



FLORENCE CITY COUNCIL
Regular Meeting Agenda
Monday, February 3, 2025, 6:30 PM

Watch this meeting live on the City's YouTube channel at
<https://www.youtube.com/@CityofFlorenceCO>

- 1) **CALL TO ORDER & PLEDGE OF ALLEGIANCE**
City Council Chambers, 600 W. 3rd Street, Florence, CO 81226
- 2) **ROLL CALL:**
 - Mayor Wolfe
 - Councilman Vanhoutan
 - Councilman Stiefel
 - Councilwoman Stone
 - Councilman Mergelman
 - Councilwoman Gardner
 - Councilwoman MacKinnon
- 3) **PRESENTATIONS**
 - a) Discussion on the City of Florence's Union Ditch Shares
- 4) **PUBLIC COMMENTS**

Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion (three minutes).
- 5) **CONSENT AGENDA**
 - a) Consider approving the minutes as written for the Regular City Council Meeting on January 21, 2025
 - b) Consider approving City expenditures prepared on January 23, 2025, in the amount of \$234,168.50 and January 30, 2025, in the amount of \$30,274.19
 - c) Consider approving the annual liquor license renewal for Florence Elks Lodge #611
 - d) Consider approving the Special Events Permit for the Florence Elks Lodge #611 as presented
- 6) **NEW BUSINESS**
 - a) Consider adopting an Ordinance declaring, establishing, amending and creating codes, procedures and policies for administration and personnel, including the City Council, City Manager, City Attorney, Municipal Courts, purchase of City property, and salaries, amending chapters 2.04, 2.08, 2.12, 2.16, 2.40, and 2.44, and repealing chapters 2.22, 2.28, 2.32, 2.34, 2.36, 2.48, 4.50, 2.51, and 2.52 of Title 2 – Administration and Personnel of the Florence, Colorado Municipal Code, and amending or repealing all ordinances or regulations not in conformity herewith.
- 7) **COUNCIL REPORTS**
 - a) City Council reports
 - b) City Manager Reports
- 8) **EXECUTIVE SESSION(S): IF NECESSARY**

Pursuant to C.R.S. §24-6-402(4)(b), an executive session for the purpose of conferencing with an attorney for the local public body for the purposes of receiving legal advice on specific legal questions pertaining to any item listed on the agenda herein and/or any related discussion that may arise thereto. Such executive session may be entered into at any time or at any point on the agenda, if necessary and with the requisite Council approval.

- 9) **ADJOURNMENT:** Adjournment until the next regular City Council Meeting
Tuesday, February 18, 2025

COUNCIL DISCUSSION FORM

MEETING DATE: FEBRUARY 3, 2025

STAFF CONTACT: AMY NASTA, CITY MANAGER

Agenda Item: Discussion on the City of Florence's Union Ditch Shares

Department: Administration

Background/Description of Item:

In preparation for the upcoming Comprehensive Master Plan update, Staff would like to provide the Council with information and participate in discussion regarding the City of Florence's Union Ditch shares, including but not limited to recent share purchases, the acceptance of cash in lieu of shares for developments, the City's status as a shareholder in Union Ditch, and the City's current and currently anticipated future water needs.



FLORENCE CITY COUNCIL
Regular Meeting Minutes
Tuesday, January 21, 2025, 6:30 PM

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1) CALL TO ORDER & PLEDGE OF ALLEGIANCE

City Council Chambers, 600 W. 3rd Street, Florence, CO 81226

Mayor Wolfe called the meeting to order at 6:30 p.m. with the Pledge of Allegiance.

2) ROLL CALL:

Mayor Wolfe	Present
Councilman Vanhoutan	Absent
Councilman Stiefel	Present
Councilwoman Stone	Present
Councilman Mergelman	Present
Councilwoman Gardner	Present
Councilwoman MacKinnon	Absent

OTHERS PRESENT: City Clerk Cortlyne Huppe, City Manager Amy Nasta, and City Attorney Dan Findlay.

3) PUBLIC COMMENTS

Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion (three minutes).

There was no public input.

4) CONSENT AGENDA

- a) Consider approving the minutes as written for the Regular City Council Meeting on January 6, 2025
- b) Consider approving City expenditures prepared on January 9, 2025, in the amount of \$201,018.14 and January 15, 2025, in the amount of \$88,123.71
- c) Consider entering into an agreement with Vivid Engineering Group for materials testing for the North Pikes Peak waterline project
- d) Consider approving the annual liquor license renewal for Papa's Restaurant
- e) Consider approving the Special Events Permit for the Florence Pioneer Museum as presented
- f) Consider authorizing the City Manager to enter into a contract agreement for janitorial services with The Clean Company of Fremont County, LLC

Councilor Mergelman motioned to approve the Consent Agenda. Councilor Gardner seconded. With the Councilmembers voting in favor of the motion, the motion carried.

1) COUNCIL UPDATES

- a) City Council Reports

Councilor Stone attended the Florence Chamber of Commerce meeting where they're working on their 2025 Business After Hours events, their 2025 membership drive, and exploring a small business expo in April. The Florence Merchants are working on advertising for an "Antique Trail."

Councilor Mergelman attended the Mayor’s Round Table in Canon City and announced the Abby had been sold.

Councilor Stiefel thanked Public Works for their work during the freezing temperatures.

Mayor Wolfe attended the Senior Coffee Chat, the Florence Chamber of Commerce’s Business After Hours event, the City/City/County meeting, the Mayor’s Round Table, and the Bighorn Roundtable open house event. He also attended the Fremont County noxious weed board meeting and the Florence High School wrestling tournament. Mayor Wolfe acknowledged SOCO Ticket a local sports broadcasting service that promotes Florence.

b) City Manager Reports

City Manager Amy Nasta stated the annual financial audit had been scheduled, and announced the City’s bulk water station hours of operation would be modified for winter weather conditions.

City Attorney Dan Findlay did not have a report on the Black Hill’s Energy rate case.

2) **EXECUTIVE SESSION(S): IF NECESSARY**

Pursuant to C.R.S. §24-6-402(4)(b), an executive session for the purpose of conferencing with an attorney for the local public body for the purposes of receiving legal advice on specific legal questions pertaining to any item listed on the agenda herein and/or any related discussion that may arise thereto. Such executive session may be entered into at any time or at any point on the agenda, if necessary and with the requisite Council approval.

3) **ADJOURNMENT:** Adjournment until the next regular City Council Meeting
Monday, February 3, 2025

Councilor Stone motioned to adjourn the meeting. Councilor Gardner seconded. With all of the Councilmembers voting in favor of the motion, the motion carried.
Mayor Wolfe adjourned the City Council Meeting at 6:40 p.m.

CITY OF FLORENCE, CO

BY: _____
Steve Wolfe, Mayor

RESPECTFULLY SUBMITTED: _____
Cortlyne Huppe, City Clerk

Report Criteria:
 Detail report type printed

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
201	ATMOS ENERGY	3016435394	0140608751	MUNI CENTER	1	01/10/2025	1,006.20	.00	1,006.20	1222503	01/22/2025
		3016936816	0243607710	Filtration Plant	1	01/22/2025	962.73	.00	962.73	1222504	01/22/2025
Total 201:							1,968.93	.00	1,968.93		
916	MARTIN AND WOOD	28049 2024	0243707890	ENG fees	1	01/22/2025	1,495.00	.00	1,495.00	45790	01/23/2025
		28050 2024	0243707890	ENG fees	1	01/22/2025	575.00	.00	575.00	45790	01/23/2025
Total 916:							2,070.00	.00	2,070.00		
923	ALSCO	LDEN305359	0140608420	MATS	1	01/15/2025	56.20	.00	56.20	45785	01/23/2025
		LDEN305359	0143102000	UNIFORM RENTAL-Street	1	01/15/2025	173.50	.00	173.50	45785	01/23/2025
		LDEN305690	0143102000	UNIFORM RENTAL-Street	1	01/22/2025	188.82	.00	188.82	45785	01/23/2025
Total 923:							418.52	.00	418.52		
1203	SE WATER ACTIVITY ENT	EN4Q24-04	0249509062	ENLARGEMENT COSTS	1	01/17/2025	506.44	.00	506.44	45793	01/23/2025
		MC4Q24-11	0249509063	excess cap	1	01/22/2025	790.39	.00	790.39	45793	01/23/2025
Total 1203:							1,296.83	.00	1,296.83		
1253	AT & T MOBILITY	2872703950	0241505000	Water Tower	1	01/22/2025	84.96	.00	84.96	45786	01/23/2025
Total 1253:							84.96	.00	84.96		
1455	SAN ISABEL SERVICES	U0067155	0243658790	SO PLANT PROPANE	1	01/17/2025	1,052.50	.00	1,052.50	45792	01/23/2025
		U0067156	0243658790	SO PLANT PROPANE	1	01/17/2025	973.42	.00	973.42	45792	01/23/2025
Total 1455:							2,025.92	.00	2,025.92		
1556	DANIELS LONG CHEVRO	96357 CHEV	0143107600	2024 Chevy Silverado 350	1	01/16/2025	80,110.00	.00	80,110.00	45788	01/23/2025
		96358 CHEV	0142107500	2024 Chevy Silverado 150	1	01/16/2025	53,787.00	.00	53,787.00	45788	01/23/2025
Total 1556:							133,897.00	.00	133,897.00		
1718	BLACK HILLS ENERGY	0872425770	0243507640	NEW RAW WATER PUMP	1	01/06/2025	8,839.93	.00	8,839.93	20252108	01/22/2025
		1645566418	0243557650	2 MG TANK	1	01/09/2025	22.89	.00	22.89	20252121	01/22/2025

