary for the immediate preservation of the public peace, health, or safety, and except that such a petition need be signed by only five (5) percent of the number of persons who were registered electors of the City as of the date of the adoption of the ordinance. If such an election is ordered, the grantee of the franchise shall deposit the cost thereof with the City Clerk in an amount determined by the City Manager. No franchise election shall be held until the grantee deposits the cost thereof with the City Clerk in an amount determined by said City Manager.
- (c) No such franchise ordinance shall be approved by the Council before thirty (30) days after application therefor has been filed with Council nor until a public hearing has been held thereon, nor until the grantee named therein has filed with the Clerk an unconditional acceptance of all terms of such franchise.

**15.3. TERMS AND CONDITIONS.** The Council shall, by ordinance, establish procedures, terms, fees, compensation, conditions, and other matters which the Council deems appropriate relating to the granting of franchises.

**15.4. REVOCABLE PERMITS.** The Council may grant a permit at any time for the temporary use or occupation of any public right-of-way, street, alley, or public place, provided such permit shall be revocable by the Council at its pleasure whether such right to revoke be expressly reserved in such permit or not.

## CHAPTER XVI MISCELLANEOUS

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**16.1. VESTED RIGHTS CONTINUED.** After the effective date of this Charter the City shall be vested with all property, monies, contracts, rights, credits, effects and the records, files, books, and papers belonging to it under and by virtue of operation under statutes governing second class cities.

No right or liability, either in favor of or against the City, existing at the time this Charter becomes effective and no suit or prosecution of any character shall in any manner be affected by any change, resulting from the adoption of this Charter, but the same shall stand or proceed as if no change had been made. All debts and liabilities of the City shall continue to be the debts and liabilities of the City, and all fines and penalties imposed at the time of such change shall be collected.

**16.2. INTERPRETATIONS.** Except as otherwise specifically provided or indicated by the context:

- (a) All words used in this Charter indicating the present tense shall not be limited to the time of the adoption of this Charter but shall extend to and include the time of the happening of any event or requirement for which provision is made herein.
- (b) The singular number shall include the plural, and the plural number shall include the singular.
- (c) The word "person" may extend and be applied to bodies politic and corporate and to partnerships as well as to individuals.
- (d) The word "officer" shall include the Mayor and other members of the Council, the administrative officers, members of City boards and commissions created by or pursuant to this Charter.
- (e) The word "statute" shall denote the laws of the State of Colorado in effect at the time the provision of the Charter containing the word "statute" is to be applied.
- (f) All references to section numbers shall refer to section numbers of this Charter.
- (g) The word "appropriation" shall mean the authorized amount of funds set aside for expenditure during a specific time for a specific purpose.
- (h) The word "City" shall mean the City of Thornton, Colorado, a municipal corporation.
- (i) The word "Clerk" shall mean City Clerk unless otherwise indicated.
- (j) The word "Council" shall mean City Council.

**16.3. SATURDAYS, SUNDAYS AND HOLIDAYS.** Whenever the date fixed by this Charter or by ordinance for the doing or completion of any act falls on a Saturday, Sunday or legal holiday, such act shall be done or completed as provided by ordinance.

**16.4. PUBLICATIONS.** The City Council shall, by ordinance, establish publication requirements.

**16.5. EMINENT DOMAIN.** In carrying out the powers and duties imposed upon it by this Charter or by the general statutes, the City shall have power to acquire within or without its corporate limits, lands, buildings, water, water rights and water storage rights, water and sewer properties, and other properties, and any interest in land and air rights over land, and may take the same upon paying just compensation to the owner as provided by law.

**16.6. CITY NOT TO PLEDGE CREDIT.** The City shall comply with Colorado Constitution Article XI, Section 1, as from time to time amended.

**16.7. CHAPTER AND SECTION HEADINGS.** The chapter, section and subsection headings used in this Charter are for convenience only and shall not be considered as part of the Charter.

**16.8. SEVERABILITY OF CHARTER PROVISIONS.** If any provision, section, article or clause of this Charter in the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect any remaining portion or application of the Charter which can be given effect without the invalid portion or application, provided such remaining portions or applications are not determined by the court to be inoperable, and to this end this Charter is declared to be severable.