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
		2010553787	0243557693	BULK WATER STATION	1	01/09/2025	275.98	.00	275.98	20252124	01/22/2025
		2273109055	1446602600	CONCESSION STAND	1	01/09/2025	24.15	.00	24.15	20252123	01/22/2025
		2439373063	0243507600	MINNEQUA CANAL PUMP	1	01/06/2025	3,934.27	.00	3,934.27	20252104	01/22/2025
		2985218401	0140608510	CITY SHOP	1	01/06/2025	295.23	.00	295.23	20252102	01/22/2025
		3075375677	0145207830	QUARTZ PARK	1	01/06/2025	18.21	.00	18.21	20252107	01/22/2025
		4125488554	0243557670	SO PLANT	1	01/09/2025	276.31	.00	276.31	20252125	01/22/2025
		4197016039	0144207700	CEMETERY SPRINKLERS	1	01/15/2025	74.08	.00	74.08	20252111	01/22/2025
		4240921842	0143107540	STREET LIGHTS	1	01/09/2025	899.73	.00	899.73	20252113	01/22/2025
		4388081497	0145207830	SKATE PARK	1	01/09/2025	101.30	.00	101.30	20252122	01/22/2025
		4402785897	0140608753	MUNI ANNEX	1	01/09/2025	77.45	.00	77.45	20252114	01/22/2025
		4905461526	0143107540	STREET LIGHTS	1	01/09/2025	1,101.73	.00	1,101.73	20252120	01/22/2025
		5372636848	0243507620	W PUMP STATION	1	01/06/2025	390.36	.00	390.36	20252103	01/22/2025
		5427493790	0145207830	TRIANGLE PARK	1	01/09/2025	18.25	.00	18.25	20252118	01/22/2025
		5509677786	1446602600	WILCOX LIGHTS	1	01/09/2025	37.07	.00	37.07	20252116	01/22/2025
		5796648483	0140608751	MUNI CENTER	1	01/09/2025	2,823.12	.00	2,823.12	20252115	01/22/2025
		6649764712	0243557660	S RESERVOIR PUMP	1	01/09/2025	17.74	.00	17.74	20252117	01/22/2025
		6887028421	0140608632	N PLANT	1	01/06/2025	247.94	.00	247.94	20252109	01/22/2025
		7296507422	0243557690	NEWLIN CABIN	1	01/09/2025	82.78	.00	82.78	20252112	01/22/2025
		7723236321	0243557675	NEW SOUTH PLANT	1	01/09/2025	8,250.67	.00	8,250.67	20252119	01/22/2025
		7844257155	0243507650	PUMP @ RIVER	1	01/06/2025	1,563.88	.00	1,563.88	20252101	01/22/2025
		8890269732	0145207830	PIONEER PARK	1	01/06/2025	99.57	.00	99.57	20252110	01/22/2025
		9423297176	0145207830	PAVILION	1	01/06/2025	28.86	.00	28.86	20252105	01/22/2025
		9740686534	0444151800	POOL	1	01/06/2025	26.19	.00	26.19	20252106	01/22/2025
Total 1718:							29,527.69	.00	29,527.69		
1719	STAPLES BUSINESS ADV	7003668649	0141503000	admin supplies	1	01/22/2025	312.03	.00	312.03	45794	01/23/2025
Total 1719:							312.03	.00	312.03		
1805	ACORN PETROLEUM	DECEMBER	0142104000	GASOLINE Police	1	12/31/2024	2,479.58	.00	2,479.58	45784	01/23/2025
		DECEMBER	0143104000	GASOLINE - Streets	2	12/31/2024	3,030.56	.00	3,030.56	45784	01/23/2025
		DECEMBER	0144204000	GASOLINE - Cemetery	3	12/31/2024	32.33	.00	32.33	45784	01/23/2025
		DECEMBER	0145203900	GASOLINE - Parks	4	12/31/2024	151.64	.00	151.64	45784	01/23/2025
		DECEMBER	0243707850	GASOLINE - Water	5	12/31/2024	602.56	.00	602.56	45784	01/23/2025
Total 1805:							6,296.67	.00	6,296.67		
2104	UMB Card Services	COBLER DE	0141505600	adobe	1	12/31/2024	19.99	.00	19.99	45796	01/23/2025
		COBLER DE	0141505600	adobe	2	12/31/2024	29.99	.00	29.99	45796	01/23/2025

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
		COBLER DE 0241505600		adobe	3	12/31/2024	23.99	.00	23.99	45796	01/23/2025
		COBLER DE 0241505000		spectrum Bulk station	4	12/31/2024	119.98	.00	119.98	45796	01/23/2025
		COBLER DE 0141505000		ring Central- Fax	5	12/31/2024	83.34	.00	83.34	45796	01/23/2025
		COBLER DE 0141503000		holiday Meal City hall	6	12/31/2024	133.48	.00	133.48	45796	01/23/2025
		COBLER DE 0141503000		Tax Forms	7	12/31/2024	230.06	.00	230.06	45796	01/23/2025
		COBLER DE 0141503000		Future Plan TPA 457	8	12/31/2024	134.26	.00	134.26	45796	01/23/2025
		ELSTUN DE 0143102000		boots	1	12/01/2024	619.97	.00	619.97	45796	01/23/2025
		ELSTUN DE 0143104500		Transmission assembly	2	12/01/2024	4,428.43	.00	4,428.43	45796	01/23/2025
		EVANS DEC 0143104500		Caulk	1	12/01/2024	9.99	.00	9.99	45796	01/23/2025
		EVANS DEC 0144204500		door repair	2	12/01/2024	294.85	.00	294.85	45796	01/23/2025
		EVANS DEC 0142104600		2 cv axels	3	12/01/2024	174.51	.00	174.51	45796	01/23/2025
		EVANS DEC 0142104600		hvac actuator	4	12/01/2024	25.00	.00	25.00	45796	01/23/2025
		EVANS DEC 0143104500		diesel	5	12/01/2024	20.13	.00	20.13	45796	01/23/2025
		EVANS DEC 0143104500		16 gauge wire	6	12/01/2024	84.97	.00	84.97	45796	01/23/2025
		EVANS DEC 0143104500		butt onnectors	7	12/01/2024	29.47	.00	29.47	45796	01/23/2025
		EVANS DEC 0143103500		boots	8	12/01/2024	574.97	.00	574.97	45796	01/23/2025
		EVANS DEC 0143104500		For scanner	9	12/01/2024	50.00	.00	50.00	45796	01/23/2025
		EVANS DEC 0144204500		bearing for mower	10	12/01/2024	24.72	.00	24.72	45796	01/23/2025
		EVANS DEC 0142104600		belts pulley	11	12/01/2024	81.15	.00	81.15	45796	01/23/2025
		EVANS DEC 0142104600		brake clean	12	12/01/2024	125.64	.00	125.64	45796	01/23/2025
		EVANS DEC 0142104600		belt	13	12/01/2024	28.76	.00	28.76	45796	01/23/2025
		EVANS DEC 0243707861		bulbs/circuit brd	14	12/01/2024	28.16	.00	28.16	45796	01/23/2025
		EVANS DEC 0243707861		4 lt265/70 rim	15	12/01/2024	704.91	.00	704.91	45796	01/23/2025
		EVANS DEC 0243707861		sway bar link	16	12/01/2024	9.61	.00	9.61	45796	01/23/2025
		EVANS DEC 0243707861		stop light switch	17	12/01/2024	16.38	.00	16.38	45796	01/23/2025
		EVANS DEC 0143104500		bucket lids	18	12/01/2024	12.87	.00	12.87	45796	01/23/2025
		EVANS DEC 0143104500		Controller/sander	19	12/01/2024	266.24	.00	266.24	45796	01/23/2025
		EVANS DEC 0144204500		air filter	20	12/01/2024	83.02	.00	83.02	45796	01/23/2025
		EVANS DEC 0144204500		hydro filter	21	12/01/2024	10.79	.00	10.79	45796	01/23/2025
		EVANS DEC 0144204500		hydro filter #2	22	12/01/2024	223.98	.00	223.98	45796	01/23/2025
		EVANS DEC 0143104500		Towels	23	12/01/2024	35.79	.00	35.79	45796	01/23/2025
		EVANS DEC 0143104500		zip ties	24	12/01/2024	77.99	.00	77.99	45796	01/23/2025
		EVANS DEC 0145204500		Oil filter/oil	25	12/01/2024	147.24	.00	147.24	45796	01/23/2025
		EVANS DEC 0144204500		mystery oil	26	12/01/2024	59.98	.00	59.98	45796	01/23/2025
		EVANS DEC 0143107595		replacement tools	27	12/01/2024	1,799.00	.00	1,799.00	45796	01/23/2025
		EVANS DEC 0143104500		battery plow	28	12/01/2024	110.77	.00	110.77	45796	01/23/2025
		EVANS DEC 0142104600		T case module	29	12/01/2024	257.77	.00	257.77	45796	01/23/2025
		EVANS DEC 0143103500		vest	30	12/01/2024	169.98	.00	169.98	45796	01/23/2025
		FOX DECEM 0144006000		software monthly fee	1	12/01/2024	19.99	.00	19.99	45796	01/23/2025
		FOX DECEM 0144005700		Colorado preservation conf	2	12/01/2024	165.00	.00	165.00	45796	01/23/2025