## **CHAPTER XVII**

### **TRANSITIONAL PROVISIONS**

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**17.1. EFFECT OF AMENDMENTS AND REPEALERS.** Approval by the electors of any Charter Amendment which repeals any section or portion of this Charter shall not be construed to be a limitation, denial, or suspension of any power of the City of Thornton, or any power of its elected City Council otherwise vested in or authorized to the City or the City Council by the constitution or the statutes of the State of Colorado; except as expressly provided by new language, such amendments shall be construed to the end that repealers or deletions eliminate obsolete, unnecessary and limiting language in the original Charter Document which previously served to restrict the powers of the City and the elected City Council.

## **CHAPTER XVIII**

# **COLLECTIVE BARGAINING FOR FIRE FIGHTERS AND POLICE OFFICERS**

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**18.1. STATEMENT OF POLICY.** The protection of the public health, safety and welfare demand that fire fighters and police officers not be accorded the right to strike or engage in any work stoppage, slowdown or mass absenteeism. This necessary prohibition does not, however, require the denial to such employees of the City other well-recognized rights of employees, such as the right to organize, be represented by an employee organization of their choice, and the right to bargain collectively concerning wages, rates of pay, hours, grievance procedure, working conditions, and other terms and conditions of employment.

It is hereby declared to be the policy of the City of Thornton to accord to fire fighters and police officers all the rights of labor other than the right to strike or organize any work stoppage, slowdown or mass absenteeism. To provide for the exercise of these rights, a method of resolution of disputes is hereby established in lieu of the right to strike. The establishment of this method of dispute resolution shall be deemed to be a recognition of the necessity to provide an alternative mode of settling disputes where employees such as fire fighters and police officers, as a matter of public policy, must be denied the right to strike.

**18.2. DEFINITIONS.** As used in this Chapter and its subparts, the following terms shall, unless the context requires a different interpretation, have the following meanings:

- (a) The term “fire fighter” shall mean the following regular employees of the Fire Department of the City of Thornton: sworn fire fighters up to and including the rank of Captain, and emergency medical technicians who are not supervisors and whose primary responsibilities are responding to emergency calls for fire suppression and/or emergency medical services.
- (b) The term “police officer” shall mean all full-time sworn police officers at or below the rank of Sergeant in the Police Department of the City of Thornton.
- (c) The term “bargaining unit” shall mean one of the two approved bargaining units, (1) the fire fighter bargaining unit consists of the fire fighters described in Section 18.2(a); and (2) the police officer bargaining unit consists of the police officers described in Section 18.2(b).
- (d) The term “corporate authorities” or “City” shall mean the proper officials, including but not limited to, the Chief of the Fire Department, Chief of the Police Department, Department of City Personnel or Human Resources, the City Manager,

and the City Council, whose duty it is to establish the wages, salaries, rates of pay, hours, working conditions, or other terms and conditions of employment of fire fighters and police officers.

- (e) The term “sole and exclusive collective bargaining agent” or “bargaining agent” shall mean an employee organization chosen by the fire fighters to represent the fire fighter bargaining unit and an employee organization chosen by the police officers to represent the police officer bargaining unit pursuant to Section 18.4 for the purpose of collective bargaining.
- (f) The term “final offer” shall be the written offer made latest in time by a party but at least seven (7) days prior to the start of an advisory fact finding hearing.
- (g) The term “economic issues” shall mean issues that concern rates of pay or benefits.

**18.3. RIGHT TO ORGANIZE AND BARGAIN COLLECTIVELY.**

- (a) Fire fighters and police officers shall have the right to bargain collectively with the City and to be represented by an employee organization in such collective bargaining respecting wages, rates of pay, hours, grievance procedure, working conditions and all other terms and conditions of employment, except pensions and the public and management rights contained in Subsection (b) herein.
- (b) Public and Management Rights. The following are the inherent and exclusive rights of the City and these shall not be the subjects of collective bargaining:
  - (i) To direct the work of its employees;
  - (ii) To hire, promote, demote, classify, evaluate and retain employees in positions with the City;
  - (iii) To demote, suspend and discharge or otherwise discipline employees for proper cause;
  - (iv) To transfer, assign and schedule employees, but nothing contained in this Paragraph (iv) shall prohibit bargaining over scheduling and the procedures for transfer and assignment;
  - (v) To determine whether to layoff employees because of lack of work, lack of funds, or for other legitimate reasons, provided that nothing contained in this Paragraph (v) shall prohibit bargaining over the process used to determine how any layoff will be accomplished;
  - (vi) To determine and implement the methods, equipment, facilities and other means and personnel by which municipal operations are to be conducted,