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
		FOX DECEM 0144005700		Colorado preservation conf	3	12/01/2024	165.00	.00	165.00	45796	01/23/2025
		GLEN DEC 2 0142104600		Car wash	1	12/01/2024	3.50	.00	3.50	45796	01/23/2025
		GLEN DEC 2 0142104600		Car wash	2	12/01/2024	4.50	.00	4.50	45796	01/23/2025
		HARRIS DE 0243302000		uniform logo shirts	1	12/01/2024	20.00	.00	20.00	45796	01/23/2025
		HARRIS DE 0243707845		large calendars	2	12/01/2024	47.98	.00	47.98	45796	01/23/2025
		HARRIS DE 0144004300		planners phone chargers	3	12/01/2024	14.38	.00	14.38	45796	01/23/2025
		HARRIS DE 0243707800		clRSA training lunch	4	12/01/2024	32.94	.00	32.94	45796	01/23/2025
		HARRIS DE 0444152200		pool boiler inspection and c	5	12/01/2024	128.58	.00	128.58	45796	01/23/2025
		HARRIS DE 0241506000		yearly dues CRWA	6	12/01/2024	475.00	.00	475.00	45796	01/23/2025
		HARRIS DE 0243707800		clRSA training lunch	7	12/01/2024	48.66	.00	48.66	45796	01/23/2025
		HARRIS DE 0243707845		toiler paper	8	12/01/2024	69.58	.00	69.58	45796	01/23/2025
		HARRIS DE 0243302000		uniform boots	9	12/01/2024	249.95	.00	249.95	45796	01/23/2025
		HARRIS DE 0243707800		clRSA training lunch	10	12/01/2024	58.99	.00	58.99	45796	01/23/2025
		HARRIS DE 0243707855		lockout tagout devices	11	12/01/2024	56.97	.00	56.97	45796	01/23/2025
		HARRIS DE 0243302000		uniform boots	12	12/01/2024	249.95	.00	249.95	45796	01/23/2025
		HARRIS DE 0243658781		bathroom faucet	13	12/01/2024	92.96	.00	92.96	45796	01/23/2025
		HARRIS DE 0243707855		lockout tagout devices	14	12/01/2024	19.99	.00	19.99	45796	01/23/2025
		HUMPHREY 0142103100		Office supplies	1	12/01/2024	6.74	.00	6.74	45796	01/23/2025
		HUMPHREY 0142104600		Car wash	2	12/01/2024	5.00	.00	5.00	45796	01/23/2025
		HUPPE DEC 0141203500		break room CIP	1	12/01/2024	59.95	.00	59.95	45796	01/23/2025
		HUPPE DEC 0141203500		break room cip	2	12/01/2024	78.84	.00	78.84	45796	01/23/2025
		HUPPE DEC 0141203500		break room cip	3	12/01/2024	69.95	.00	69.95	45796	01/23/2025
		HUPPE DEC 0141203500		break room cip	4	12/01/2024	37.33	.00	37.33	45796	01/23/2025
		HUPPE DEC 0141503000		background check pre emp	5	12/01/2024	6.00	.00	6.00	45796	01/23/2025
		HUPPE DEC 0141503000		shred service	6	12/01/2024	70.07	.00	70.07	45796	01/23/2025
		HUPPE DEC 0141103500		break room CIP	7	12/01/2024	29.99	.00	29.99	45796	01/23/2025
		HUPPE DEC 0141103500		break room cip	8	12/01/2024	59.99	.00	59.99	45796	01/23/2025
		HUPPE DEC 0141103500		break room cip	9	12/01/2024	279.98	.00	279.98	45796	01/23/2025
		HUPPE DEC 0141103500		break room cip	10	12/01/2024	228.28	.00	228.28	45796	01/23/2025
		INGLE DEC 0142103100		shop with a cop	1	12/01/2024	379.20	.00	379.20	45796	01/23/2025
		INGLE DEC 0142103100		supplies for cem house	2	12/01/2024	1,250.72	.00	1,250.72	45796	01/23/2025
		JACKSON D 0243707800		Certification renewal	1	12/01/2024	185.00	.00	185.00	45796	01/23/2025
		JACKSON D 0243707845		salt for pump stations	2	12/01/2024	24.99	.00	24.99	45796	01/23/2025
		KELSO DEC 0144203500		supplies	1	12/01/2024	38.97	.00	38.97	45796	01/23/2025
		KELSO DEC 0144204500		mower part	2	12/01/2024	116.98	.00	116.98	45796	01/23/2025
		KELSO DEC 0144202000		Uniform Boots	3	12/01/2024	304.99	.00	304.99	45796	01/23/2025
		KELSO DEC 0144202000		Uniform Boots	4	12/01/2024	189.99	.00	189.99	45796	01/23/2025
		KELSO DEC 0144203500		Cleaning supplies	5	12/01/2024	64.94	.00	64.94	45796	01/23/2025
		KELSO DEC 0144202000		uniforms	6	12/01/2024	196.98	.00	196.98	45796	01/23/2025
		KLINE DEC 0142104600		car wash	1	12/01/2024	5.00	.00	5.00	45796	01/23/2025

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
LANCASTER		1743107520		Cold patch	1	12/01/2024	1,276.81	.00	1,276.81	45796	01/23/2025
LANCASTER		0143107565		hose	2	12/01/2024	40.49	.00	40.49	45796	01/23/2025
LANCASTER		1743107520		propane asphalt	3	12/01/2024	48.65	.00	48.65	45796	01/23/2025
LANCASTER		1743107565		snow shovels	4	12/01/2024	194.96	.00	194.96	45796	01/23/2025
LANCASTER		0243807950		battery charger	5	12/01/2024	18.86	.00	18.86	45796	01/23/2025
LANCASTER		1743107565		vests for crew	6	12/01/2024	591.92	.00	591.92	45796	01/23/2025
LANCASTER		1743107565		lunch for xmas	7	12/01/2024	300.00	.00	300.00	45796	01/23/2025
LANCASTER		1743107565		Fuel cabinet	8	12/01/2024	1,560.09	.00	1,560.09	45796	01/23/2025
LANCASTER		0143103500		snap bolt for trailer	9	12/01/2024	14.07	.00	14.07	45796	01/23/2025
LANCASTER		1743107565		lunch for crew	10	12/01/2024	140.25	.00	140.25	45796	01/23/2025
LANCASTER		0143107565		batteries	11	12/01/2024	139.19	.00	139.19	45796	01/23/2025
MARTINEZ D		0143107565		boots	1	12/01/2024	559.93	.00	559.93	45796	01/23/2025
MARTINEZ D		0141503000		water	2	12/01/2024	53.60	.00	53.60	45796	01/23/2025
MARTINEZ D		0143107565		water	3	12/01/2024	53.60	.00	53.60	45796	01/23/2025
MARTINEZ D		0143103500		supplies	4	12/01/2024	6.00	.00	6.00	45796	01/23/2025
MARTINEZ D		0143103500		Trash bags	5	12/01/2024	18.52	.00	18.52	45796	01/23/2025
MARTINEZ D		0143103500		sand salt	6	12/01/2024	1,790.25	.00	1,790.25	45796	01/23/2025
MONTOYA D		0142102000		Uniform	1	12/01/2024	227.97	.00	227.97	45796	01/23/2025
NASTA DEC		0141505600		adobe	1	12/31/2024	19.99	.00	19.99	45796	01/23/2025
NELSON DE		0142103100		detective program	1	12/01/2024	125.00	.00	125.00	45796	01/23/2025
NELSON DE		0142106000		annual membership	2	12/01/2024	179.00	.00	179.00	45796	01/23/2025
NELSON DE		0142103100		statute books	3	12/01/2024	339.68	.00	339.68	45796	01/23/2025
NELSON DE		0120002050		shop with a cop	4	12/01/2024	264.94	.00	264.94	45796	01/23/2025
NELSON DE		0120002050		shop with a cop	5	12/01/2024	71.85	.00	71.85	45796	01/23/2025
NELSON DE		0142103100		bday card supplies	6	12/01/2024	1.39	.00	1.39	45796	01/23/2025
NELSON DE		0142103100		Office supplies	7	12/01/2024	67.88	.00	67.88	45796	01/23/2025
NELSON DE		0142103100		Office supplies	8	12/01/2024	.29	.00	.29	45796	01/23/2025
NELSON DE		0142103100		sharpies	9	12/01/2024	11.75	.00	11.75	45796	01/23/2025
NELSON DE		0142103100		safety lights	10	12/01/2024	1,319.88	.00	1,319.88	45796	01/23/2025
NELSON DE		0142103100		Office supplies	11	12/01/2024	24.98	.00	24.98	45796	01/23/2025
NELSON DE		0142102000		uniform suspenders	12	12/01/2024	84.92	.00	84.92	45796	01/23/2025
NELSON DE		0142103100		Office supplies	13	12/01/2024	24.95	.00	24.95	45796	01/23/2025
NELSON DE		0142103100		Office supplies	14	12/01/2024	22.97	.00	22.97	45796	01/23/2025
NELSON DE		0142106000		Membership	15	12/01/2024	499.80	.00	499.80	45796	01/23/2025
NELSON DE		0142103100		Office supplies	16	12/01/2024	27.71	.00	27.71	45796	01/23/2025
NELSON DE		0142102000		uniform jacket	17	12/01/2024	59.29	.00	59.29	45796	01/23/2025
NELSON DE		0142103100		door/lock repairs	18	12/01/2024	200.00	.00	200.00	45796	01/23/2025
RAE DECEM		0141503000		birthday card Subway	1	12/31/2024	80.00	.00	80.00	45796	01/23/2025
RAE DECEM		0141503000		birthday card	2	12/31/2024	3.00	.00	3.00	45796	01/23/2025
RUDNIK DE		0142104600		Uniforms	1	12/01/2024	4.75	.00	4.75	45796	01/23/2025

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
		RUDNIK DE	0142104600	Car wash	2	12/01/2024	5.25	.00	5.25	45796	01/23/2025
		RUDNIK DE	0142103100	Training lunch	3	12/01/2024	23.96	.00	23.96	45796	01/23/2025
		VERNETTI D	0141503000	Employee engagement	1	12/01/2024	119.46	.00	119.46	45796	01/23/2025
		WERTSBAU	0243607731	batteries for bulk water met	1	12/01/2024	74.12	.00	74.12	45796	01/23/2025
Total 2104:							27,667.90	.00	27,667.90		
2291	UMB BANK N.A.	999827	0241505550	adminstration Fees for FL2	1	01/10/2025	400.00	.00	400.00	45795	01/23/2025
		999828	0241505550	adminstration Fees for FL2	1	01/10/2025	400.00	.00	400.00	45795	01/23/2025
Total 2291:							800.00	.00	800.00		
2467	Century Link	334006856	1 0241505000	SOUTH PLANT fax	1	01/13/2025	123.88	.00	123.88	1222502	01/22/2025
		334009996	0241505000	SOUTH PLANT	1	01/13/2025	287.28	.00	287.28	1222501	01/22/2025
Total 2467:							411.16	.00	411.16		
2614	Amnet Inc.	18337	0141505600	admin eaton 4500VA	1	01/14/2025	120.32	.00	120.32	20252126	01/22/2025
		18846	0141505600	admin	1	01/15/2025	2,873.38	.00	2,873.38	20252128	01/22/2025
		18846	0141505600	court	2	01/15/2025	120.52	.00	120.52	20252128	01/22/2025
		18846	0241505600	water	3	01/15/2025	3,205.75	.00	3,205.75	20252128	01/22/2025
		18846	0142106600	police	4	01/15/2025	1,071.98	.00	1,071.98	20252128	01/22/2025
		18846	0142105050	pd	5	01/15/2025	2,394.37	.00	2,394.37	20252128	01/22/2025
		18846	0142105050	pw	6	01/15/2025	585.68	.00	585.68	20252128	01/22/2025
		18846	0143104550	public works	7	01/15/2025	125.00	.00	125.00	20252128	01/22/2025
		18846	0444152300	pool firewall	8	01/15/2025	200.00	.00	200.00	20252128	01/22/2025
		18846	0141506600	admin cybersecurity	9	01/15/2025	250.36	.00	250.36	20252128	01/22/2025
		18846	0241506600	water cybersecurity monthl	10	01/15/2025	1,943.66	.00	1,943.66	20252128	01/22/2025
		18878	0144203500	Hardrive replacement	1	01/22/2025	130.81	.00	130.81	20252127	01/22/2025
Total 2614:							13,021.83	.00	13,021.83		
2871	Core & Main	W112910	0243807920	Fire hydrant meter	1	01/09/2025	3,885.31	.00	3,885.31	45787	01/23/2025
Total 2871:							3,885.31	.00	3,885.31		
3110	Old School Concrete & Re	916098	1743107570	ADA Sidewalk Replacemen	1	01/21/2025	4,000.00	.00	4,000.00	45791	01/23/2025
		916099	1743107570	ADA Sidewalk Replacemen	1	01/21/2025	5,000.00	.00	5,000.00	45791	01/23/2025

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
Total 3110:							9,000.00	.00	9,000.00		
3229	TALOS TECHNOLOGIES,	1012	0243707700	SCADA After Hours Emere	1	01/23/2025	783.75	.00	783.75	20252129	01/23/2025
Total 3229:							783.75	.00	783.75		
3238	Harwood Cremation and F	REFUND FO	0134601000	Refund for Overpayment -	1	01/14/2025	700.00	.00	700.00	45789	01/23/2025
Total 3238:							700.00	.00	700.00		
Grand Totals:							234,168.50	.00	234,168.50		

Report Criteria:
 Detail report type printed

Report Criteria:
 Detail report type printed

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
71	CANON RENTAL CENTER	JANUARY 20	0143103500	300998 Portable	1	01/27/2025	84.00	.00	84.00	45798	01/30/2025
		JANUARY 20	0145205000	301019 lions park	2	01/27/2025	82.50	.00	82.50	45798	01/30/2025
		JANUARY 20	0144203500	301217 cemetary	3	01/27/2025	75.00	.00	75.00	45798	01/30/2025
		JANUARY 20	0145204583	301217 Skate park	4	01/27/2025	75.00	.00	75.00	45798	01/30/2025
Total 71:							316.50	.00	316.50		
861	CIRSA	INV1000847	0141106700	EXcess Cybersecurity Plan	1	01/26/2025	3,694.80	.00	3,694.80	45800	01/30/2025
		INV1000847	0243706700	EXcess Cybersecurity Plan	2	01/26/2025	2,463.20	.00	2,463.20	45800	01/30/2025
Total 861:							6,158.00	.00	6,158.00		
916	MARTIN AND WOOD	27983 2024	0243707890	ENG fees 2024	1	11/30/2024	2,932.50	.00	2,932.50	45807	01/30/2025
		27984	0243707890	ENG fees 2024	1	11/30/2024	2,645.00	.00	2,645.00	45807	01/30/2025
Total 916:							5,577.50	.00	5,577.50		
923	ALSCO	LDEN306026	0140608420	MATS	1	01/29/2025	60.30	.00	60.30	45797	01/30/2025
		LDEN306026	0143102000	UNIFORM RENTAL-Street	1	01/29/2025	188.82	.00	188.82	45797	01/30/2025
Total 923:							249.12	.00	249.12		
1338	FREMONT CO REGIONAL	2025-108	0243707879	MEMBERSHIP	1	01/15/2025	5,777.78	.00	5,777.78	45803	01/30/2025
		2025-108	0243707879	Annual Base Map Fee	2	01/15/2025	500.00	.00	500.00	45803	01/30/2025
Total 1338:							6,277.78	.00	6,277.78		
1718	BLACK HILLS ENERGY	3135165503	0243507660	PUMP @ AIRPORT	1	01/22/2025	1,271.74	.00	1,271.74	20250206	01/27/2025
		5278901611	0243557680	COAL CREEK TANK	1	01/21/2025	17.80	.00	17.80	20250205	01/27/2025
Total 1718:							1,289.54	.00	1,289.54		
1719	STAPLES BUSINESS ADV	7003755612	0141503000	admin	1	01/18/2025	245.62	.00	245.62	45808	01/30/2025
		7003755612	0140608754	Cleaning and santizing sup	2	01/18/2025	35.29	.00	35.29	45808	01/30/2025
		7003755612	0241503000	water CLERK SUPPLIES	3	01/18/2025	81.99	.00	81.99	45808	01/30/2025

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
Total 1719:							362.90	.00	362.90		
2220	KAGAN & SON, LLC	17271	1743107530	CRUSHER FINES	1	01/03/2025	1,216.64	.00	1,216.64	45805	01/30/2025
Total 2220:							1,216.64	.00	1,216.64		
2614	Amnet Inc.	18880	0141505600	Backup Replacement City	1	01/23/2025	1,395.00	.00	1,395.00	20250130	01/30/2025
Total 2614:							1,395.00	.00	1,395.00		
2693	CH2M Hill Engineers, Inc.	709336CH02	0243707890	Task Order #2 Airport Wat	1	01/30/2025	1,108.50	.00	1,108.50	45799	01/30/2025
		D3728000-15	0243707890	Task Order 5 North Pike P	1	01/30/2025	2,806.86	.00	2,806.86	45799	01/30/2025
Total 2693:							3,915.36	.00	3,915.36		
2793	Employers Council Service	536349	0141502300	Employment Posters	1	01/01/2025	329.28	.00	329.28	45802	01/30/2025
Total 2793:							329.28	.00	329.28		
2947	SECOM, INC	377805	20/ 0241505000	Internet	1	01/30/2025	70.16	.00	70.16	20250130	01/30/2025
Total 2947:							70.16	.00	70.16		
3008	Great American Financial S	38367680	0141503500	Printer lease	1	01/20/2025	337.00	.00	337.00	45804	01/30/2025
Total 3008:							337.00	.00	337.00		
3136	Leslie Wood	MILEAGE A	0434152200	Concessions purchase	1	06/22/2023	139.70	.00	139.70	Multiple	Multiple
Total 3136:							139.70	.00	139.70		
3173	Delta Dental Of Colorado	1824235 JAN	0120002032	Dental Insurance Premium	1	01/01/2025	2,539.71	.00	2,539.71	20250130	01/30/2025
Total 3173:							2,539.71	.00	2,539.71		
3239	Common Spirit Health- CHI	700001975	0143103500	DOT Physical	1	01/25/2025	100.00	.00	100.00	45801	01/30/2025
Total 3239:							100.00	.00	100.00		

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
Grand Totals:							<u>30,274.19</u>	<u>.00</u>	<u>30,274.19</u>		

Report Criteria:
Detail report type printed

COUNCIL ACTION FORM

MEETING DATE: FEBRUARY 3, 2025

STAFF CONTACT: CORTLYNE HUPPE, CITY CLERK

Agenda Item: Consider approving the annual liquor license renewal for Florence Elks Lodge #611

Department: Administration

Staff Recommendation:

Approve the annual liquor license renewal for Florence Elks Lodge #611.

Background/Description of Item:

The Florence Elks Lodge #611 is located at 131 East Front Street. The applicant has submitted all required renewal documentation.

Financial Impact:

The City fee for this application was \$141.25

Suggested Motion:

Approve the annual liquor license renewal for the Florence Elks Lodge #611.

COUNCIL ACTION FORM

MEETING DATE: FEBRUARY 3, 2025

STAFF CONTACT: CORTLYNE HUPPE, CITY CLERK

Agenda Item: Consider approving the Special Events Permit for the Florence Elks Lodge #611 as presented

Department: Administration

Staff Recommendation:

Approve the Special Events Permit for the Florence Elks Lodge #611 as presented.

Background/Description of Item:

Florence Elks Lodge #611 requests its annual Special Events Permit for the year. The 2025 events are proposed to take place on/at:

- 4:00 PM – 8:00 PM, March 8, 2025
- 4:00 PM – 8:00 PM, March 15, 2025
- 4:00 PM – 9:00 PM, April 12, 2025
- 4:00 PM – 8:00 PM, June 21, 2025
- 2:00 PM – 9:00 PM, July 12, 2025
- 2:00 PM – 10:00 PM, July 26, 2025
- 2:00 PM – 10:00 PM, August 16, 2025
- 3:00 PM – 10:00 PM, September 19, 2025
- 4:00 PM – 9:00 PM, December 31, 2025

The Florence Elks Lodge #611 will be well within its annual permitted SEP dates: 9/15 dates.

The applicant has paid the requested fees and all supporting documentation has been submitted. With the Council's approval, this item is ready to be sent to the Department of Revenue Liquor Enforcement Division.

Financial Impact:

The City fee for this application is \$100.00.

Attachments:

- Special Events Permit Application
- Proposed Liquor Boundary/Maps

Suggested Motion:

Approve the Special Events Permit for the Florence Elks Lodge #611 as presented.

Application for a Special Events Permit

Liquor Permit Number (Do Not Fill Out)

05-02444-001

In order to qualify for a Special Events Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)**

- Social Athletic Philanthropic Institution
- Fraternal Chartered Branch, Lodge or Chapter Political Candidate
- Patriotic National Organization or Society Municipality Owned Arts Facilities
- Political Religious Institution Chamber of Commerce

LIAB Type of Special Event Applicant is Applying for:

- 2110 Malt, Vinous And Spirituous Liquor \$25.00 Per Day
- 2170 Fermented Malt Beverage \$10.00 Per Day

Name of Applicant Organization or Political Candidate State Sales Tax Number (Required)

Florence Elks Club [REDACTED]

Mailing Address of Organization or Political Candidate

P.O. Box 662

City State ZIP Code
Florence CO 81226

Address of Place to Have Special Event

131 East Front Street

City State ZIP Code
FLORENCE CO 81226

Authorized Representative of Qualifying Organization or Political Candidate

Kara Auerhoff

Date of Birth (MM/DD/YY) Phone Number
[REDACTED] [REDACTED]

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

[REDACTED]

City State ZIP Code
FLORENCE CO 81226

Event Manager

DEBBIE CHANNEL

Date of Birth (MM/DD/YY)

[REDACTED]

Phone Number

[REDACTED]

Event Manager Home Address

[REDACTED]

City

FLORENCE

State

CO

ZIP Code

81226

Email Address of Event Manager

[REDACTED]

1. Is the place to have the Special Event located on State-owned property?

Yes No

2. Has Applicant Organization or Political Candidate been issued a Special Event Permit this Calendar Year?

No Yes, How many days?