- and to take the steps it deems necessary to maintain the efficiency and safety of said operations and of the personnel engaged therein; and
- (vii) To determine its budget, organization, and the merits, necessity and level of any activity or service provided by the City, provided, however, that nothing contained in Paragraphs (vi) and (vii) shall prohibit bargaining over minimum manning requirements.

This Subsection (b) shall not be construed as limiting, diminishing or repealing in any way the Career Service System provisions appearing in Chapter VII of this Charter.

#### **18.4. SELECTION AND RECOGNITION OF BARGAINING AGENT.**

- (a) The sole and exclusive collective bargaining agent for the purpose of collective bargaining shall be the sole and exclusive representative of all of the fire fighters and all of the police officers, as applicable, if the majority of the fire fighters and the majority of the police officers voting in separate elections vote for such collective bargaining agent.
- (b) When a question arises concerning the selection of a bargaining agent for the fire fighter bargaining unit or for the police officer bargaining unit, the Election Commission shall determine the question thereof by taking a secret ballot of fire fighters or police officers and certifying in writing the results thereof to the person, persons, employee organization and corporate authorities involved, said secret ballot election to be conducted not less than fifteen (15) days nor more than thirty (30) days from the date of filing the petition. The Election Commission shall certify the results of the above-described election within one (1) working day of the close of the polls.
- (c) Questions concerning the selection of a bargaining agent for the fire fighter bargaining unit or the police officer bargaining unit may be raised only by petition of any fire fighter, group of fire fighters, or of any police officer, group of police officers, or any employee organization representing or wishing to represent fire fighters or police officers and only if such petition is signed by at least thirty-three (33) percent of the fire fighters or thirty-three (33) percent of the police officers. Such a petition may be submitted at any time to the City Clerk provided that in the event there is a fire fighter bargaining agent or police officer bargaining agent then certified or recognized by the City, no petition may be filed until said certified or recognized fire fighter bargaining agent or police officer bargaining agent has had a twelve (12) month period in which to attempt to enter

into a collective bargaining agreement with the City, unless said fire fighter bargaining agent or police officer bargaining agent can be shown to have been initiated, created, or dominated by the corporate authorities or persons acting on behalf of the corporate authorities; and provided further that no petition may be filed during the term of an existing fire fighter collective bargaining agreement or police officer collective bargaining agreement, except during the period from January 1 to January 31 of the final year of such fire fighter or police officer collective bargaining agreement. The Election Commission shall make such rules as are necessary and provide appropriate forms for the filing of such petition and conducting of such elections.

- (d) The employee organization selected by the majority of the fire fighters or the majority of the police officers voting in separate elections conducted pursuant to Subsection (b) of this Section shall be recognized by the City as the sole and exclusive collective bargaining agent for the fire fighter bargaining unit or sole and exclusive collective bargaining agent for the police officer bargaining unit unless and until recognition of such labor organization is withdrawn by a vote of a majority of the fire fighters or police officers voting in the election.

**18.5. OBLIGATION TO BARGAIN IN GOOD FAITH.**

- (a) It shall be the obligation of the City to meet separately and bargain in good faith with the representative or representatives of the fire fighter bargaining agent or the police officer bargaining agent at all reasonable times and places within forty-five (45) days after receipt of written notice from said fire fighter or police officer bargaining agent of the request for a meeting for collective bargaining purposes. This obligation shall include the duty to cause any agreements resulting from negotiations to be reduced to a written contract, which contract shall be for a term of at least one (1) year, and not more than three (3) years.
- (b) It shall be the obligation of the bargaining agent of the fire fighters or the bargaining agent of the police officers to meet separately and negotiate in good faith with the City and/or its designated representatives at all reasonable times and places. This obligation shall include the duty to cause any agreements to be reduced to a written contract, which contract shall be for a term of at least one (1) year, and not more than three (3) years.
- (c) In any advisory fact finding hearing conducted pursuant to this Chapter, the advisory fact finding board shall consider any evidence about either the corporate authorities' or the fire

fighter bargaining agent's or police officer bargaining agent's refusal to negotiate in good faith. If the advisory fact finding board concludes that either the corporate authorities or the fire fighter bargaining agent or police officer bargaining agent has failed to negotiate in good faith, it shall utilize this conclusion pursuant to Section 18.9 and may base its findings and recommendations on this conclusion.