[REDACTED]

3. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes?

No Yes, License Number

05-02444-0001

4. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed?

Yes No

5. For Chambers of Commerce - Each member who holds a retail establishment permit attests they are not exercising the privileges of the retail establishment permit for the duration of the SEP days.

Yes No N/A

6. For Chambers of Commerce - Please list all members participating in the SEP.

N/A

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date 03/08/2025	To: 8 pm	Date 12/31/2025	To: 9 pm
From: 4 pm		From: 4 pm	
Date 03/15/2025	To: 8 pm	Date	To:
From: 4 pm		From:	
Date 04/12/2025	To: 9 pm	Date	To:
From: 4 pm		From:	
Date 06/21/2025	To: 8 pm	Date	To:
From: 4 pm		From:	
Date 07/12/2025	To: 9 pm	Date	To:
From: 2 pm		From:	
Date 07/26/2025	To: 10 pm	Date	To:
From: 2 pm		From:	
Date 08/16/2025	To: 10 pm	Date	To:
From: 2 pm		From:	
Date 09/19/2025	To: 10 pm	Date	To:
From: 3 pm		From:	

Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Title

FLORENCE ELKS #611 - TREASURER

Signature

Karla L. Werhoff

Date (MM/DD/YY)

11/14/25

Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

Therefore, this Application is Approved.

Local Licensing Authority (City or County)

FLORENCE

City County

Telephone Number of City/County Clerk

719-784-4848

Title

Signature

[Signature]

Date (MM/DD/YY)

Do Not Write in this Space - For Department of Revenue Use Only

Liability Information

License Account Number

Liability Date

State

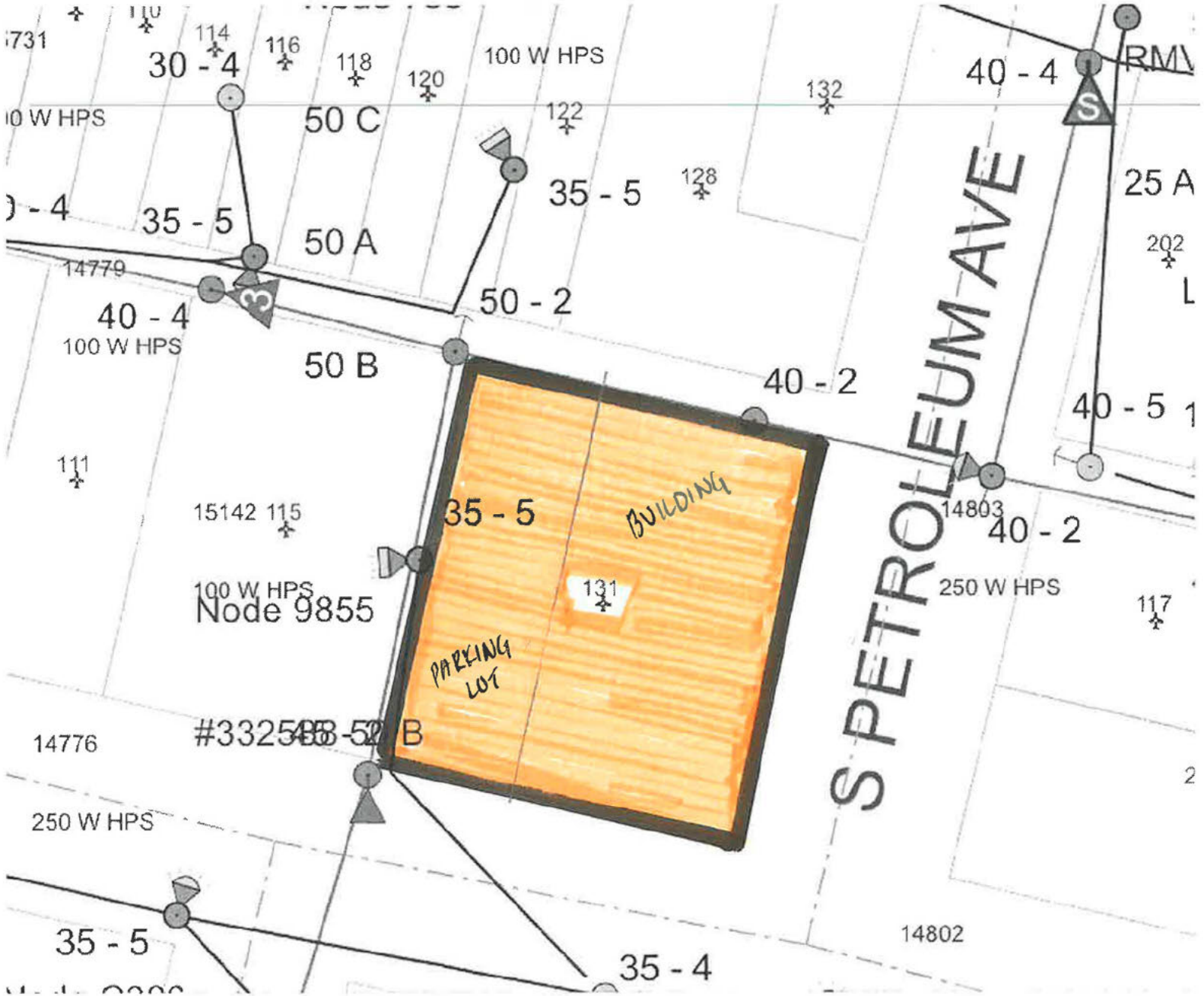
Total

-750 (999)

\$

.00

Map



COUNCIL ACTION FORM
MEETING DATE: February 3, 2025
STAFF CONTACT: AMY NASTA, CITY MANAGER

Agenda Item: Consider adopting an Ordinance declaring, establishing, amending and creating codes, procedures and policies for administration and personnel, including the City Council, City Manager, City Attorney, Municipal Courts, purchase of City property, and salaries, amending chapters 2.04, 2.08, 2.12, 2.16, 2.40, and 2.44, and repealing chapters 2.22, 2.28, 2.32, 2.34, 2.36, 2.48, 4.50, 2.51, and 2.52 of Title 2 – Administration and Personnel of the Florence, Colorado Municipal Code, and amending or repealing all ordinances or regulations not in conformity herewith.

Department: Administration

Staff Recommendation:

Adopt an Ordinance declaring, establishing, amending and creating codes, procedures and policies for administration and personnel, including the City Council, City Manager, City Attorney, Municipal Courts, purchase of City property, and salaries, amending chapters 2.04, 2.08, 2.12, 2.16, 2.40, and 2.44, and repealing chapters 2.22, 2.28, 2.32, 2.34, 2.36, 2.48, 4.50, 2.51, and 2.52 of Title 2 – Administration and Personnel of the Florence, Colorado Municipal Code, and amending or repealing all ordinances or regulations not in conformity herewith.

Background/Description of Item:

Florence Municipal Code (FMC) Title 2, Administration and Personnel, provides guidelines for the proper and lawful administration of City Business. Title 2 is significant as it provides the foundation for the City's governmental and administrative structure.

Prior to this Ordinance, two Sections of FMC Title 2 were revised or added, with the first and second readings of each Ordinance taking place at the April 1 2024 and April 15, 2024 City Council meetings, respectively:

- Chapter 2.20 – Planning Commission (Ordinance 4-2024)
- Chapter 2.25 – Board of Zoning Appeals (Ordinance 5-2024)

These Sections of FMC Title 2 will not be impacted by this proposed Ordinance.

With the exception of these Sections and the addition of the *City Council Rules of Procedure* by reference (Ordinance 9-2023, adopted January 2, 2024), the next most recent update to Title 2 occurred in 2006, with the majority of Sections dating back to the 1950's – 1990's.

Two (2) documents detailing the proposed changes are included in the packet. The first lists the proposed changes in brief, while the second provides significant detail on both the changes themselves and the reasoning behind said changes.

Attachments:

- List of proposed changes (in brief)
- List of proposed changes (detailed)

- Ordinance No. 1-2025

Suggested Motion:

Adopt Ordinance No. 1-2025, an Ordinance declaring, establishing, amending and creating codes, procedures and policies for administration and personnel, including the City Council, City Manager, City Attorney, Municipal Courts, purchase of City property, and salaries, amending chapters 2.04, 2.08, 2.12, 2.16, 2.40, and 2.44, and repealing chapters 2.22, 2.28, 2.32, 2.34, 2.36, 2.48, 4.50, 2.51, and 2.52 of Title 2 – Administration and Personnel of the Florence, Colorado Municipal Code, and amending or repealing all ordinances or regulations not in conformity herewith.

FMC Chapter 2.04 – Administrative Organization

2.04- Title

- Changed title to “City Council” to better match updated contents.

2.04.010 – Chapter Provisions to Govern

- Current language removed in its entirety (obsolete)

2.04.020 – Power of City Council

- Reworded and moved to updated 2.04.030 – City Council - Authority

2.04.030 – Powers of City Manager

- Reworded and moved to 2.08.020(A) – City Manager – Powers, Responsibilities, and Authority

2.04.040 – City Attorney and Police Magistrate

- Information regarding the City Attorney is now included in 2.12 – City Attorney.
- The Police Magistrate position no longer exists. Language regarding the Police Magistrate has been removed in its entirety (obsolete)

2.04.050 – City Manager Departmental Control

- Reworded and moved to 2.08.030 – City Manager – Departmental Control

2.04.060 – Authority

- Removed (unnecessary and obsolete; now accomplished through policy)

2.04.070 – Departments Created

- Reworded and moved to 2.08.030 – City Manager – Departmental Control

2.04.070(A) - The Department of Finance

- Reworded and moved to 2.08.030(A)(1-2) – City Manager – Departmental Control
- City Clerk and Finance divided as appropriate (2.08.030(A)(1) and 2.08.030(A)(2), respectively).

2.04.070(B) - The Department of Police

- Reworded and moved to 2.08.030(A)(4) – City Manager – Departmental Control

2.04.070(C) - The Department of Fire

- Removed in its entirety (no longer a City department)

2.04.070(D) - The Department of Public Works

- Reworded and moved to 2.08.030(A)(5) – City Manager – Departmental Control

2.04.070(E) - The Cemetery Department

- Removed in its entirety (this is now part of Public Works)

2.04.070(F) - Health Department

- Removed in its entirety (no longer a City department)

2.04.080 – Departments – Responsibilities

- Reworded and moved to 2.08.030 – City Manager – Departmental Control

2.04.090 – Appointment of Deputies

- Current language removed in its entirety (obsolete)

FMC Chapter 2.08 – City Council

2.08- Title

- Changed title to “City Manager” to better match updated contents.

2.08.010 – City Council Rules of Procedure

- Moved, as previously written, to FMC 2.04.010

2.08.020 – Councilmembers - Terms

- The information in this section has been moved to 2.04.020 – Number, and 2.04.050(A-B) – Term of Office.

2.08.020(A) – Councilmembers – Number

- Moved, as written, to 2.04.020 – Number

2.08.020(B) – Mayor

- Moved, as written, to 2.04.050(B) – Term of Office – Mayor

2.08.020(C) – Councilmembers

- Moved, as written, to 2.04.050(A) – Term of Office - Councilmembers

2.08.030 – Vacancy Filling

- Changed subtitles and order and moved to 2.04.060 (A-B)

2.08.030(A) – Mayor – Vacancy

- Changed Subtitle to “Mayor” to eliminate redundancy and moved to 2.04.060(B)

2.08.030(B) – Councilmembers – Vacancy

- Changed Subtitle to “Councilmembers” to eliminate redundancy and moved to 2.04.060(A)

2.08.040 – Commencement of Term

- Reworded with citation of alternative Statute and moved to 2.04.050(C) – Term of Office – Commencement of Term

FMC Chapter 2.12 – City Attorney

2.12.010 – Office Created

- Removed in its entirety (obsolete)

2.12.020 – Powers and Duties Generally

- Reworded and moved to FMC 2.12.010

2.12.030 – Drafting of Documents

- Removed in its entirety (obsolete in part/covered in General Powers and Duties or contractually)

2.12.040 – Legal Advisory Powers

- Removed in its entirety (Covered in General Powers and Duties or contractually)

2.12.050 – Executions

- Removed in its entirety (obsolete in part/covered in General Powers and Duties or contractually)

2.12.060 – Performance of Other Duties

- Removed in its entirety (Covered in General Powers and Duties or contractually)

2.12.070 – Salary

- Reworded and moved to FMC 2.12.030

FMC Chapter 2.16 – Municipal Courts

2.16.010 – Establishment and Jurisdiction

- Reword and divide between FMC 2.16.010 - Establishment, FMC 2.16.020 – Jurisdiction, and FMC 2.16.030(A) – Municipal Judge – Qualifications, as appropriate.

2.16.020 – Municipal Judge – Appointment – Term of Office

- Reworded and moved to FMC 2.16.030(B) – Municipal Judge – Appointment, FMC 2.16.030(C) – Municipal Judge – Term, FMC 2.16.030(D) – Municipal Judge – Vacancy, and FMC 2.16.030(F) – Municipal Judge – Assistant Municipal Judge(s), as appropriate

2.16.040 – Municipal Judge - Compensation

- Reworded and moved to FMC 2.16.030(E) – Municipal Judge – Compensation, and FMC 2.16.030(F) – Municipal Judge – Assistant Municipal Judge(s), as appropriate

2.16.050 – Clerk of the Municipal Court

- Reworded

2.16.060 – Court Facilities and Supplies

- Moved, as written, to FMC 2.16.080

2.16.070 – Fines and Penalties

- Moved, as written, to FMC 2.16.090

2.16.080 – Costs

- Moved, as written, to FMC 2.16.090(A) – Fines and Penalties – Ordinance Violations

2.16.085 – Surcharge for Purchase of Police Equipment

- Reworded and moved to FMC 2.16.110

2.16.090 – Payment of Fines – Traffic Violations

- Moved, as written, to FMC 2.16.090(B) – Fines and Penalties – Traffic Violations

2.16.100 – Fines and Costs

- Moved, as written with letters (a-d) added in advance of each individual line, to FMC 2.16.090(C)(a-d) – Fines and Penalties – Payments Received

2.16.110 – Payment of Moneys

- Renamed and moved, as written, to FMC 2.16.120

2.16.120 – Procedure

- Reworded and moved to FMC 2.16.060

2.16.130 – Jury Trial Fee

- Moved, as written, to FMC 2.16.140(A) – Jury Trial - Fees

2.16.140 – Jury Trials

- Reworded

2.16.150 – Jurors - Payment

- Moved, as written, to FMC 2.16.140(B) – Jury Trial – Payment of Jurors

2.16.160 – Contempt

- Reworded and moved to FMC 2.16.070

2.16.170 – Collection of Unpaid Municipal Court Fees, Costs and Fines

- Moved, as written, to FMC 2.16.130

2.16.180 – Addition of Costs of Collection

- Reworded and moved to FMC 2.16.030(A) – Collection of Unpaid Municipal Court Fees, Costs, and Fines – Additional Costs of Collection

2.16.190 – Community Service Program

- Reworded and moved to FMC 2.16.150

2.16.190(A) – Purpose

- Reworded and moved to FMC 2.16.150(A) – Community Service Program - Establishment

2.16.190(B) – Philosophy

- Reworded and moved to FMC 2.16.150(B) – Community Service Program - Philosophy

2.16.190(C) – Procedure

- Reworded and moved to FMC 2.16.150(C) – Community Service Program - Procedure

2.16.190(D) – Conversion

- Reworded and moved to FMC 2.16.150(D) – Community Service Program - Conversion

2.16.190(E) – Fees

- Reworded and moved to FMC 2.16.150(E) – Community Service Program - Fees
- 2.16.190(F) – Falsification of Information
- Reworded and moved to FMC 2.16.150(F) – Falsification of Information

FMC Chapter 2.22 – Policemen’s Pension Fund Board of Trustees

REMOVED IN ITS ENTIRETY

2.22.010 – Statutory Authorization

- Removed in its entirety (obsolete)

2.22.020 – Personnel of Board

- Removed in its entirety (obsolete)

2.22.030 – Authority of Board

- Removed in its entirety (obsolete)

FMC Chapter 2.28 – Residency Requirements

REMOVED IN ITS ENTIRETY

2.28.010 – Key Employees Defined

- Removed in its entirety (better suited for contracts/Personnel Policies)

2.28.020 – Residency Requirements for Key Employees

- Removed in its entirety (better suited for contracts/Personnel Policies)

2.28.030 – Sanctions

- Removed in its entirety (better suited for contracts/Personnel Policies)

FMC Chapter 2.32 – Social Security Coverage

REMOVED IN ITS ENTIRETY

2.32.010 – Findings and Purpose

- Removed in its entirety (Redundant to Federal laws/regulations)

2.32.020 – Statutory Authorization

- Removed in its entirety (Redundant to Federal laws/regulations)

2.32.030 – Payroll Deductions

- Removed in its entirety (Redundant to Federal laws/regulations)

2.32.040 – Payment into Contribution Fund

- Removed in its entirety (Redundant to Federal laws/regulations)

FMC Chapter 2.34 –Matching Retirement Program

REMOVED IN ITS ENTIRETY

2.34.010 – Participation

- Removed in its entirety (better suited for Personnel Policies)

2.34.020 – Appropriation

- Removed in its entirety (better suited for Personnel Policies)

2.34.030 – Contributions

- Removed in its entirety (better suited for Personnel Policies)

FMC Chapter 2.36 –Initiative, Referendum, and Recall

REMOVED IN ITS ENTIRETY

2.36.010 – Powers of the People

- Removed in its entirety (purely Statutory)

2.36.020 – Initiative Procedure

- Removed in its entirety (purely Statutory)

2.36.030 – Referendum procedure

- Removed in its entirety (purely Statutory)

2.36.040 – Elections to be Held at General Election

- Removed in its entirety (purely Statutory)

2.36.050 – Petitions

- Removed in its entirety (purely Statutory)

2.36.060 – Ordinance Style

- Removed in its entirety (purely Statutory)

2.36.070 – Recall - Established

- Removed in its entirety (purely Statutory)

2.36.080 – Recall - Procedure

- Removed in its entirety (purely Statutory)

2.36.090 – Statutes Adopted

- Removed in its entirety (purely Statutory)

FMC Chapter 2.40 – Sale and Purchase of City Property

2.40- Title

- Changed title to “Purchase of City Property” better match updated contents.