**18.6. UNRESOLVED ISSUES SUBMITTED TO ADVISORY FACT FINDING.** In the event that the fire fighter bargaining agent or police officer bargaining agent and the corporate authorities are unable, within thirty (30) days from and including the date of their first meeting, to reach an agreement on a contract, any and all unresolved issues shall be submitted to advisory fact finding. Submission of unresolved issues to advisory fact finding shall not cause the obligation of the parties to bargain in good faith to cease. Any or all issues which are unresolved between the bargaining agent and the corporate authorities within the time periods contained in this paragraph may be agreed to by the parties at any time prior to the second reading by the City Council of an ordinance to conduct a referendum vote of the people pursuant to Section 18.11. In the event the fire fighter bargaining agent or police officer bargaining agent and corporate authorities are able to reach agreement upon any or all issues prior to the receipt of the recommendations of the advisory fact finding board, then the board shall make no recommendations on such issue or issues. In the event that following receipt of the recommendation of the advisory fact finding board the fire fighter bargaining agent or police officer bargaining agent and the corporate authorities are able to reach an agreement upon any or all issues prior to a second reading by the City Council of an ordinance to conduct a referendum vote, then those agreed upon issues shall not be submitted to said referendum vote.

**18.7. FACT FINDING BOARD - COMPOSITION.** Within three (3) days from the expiration of the time period referred to in Section 18.6. hereof, the fire fighter bargaining agent or police officer bargaining agent or the corporate authorities shall inform the American Arbitration Association, or its successor organization, that a fact finding board is required. Within ten (10) days thereafter, the appropriate arbitration association shall submit simultaneously to each party an identical list of seven (7) persons as proposed members of the board. It shall have been previously determined by the appropriate arbitration association that the proposed members of the board shall be available and will accept appointment as fact finders within the time period specified hereafter. Within seven (7) days from the mailing date of the list, each party shall cross off two (2) names from the list, and shall number the remaining names indicating the order of its preference and return the list to the appropriate arbitration association. If

a party does not return the list within the time specified, all persons named therein shall be deemed acceptable. Within ten (10) days after the time the list must be returned to the appropriate association, the arbitration association shall do the following:

- (1) From among the persons who have been approved on both lists, and in accordance with the designated order of mutual preference, it shall appoint three (3) fact finders to serve.
- (2) It shall select from among said three (3) fact finders a person to serve as chairman.
- (3) It shall notify the parties of such appointments.

#### **18.8. HEARINGS.**

- (a) The fact finding board shall, acting through its Chairman, call a hearing to be held within twenty-one (21) days after the date of the appointment of the Chairman, and shall, acting through its Chairman, give at least ten (10) days notice in writing to each of the other two fact finders, the fire fighter bargaining agent or the police officer bargaining agent and the corporate authorities of the time and place of such hearing. The hearing shall be informal, and the rules or evidence prevailing in judicial proceedings shall not be binding. Any and all documentary evidence and other data deemed relevant by the fact finders shall be received in evidence. The fact finders shall have the power to administer oaths and to require by subpoena the attendance and testimony of witnesses and the production of books, records and other evidence relating to or pertinent to the issues presented to them for determination.
- (b) The hearings conducted by the fact finders shall be concluded within fourteen (14) days of the time of commencement. Within five (5) days following the conclusion of the hearings, the parties may, if they deem necessary, submit written briefs to the fact finders. Within ten (10) days of receipt of such briefs, or within ten (10) days after conclusion of the hearings if no post-hearing briefs are filed, the fact finders shall make written findings and a written opinion and decision on the issues presented, a copy of which shall be mailed or otherwise delivered to the fire fighter bargaining agent or the police officer bargaining agent and its designated representative and the corporate authorities. A majority decision of the fact finders shall be the recommendation to both the fire fighter or police officer bargaining agent and the corporate authorities. Said written findings, opinions and decisions, and recommendations shall be reached and discussed in accordance with the provisions of Section 18.9.