2.04.010 – Purchasing Authority

- Reworded

FMC Chapter 2.44 – Salaries

2.44.010 – Statutory Authorization

- Removed in its entirety (obsolete)

2.44.020 – Compensation of Mayor and Councilmembers

- Moved, as written, to FMC 2.04.070 – City Council - Salaries

2.44.030 – Compensation of Employees

- Reworded

2.44.040 – Compensation of the City Manager, City Attorney, and Municipal Judge

- Updated internal citation

FMC Chapter 2.48 – Tree Board

REMOVED IN ITS ENTIRETY

2.48.010 – Creation and Establishment

- Removed in its entirety (non-Statutory Committee – should be formed/governed by Resolution)

2.48.020 – Term of Office

- Removed in its entirety (non-Statutory Committee – should be formed/governed by Resolution)

2.48.030 – Compensation

- Removed in its entirety (non-Statutory Committee – should be formed/governed by Resolution)

2.48.040 – Duties and Responsibilities

- Removed in its entirety (non-Statutory Committee – should be formed/governed by Resolution)

2.48.050 – Operation

- Removed in its entirety (non-Statutory Committee – should be formed/governed by Resolution)

FMC Chapter 2.50 – CIRSA Workers' Compensation Insurance Coverage

REMOVED IN ITS ENTIRETY

2.50.010 – Contract Authorized – Purpose – Coverage Authorized – Effective Date

- Removed in its entirety (obsolete)

2.50.020 – Necessary Clause

- Removed in its entirety (obsolete)

FMC Chapter 2.51 – CIRSA Property/Casualty Insurance Coverage

REMOVED IN ITS ENTIRITY

2.51.010 – Approval of Contract

- Removed in its entirety (obsolete)

2.51.020 – Necessary Clause

- Removed in its entirety (obsolete)

FMC Chapter 2.52 – Employee Legal Defense Policy

REMOVED IN ITS ENTIRITY

2.52.010 – Purpose

- Removed in its entirety (obsolete)

2.52.020 – Scope and Definitions

- Removed in its entirety (obsolete)

2.52.030 – Policy

- Removed in its entirety (obsolete)

2.52.040 – Legal Representation for Employee

- Removed in its entirety (obsolete)

2.52.050 – Payment of Judgements and Settlements of Claims Against City Employees

- Removed in its entirety (obsolete)

2.52.060 – Employee Responsibility

- Removed in its entirety (obsolete)

2.52.070 – Notification to Employee

- Removed in its entirety (obsolete)

2.52.080 – Reimbursement of Expenses

- Removed in its entirety (obsolete)

2.52.090 – Conflicts of Interest

- Removed in its entirety (obsolete)

2.52.100 – Reimbursement of Punitive Damages

- Removed in its entirety (obsolete)

2.52.110 – Severability Clause

- Removed in its entirety (obsolete)

Florence Municipal Code Chapter 2.04

suggested changes:

2.04 - City Council

Current:

2.04 – Administrative Organization

Proposed:

2.04 - City Council

What Changed?

The title of Chapter 2.04 was changed from “Administrative Organization” to “City Council”

Tell me more...

This change reflects the a change in content of FMC Chapter 2.04 from content regarding the “Administrative Organization” of the City of Florence in general to information about the City Council specifically. Previously, the “Administrative Organization” Chapter contained some information about the City Council, information regarding the City Manager and the City Departments under their purview, and some information regarding the City Attorney and the now-defunct Police Magistrate position. In order to streamline the Code, allow for better referencing and research, and better reflect the actual contents of the Chapters contained therein, all information regarding the City Manager has been repositioned to FMC 2.08, the previous “City Council” chapter, with all City Council information being relocated to Chapter 2.04, as the City Council Chapter should logically precede the City Manager Chapter in the organization of the Code.

2.04.010 - City Council Rules of Procedure

Current:

2.08.010 City Council Rules of Procedure

The City Council Rules of Procedure, December 18, 2023, adopted document is hereby incorporated by reference. The City Council Rules of Procedure, December 18, 2023 document provides the necessary guidelines for the conduct of orderly meetings of the City Council of the City of Florence, Colorado.

Proposed:

2.04.010 City Council Rules of Procedure

The City Council Rules of Procedure, December 18, 2023, adopted document is hereby incorporated by reference. The City Council Rules of Procedure, December 18, 2023 document provides the necessary guidelines for the conduct of orderly meetings of the City Council of the City of Florence, Colorado.

What Changed?

Moved, as previously written, from FMC 2.08.010 to FMC 2.04.010.

Tell me more...

This change reflects the change in the title and content of FMC Chapter 2.04 from “Administrative Organization” to “City Council” (as detailed previously in this document).

2.04.020 - Number

Current:

2.08.020(A) Councilmembers – Terms; Councilmembers – Number

- A. Councilmembers—Number. The City Council shall consist of seven (7) members, which number shall include the Mayor and two members from each ward in the City, elected in accordance with the provisions of this chapter.

Proposed:

2.04.020 - Number

The City Council shall consist of seven (7) members, which number shall include the Mayor and two (2) members from each ward in the City, elected in accordance with the provisions of this chapter.

What Changed?

Moved from FMC 1.08.020(A) to FMC 2.04.020. This item was moved as previously written with the exception of adding a numerical clarifier to follow a written number for increased readability.

Tell me more...

- Added a numerical clarifier to follow a written number to improve readability.
- Moved this item to its own Section instead of leaving it as an item within the “Terms” Section to increase clarity and readability of the Chapter overall and to delineate that the number of Councilmembers is independent from Councilmember Terms

2.04.030 - Authority

Current:

2.04.020 Power of City Council

The City Council shall be the body of final responsibility and shall have all powers, and be subject to such responsibilities and limitations, which may now or hereafter be granted or imposed by law.

Proposed:

2.04.030 Authority

The City Council shall ~~be the body of final responsibility~~ constitute the legislative body of the City, and shall have ~~all the powers and be subject to such responsibilities and limitations, which may now or hereafter be granted or imposed by law.~~ and authority, except as otherwise provided by statute, to exercise all power 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 exercise thereof.

- A. Mayor
 1. The Mayor shall be the presiding officer of the City Council and shall have the same voting powers as any Council Member.

2. The Mayor shall be considered a member of the City Council and shall be recognized as the head of the City government for all ceremonial purposes.
3. The Mayor shall execute and authenticate by his or her signature all bonds, warrants, contracts and instruments of and concerning the business of the City, as the Council members or any statutes or ordinances may require.
4. The Mayor shall exercise all powers and perform such other duties as are conferred upon him or her by state statutes and this Code.

What Changed?

- Changed title from “Power of the City Council” to “Authority”.
- Updated language in main section
- Added information about the Mayor’s specific authority

Tell me more...

- The title change provides nomenclature that better reflects the subject of this Section
- The update to the language in the main section better reflects Colorado Statute and helps to clarify specific authority and responsibility regularly exercised by the City Council
- Information regarding the Mayor’s specific authority has been added. This language is based on Colorado Statute (see CRS 31-04-207.5).

ADD 02.04.040 Qualifications

Current:

N/A

Proposed:

Each Council Member shall be a resident of the City and a registered elector who has resided within the City limits for a period of at least twelve (12) consecutive months immediately preceding the date of the election. They shall also be at least eighteen (18) years of age. However, in case of annexation of property, any person who has resided within the annexed territory for the time prescribed in this Subsection shall be deemed to have met the residence requirements for the City.

What Changed?

This will be an addition to the Florence Municipal Code

Tell me more...

This language matches language in Colorado Statute for the qualifications of Councilmembers (see CRS 31-4-106).

2.04.050 – Term of Office

Current:

2.08.020(B) Councilmembers – Terms – Mayor; and

- B. Mayor. The Mayor shall be elected from the City at large, by a plurality of votes cast for that office, at the regular municipal election held in November of odd-numbered years. The Mayor shall serve for a term of two (2) years.

2.08.020(C) Councilmembers – Terms – Councilmembers; and

- C. Councilmembers. There shall be two (2) Councilmembers elected from each ward, each of which shall serve a four (4) year term. The terms of office shall be staggered so that one (1) Councilmember from each ward is elected every two (2) years. In the event that a vacancy in office occurs which requires the election of two (2) Councilmembers from a ward in the same election, the candidate receiving the highest number of votes shall be elected to serve a four (4) year term, and the candidate receiving the next highest number of votes shall be elected to serve a two (2) year term. At the next regular municipal election, and at each subsequent election thereafter, the Councilmembers to be elected shall serve four (4) year terms.

2.08.040 – Commencement of Terms

Following the regular municipal election, the term of all newly elected members of the city council, including the Mayor, shall commence at the first meeting of the governing body immediately following the survey of election returns. (CRS 31-4-105)

Proposed:

2.04.050 Term of Office

- A. Councilmembers. There shall be two (2) Councilmembers elected from each ward, each of which shall serve a four (4) year term. The terms of office shall be staggered so that one (1) Councilmember from each ward is elected every two (2) years. In the event that a vacancy in office occurs which requires the election of two (2) Councilmembers from a ward in the same election, the candidate receiving the highest number of votes shall be elected to serve a four (4) year term, and the candidate receiving the next highest number of votes shall be elected to serve a two (2) year term. At the next regular municipal election, and at each subsequent election thereafter, the Councilmembers to be elected shall serve four (4) year terms.
- B. Mayor. The Mayor shall be elected from the City at large, by a plurality of votes cast for that office, at the regular municipal election held in November of odd-numbered years. The Mayor shall serve for a term of two (2) years.
- C. Commencement of Term. Following the regular municipal election, the term of all newly elected members of the city council, including the Mayor, shall commence ~~at the first meeting of the governing body immediately following the survey of election returns~~ on the first Monday after the first Tuesday in January following their election. (CRS 31-4-105)

What Changed?

- Moved, as previously written, from FMC 2.08.020(B) to FMC 2.04.050(B).
- Moved, as previously written, from FMC 2.08.020(C) to FMC 2.04.050(A).
- Moved from FMC 2.08.040 to FMC 2.04.050(C). Changed from the first meeting following the survey of election results to the first Monday after the first Tuesday in January following their election.

Tell me more...

- These changes reflect the change in the title and content of FMC Chapter 2.04 from “Administrative Organization” to “City Council” (as detailed previously in this document).
- The item specific to “Mayor” was placed following, rather than preceding, the item specific to Councilmembers as a whole for continuity and consistency of order throughout this Chapter.
- Moved the item regarding Commencement of Terms to the “Terms” Section instead of leaving it as its own Section in recognition that Term limits are inextricably linked with the commencement of said terms. Changed the commencement of term from following the certification of election results to January. Both are allowed under statute, but the move to January allows for the provision of a date certain for commencement of term. This is also more efficient, as the certification of election results can be delayed for reasons outside of the City’s control (this occurred during the 2023 Municipal Election). Finally, this better aligns with the statutory budget calendar by maintaining continuity of the Governing Body as a whole throughout the entirety of the budgeting process.