**18.9. FACTORS TO BE CONSIDERED BY THE FACT FINDING BOARD.** The fact finders shall conduct the hearings and render their decision upon the basis of a prompt, peaceful and just settlement of all unresolved issues between the fire fighter or police officer bargaining agent and the corporate authorities. The factors to be given weight by the fact finders in arriving at a decision shall include:

- (1) Comparison of wage rates, hours, terms and conditions of employment of the fire fighters, with wage rates, hours, terms and conditions of employment of fire departments in comparable cities and towns in the United States; or the comparison of wage rates, hours, terms and conditions of employment of the police officers, with wage rates, hours, terms and conditions of employment of police departments in comparable cities and towns in the United States.
- (2) Interest and welfare of the public, and the financial ability of the City to finance the cost items proposed by each party.
- (3) Other similar standards recognized in the resolution of interest disputes including but not limited to a comparison of the peculiarities of either fire fighter employment or police officer employment, as applicable, in regard to other trades, professions or occupations, specifically:
  - (a) hazards of employment,
  - (b) physical qualifications,
  - (c) educational qualifications,
  - (d) mental qualifications,
  - (e) job training and skills,
  - (f) degree of responsibility exercised, and
  - (g) work schedules.

**18.10. FINAL OFFER PROCEDURE.** The fact finding board shall recommend either the final offer of the corporate authorities or the final offer of the fire fighter bargaining agent, or the final offer of the corporate authorities or the police officer bargaining agent, as applicable, on each issue and shall state its reasons for recommending such position.

**18.11. ELECTION PROCEDURE FOR IMPASSE RESOLUTION.**

- (a) The recommendations of the fact finders shall be advisory only. Within seven (7) days of receipt of the recommendations of the fact finders, the City and the fire fighter or police officer bargaining agent, as applicable, shall meet and simultaneously, in writing, notify each other of their respective determinations to accept or reject those recommendations. Failure by either the City or the fire fighter or police officer bargaining agent to so notify the opposite party within these time limits shall be deemed rejection of the fact finders' recommendations by the defaulting party.

- (b)
  - (i) In the event the City or the fire fighter bargaining agent or police officer bargaining agent is unwilling to enter into a collective bargaining agreement containing the recommendations of the fact finders, the corporate authorities shall cause the recommendations of the fact finders to be referred to a vote of the people not less than thirty (30) nor more than sixty (60) days from the date of the fact finders' recommendations. The final offer concerning those issues still in dispute of the party or parties rejecting the fact finders' recommendations shall also be placed on the ballot. The only issues that will be submitted to such an election will be economic issues or issues that change the rights of fire fighters contained in the fire fighter collective bargaining agreement or change the rights of police officers contained in the police officer collective bargaining agreement in effect at the time of the adoption of this Chapter or issues that the parties to the negotiations agree in the applicable fire fighter collective bargaining agreement or police officer collective bargaining agreement may be placed on the ballot.
  - (ii) The ballot for any election conducted pursuant to Subparagraph (i) of this Section shall list the recommendations of the fact finders first. The determination in an appropriate circumstance of whether the final offer of the fire fighter or police officer bargaining agent or the final offer of the corporate authorities shall be listed second shall be made by lot or by a flip of a coin.
  - (iii) At any election conducted pursuant to Subparagraph (i) of this Section, voters shall be permitted to vote in favor of adopting either the recommendations of the fact finders, or the final offer of the corporate authorities, or the final offer of the fire fighter bargaining agent or police officer bargaining agent, whichever is on the ballot. The proposal receiving approval by a majority of those voting on the proposal(s) shall be deemed approved and be binding upon the parties. If no proposal receives a majority vote, the two proposals receiving the most votes will be placed on a run-off election ballot within forty (40) days. In no event shall any issue upon which the fire fighter bargaining agent or police officer bargaining agent and the corporate authorities have reached

an agreement prior to the second reading by the City Council of an ordinance to call a referendum election pursuant to this Section be included in such referendum election.

**18.12. COST OF ELECTION.** The cost of any special election conducted solely pursuant to Section 18.11 and a pro rata portion of the cost of any special or general election conducted in part pursuant to Section 18.11 shall be paid by the party refusing to implement the recommendations of the fact finders. In the event both parties to a particular fact finding proceeding refuse to implement the recommendations of the fact finders, the parties shall share equally the cost of conducting an election conducted pursuant to Section 18.11. The Election Commission shall determine the cost involved in any special election and shall also determine the pro rata share of the party or parties refusing to implement the recommendations of the fact finders for the cost incurred by reason of such refusal.

**18.13. FEES AND EXPENSES OF FACT FINDING.** The necessary fees and necessary expenses of fact finding shall be shared equally by the City and by the fire fighter or police officer bargaining agent.

**18.14. COLLECTIVE BARGAINING AGREEMENT - WHAT CONSTITUTES.** The collective bargaining agreement between the City and the bargaining agent of the fire fighters or bargaining agent of the police officers shall consist of any and all terms actually agreed to by the parties, or accepted by the parties from the recommendations of the fact finders, or selected by the electorate pursuant to this Chapter.

**18.15. REQUEST FOR COLLECTIVE BARGAINING.** Whenever wages, rates of pay, or any other matter requiring appropriation of money by the City are included as matters of collective bargaining under this Chapter, it is the obligation of the fire fighter bargaining agent or police officer bargaining agent to serve written notice of request for collective bargaining on the corporate authorities no later than the third Monday in February of the year in which money can be appropriated by the City to cover the contract period which will be the subject of the collective bargaining procedure.

**18.16. BENEFITS NOT TO BE REDUCED.** Those benefits granted to fire fighters or police officers by this Charter, or by applicable ordinances, personnel policy or procedure, or by state statute shall remain in full force and effect until such time as the benefits provided by these provisions may be modified by the terms of a collective bargaining agreement or agreements entered into pursuant to the requirements and provisions of this Chapter of the Charter and the subdivisions hereof, provided however, that no person who is either receiving or has contributed monies toward

a fire fighter's or police officer's pension shall cease in any manner to be eligible for the full pension which was contemplated on the date of the adoption of this Chapter unless they voluntarily withdraw from the same.

**18.17. PROHIBITION.**

- (a) No fire fighter, police officer, or person seeking admission as a fire fighter or police officer shall be appointed, promoted, reduced, removed or in any way favored or discriminated against because of race, of sex, political or religious opinions or other affiliations or non-affiliations or in violation of Federal, State, or the City's anti-discrimination laws; provided that it shall be permissible and it shall not be in violation of this Charter for the City to enter into an agreement with the bargaining agent of the fire fighters or the bargaining agent of the police officers which requires the payment by fire fighters or police officers to said fire fighter or police officer bargaining agent of an amount not to exceed the normal dues and assessments required of members of said fire fighter bargaining agent or police officer bargaining agent if a majority of the fire fighters voting in an election of the fire fighter bargaining unit or police officers voting in an election of the police officer bargaining unit conducted by the Election Commission, approve including such a provision in any fire fighter or police officer collective bargaining agreement entered into between the City and said fire fighter or police officer bargaining agent.
- (b) Fire fighters and police officers shall have the right to form, join and participate in the activities of employee organizations of their own choosing for the purpose of representation on the matters of wages, benefits, and other terms or conditions of employment. Members of the fire fighter bargaining unit or police officer bargaining unit shall also have the right to refuse to join or participate in any activities of employee organizations and shall have the right to represent themselves individually and have individual grievances adjusted without resort to employee organizations; provided, however, that a representative of the fire fighter bargaining agent or police officer bargaining agent shall have the right to be present in any such adjustments which deal with the provisions of the fire fighter collective bargaining agreement or police officer collective bargaining agreement, and any resolution reached as a result of such individual representation or grievance must be in accord with the terms of any fire fighter or police officer collective bargaining agreement actually in effect and applicable to such fire fighter bargaining unit members or police officer bargaining unit members. Except as provided in Paragraph

(a) of this Section, neither the City, nor any member of the fire fighter bargaining unit or police officer bargaining unit, nor any employee organization, nor any officially recognized fire fighter bargaining agent or police officer bargaining agent shall interfere with, intimidate, restrain, coerce or discriminate against any employee because of the exercise of the foregoing rights.

**18.18. FIRE CHIEF AND POLICE CHIEF.**

- (a) The Fire Chief shall be in direct command of the Department of Fire. The Fire Chief shall assign all members of the Fire Department to their respective posts, shifts, details, and duties; shall make rules and regulations with approval of the City Manager and in conformity with the ordinances and resolutions of the City concerning the operation of the Fire Department and the conduct of all employees thereof; and 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.

The Fire Chief shall, subject to approval of the City Manager and Council, have further power to make regulations with force of law, implementing and giving effect to the laws and ordinances and resolutions relating to fire prevention and fire safety. The Fire Chief shall not either make or enforce any assignment, rule or regulation, or order, which is not in conformity with the provisions of any fire fighter collective bargaining agreement entered into pursuant to this Chapter of the Charter between the City and the bargaining agent of the fire fighters.

- (b) The Police Chief shall be in direct command of the Police Department. The Police Chief shall assign all members of the Police Department to their respective posts, shifts, details, and duties; shall make rules and regulations with approval of the City Manager and in conformity with the ordinances and resolutions of the City concerning the operation of the Police Department and the conduct of all employees thereof; and 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. The Police Chief shall, subject to approval of the City Manager and Council, have further power to make regulations with force of law, implementing and giving effect to the laws and ordinances and resolutions related to the Police Department and police public safety.

The Police Chief shall not either make or enforce any assignment, rule or regulation, or order, which is not in conformity with the provisions of any police officer collective bargaining agreement entered into pursuant to this Chapter of the Charter between the City and the bargaining agent of the police officers.

**18.19. IMPACT UPON CAREER SERVICE SYSTEM.** This Chapter shall not in any way be construed to expand, modify, delete, circumscribe or alter the Career Service System established pursuant to Chapter VII of this Charter except as specifically stated herein, to wit, Sections 7.1.(c) and 7.1.(d) shall not apply to fire fighters or police officers upon the certification of a fire fighter or police officer bargaining agent pursuant to Section 18.4. herein and furthermore that all other provisions of Section 7.1 shall remain in effect for fire fighters and police officers only until modified by or included in a fire fighter or police officer collective bargaining agreement between the City and the fire fighter or police officer bargaining agent. No rule or regulation of the Career Service System either in effect at the time of the adoption of this Chapter or thereafter adopted shall be enforced or applied as to any fire fighter or police officer covered by a collective bargaining agreement arrived at pursuant to this Chapter XVIII where to do so would contravene the terms of such a collective bargaining agreement. In the event of any conflict between a rule or regulation of the Career Service System and a fire fighter or police officer collective bargaining agreement, the provision of the fire fighter or police officer collective bargaining agreement shall control and supersede said rule or regulation.

**18.20. SEVERABILITY.** If any clause, sentence, paragraph, or part of this Chapter or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Chapter or its application.

**18.21. STRIKES.**

- (a) The protection of the public health, safety and welfare demands that neither the sole and exclusive collective bargaining agent of the fire fighters or sole and exclusive collective bargaining agent of the police officers, nor the fire fighters, nor the police officers, nor any person acting in concert with them, will cause, sanction, or take part in any strike, walkout, sitdown, slowdown, stoppage of work, retarding of work, abnormal absenteeism, withholding of services, or any other interference with the normal work routine.
- (b) A violation of any provision of this Section by the sole and

exclusive bargaining agent of the fire fighters or sole and exclusive bargaining agent of the police officers shall be cause for the City to terminate the fire fighter or police officer collective bargaining agreement with said agent upon giving written notice to that effect to the chief representative of said fire fighter or police officer agent, in addition to whatever other remedies may be available to the City at law or in equity.

**18.22. TIME LIMITS.** Any time limit contained in this Chapter, except ones governing notice and timing of elections, may be modified for that year upon the written consent of the City and the applicable fire fighter bargaining agent or police officer bargaining agent.