2.04.060 – Vacancies

Current:

2.08.030(A) - Vacancy Filling – Mayor – Vacancy; and

- A. Mayor - Vacancy. In case of the Mayor's death, disability, resignation, or other vacation of the office, the City Council shall declare a vacancy in the office of Mayor, and, upon such declaration, the City Council may order a special election as soon as practicable to fill the vacancy until the term of office of a successor elected at the next regular municipal election has commenced, as provided in CRS 31-4-105, and the City Council may appoint a registered elector in the City of Florence to act as Mayor until such special election. If the City Council does not call a special election, it shall, within sixty (60) days of the declaration of the vacancy, fill the vacancy by appointment until the term of the successor elected at the next regular municipal election has commenced. (CRS 31-4-103)

2.08.030(B) – Vacancy Filling - Councilmember – Vacancy

- B. Councilmember—Vacancy. If any vacancy occurs in the office of a Councilmember because of death, resignation, removal or for any other reason, the City Council shall declare a vacancy in the office, and shall fill the vacancy by a majority vote of the City Council within sixty (60) days from the declaration of the vacancy, or by special election, as provided in CRS 31-4-108(b). A successor so appointed or elected shall serve until the term of a successor elected at the next regular municipal election has commenced. (CRS 31-4-106).

Proposed:

2.04.060 Vacancies

- A. Councilmembers ~~– Vacancy~~. If any vacancy occurs in the office of a Councilmember because of death, resignation, removal or for any other reason, the City Council shall declare a vacancy in the office, and shall fill the vacancy by a majority vote of the City Council within sixty (60) days from the declaration of the vacancy, or by special election, as provided in CRS 31-4-108(b). A successor so appointed or elected shall serve until the term of a successor elected at the next regular municipal election has commenced. (CRS 31-4-106).

- B. Mayor—~~Vacancy~~. In case of the Mayor's death, disability, resignation, or other vacation of the office, the City Council shall declare a vacancy in the office of Mayor, and, upon such declaration, the City Council may order a special election as soon as practicable to fill the vacancy until the term of office of a successor elected at the next regular municipal election has commenced, as provided in CRS 31-4-105, and the City Council may appoint a registered elector in the City of Florence to act as Mayor until such special election. If the City Council does not call a special election, it shall, within sixty (60) days of the declaration of the vacancy, fill the vacancy by appointment until the term of the successor elected at the next regular municipal election has commenced. (CRS 31-4-103)

What Changed?

- Moved from FMC 2.08.030(B) to FMC 2.04.060(A)
- Moved from FMC 2.08.030(A) to FMC 2.04.060(B).
- Pluralized the word “Councilmember”
- Removed two (2) instances of the word “Vacancy”

Tell me more...

- These changes reflects the change in the title and content of FMC Chapter 2.04 from “Administrative Organization” to “City Council” (as detailed previously in this document).
- The item specific to “Mayor” was placed following, rather than preceding, the item specific to Councilmembers a whole for continuity and Consistency of order throughout this Chapter.
- Removed the word “vacancy” to eliminate redundancy with the Section title.

2.04.070 Salaries

Current:

2.44.020(A-D) - Salaries – Compensation of Mayor and Councilmembers

- A. Compensation of the Mayor and Councilmembers. The salary or compensation of the Mayor of the City of Florence shall be two hundred and fifty dollars (\$250.00) per month. The salary or compensation of the Councilmembers shall be two hundred dollars (\$200.00) per month.
- B. Pursuant to C.R.S. 31-4-405 and C.R.S. 31-4-109, the compensation of any Councilmember or Mayor shall not be increased nor decreased during his or her term of office.
- C. Any person appointed to fill a vacancy in the office of Mayor or Councilmember shall receive the same compensation as the person who created the vacancy.
- D. A person who has resigned as Mayor or Councilmember cannot be reelected or reappointed during the same term if the compensation for said office has been increased during that term.

Proposed:

2.04.070 Salaries

- A. Compensation of the Mayor and Councilmembers. The salary or compensation of the Mayor of the City of Florence shall be two hundred and fifty dollars (\$250.00) per month. The salary or compensation of the Councilmembers shall be two hundred dollars (\$200.00) per month.

- B. Pursuant to C.R.S. 31-4-405 and C.R.S. 31-4-109, the compensation of any Councilmember or Mayor shall not be increased nor decreased during his or her term of office.
- C. Any person appointed to fill a vacancy in the office of Mayor or Councilmember shall receive the same compensation as the person who created the vacancy.
- D. A person who has resigned as Mayor or Councilmember cannot be reelected or reappointed during the same term if the compensation for said office has been increased during that term

What Changed?

- Moved, as written, from FMC 2.44.020(A-D) to FMC 2.04.070(A-D)

Tell me more...

- These changes reflect that information regarding the City Council should be included in the City Council Chapter of the FMC

Florence Municipal Code Chapter 2.08 suggested changes:

2.08 - City Manager

Current:

2.08 – City Council

Proposed:

2.08 - City Manager

What Changed?

The title of Chapter 2.08 was changed from “City Council” to “City Manager”

Tell me more...

This change reflects the a change in content of FMC Chapter 2.08 from content regarding the City Council of the City of Florence in information regarding the City Manager. Previously, the “Administrative Organization” Chapter contained information regarding the City Manager and the City Departments under their purview. In order to streamline the Code, allow for better referencing and research, and better reflect the actual contents of the Chapters contained therein, all information regarding the City Manager has been repositioned to FMC 2.08, the previous “City Council” chapter, with all City Council information being relocated to Chapter 2.04, as the City Council Chapter should logically precede the City Manager Chapter in the organization of the Code.

ADD 02.08.010 Qualifications

Current:

N/A

Proposed:

- A. The City Council shall appoint a City Manager, who shall be the Chief Administrative Officer of the City. The City Manager shall be chosen solely on the basis of their executive and administrative qualifications and need not, at time of appointment, be a resident of the City or State.
- B. No member of the City Council shall be chosen as City Manager during their term of office.
- C. The City Manager shall be appointed for an indefinite term.
- D. In the case of absence or disability of the City Manager, the City Council may designate a qualified person to perform the duties of the office during such absence or disability.
- E. The City Manager may be removed for cause by a majority vote of the City Council.
 - a. Prior to the removal of the City Manager, the City Manager must be given, if they so demand, a written statement of the reasons alleged for their removal. The City Manager has the right to be heard thereon in a public meeting of the City Council prior to the final vote on the question of their removal. Pending and during such hearing, the City Council may suspend the City Manager from office.
 - b. The action of the City Council in suspending or removing the City Manager shall be final. It is the intent of this Section to vest all authority and to fix all responsibility for such suspension or removal in the City Council.

What Changed?

This will be an addition to the Florence Municipal Code

Tell me more...

This language matches language in Colorado Statute for the qualifications of a City Manager (see CRS 31-4-210).

2.08.020 – Powers, Responsibility, and Authority

Current:

2.04.030 – Powers of City Manager

The City Manager shall be the chief administrative officer of the City and shall be responsible solely to the City Council for all affairs placed in his charge by law, ordinance, or direction of the City Council.

Proposed:

2.08.020 – Powers, Responsibility, and Authority

- A. The City Manager shall be the ~~e~~Chief ~~a~~Administrative ~~e~~Officer of the City and shall be responsible solely to the City Council for **the proper administration of** all affairs placed in ~~his~~ **their** charge by ~~law statute,~~ ordinance, or ~~direction of as assumed by~~ the City Council.

- B. The City Manager shall have the power to appoint and remove all non-elected employees and officers of the City, with the exception of the City Attorney, City Prosecutor, and the Municipal Judge.
- a. Appointments made by the City Manager shall be based on the candidate's demonstrated competence, relevant experience, and ability to perform the essential functions of the position. The City Manager shall prioritize merit, professional qualifications, and commitment to public service in all hiring decisions.
 - b. All appointments shall be without definite term, unless otherwise specified at time of appointment.
 - c. Officers and employees appointed by the City Manager may be removed by the City Manager at any time for cause. The decision of the City Manager in any such case shall be final.

What Changed?

- Corrected capitalization errors and updated language.
- Added language regarding employee appointment and removal to be consistent with Colorado Statute regarding this subject.

Tell me more...

- Corrected capitalization errors for grammatical improvement; updated language to provide additional clarification of responsibility for administration.
- This language is consistent with language in Colorado Statute for employee appointment and removal by the City Manager (see CRS 31-4-211).

2.08.030 – Departmental Control

Current:

2.04.050 – Departmental Control

All departments of the City, except for the City Attorney and the Police Magistrate, shall be under the direct control and supervision of the City Manager.

2.04.070 – Departments Created

There are created the following departments:

- A. The Department of Finance, which shall be supervised by the City Clerk, which officer shall be ex-officio City Treasurer and Clerk of the Council. The City Clerk, as supervisor of the Department of Finance, shall keep and supervise all accounts and have custody of all public moneys of the City; apportion and collect special assessments; issue licenses; collect license fees; issue water statements; collect water accounts; make and keep a journal of proceedings of the Council; have custody of all public records of the City not specifically entrusted to any other office; and perform such other duties as may now or hereafter be assigned by law, ordinance or the City Manager;

- B. The Department of Police, which shall be under the supervision and direction of a Chief of Police. The Department of Police shall cause the public peace of the City to be preserved and shall enforce all laws and ordinances and shall carry out other duties at the direction of the City Manager;
- C. The Department of Fire, which shall be a volunteer department headed by a Fire Chief who shall be responsible for the supervision and direction of the department and for the prevention and suppression of fires and who shall perform other duties as the City Manager may direct;
- D. The Department of Public Works, which shall be supervised and directed by a Director of Public Works. The Department of Public Works shall be responsible for the management, maintenance, repair and construction of all property of the City except as provided elsewhere in this code. Any function, or activity of the municipality not included elsewhere in this Code, shall come under the supervision of this department;
- E. The Cemetery Department supervised by a Sexton, the functions of which department shall include cemetery construction, maintenance, landscaping and other necessary duties;
- F. Health Department which shall be headed by a Sanitarian, which department shall perform all functions relating to the general health of the City.

2.04.080 – Departments – Responsibilities

All of the department created in Section 2.04.070 shall be under the direct control of the City Manager, and shall be responsible to him, and, in addition to the functions and duties herein described for them, they shall perform such duties as are now or hereafter assigned by law, ordinance or the City Manager.

Proposed:

2.08.030 – Departmental Control

All City departments, ~~except for with the exception of the City Attorney, and the Police Magistrate City Prosecutor, and Municipal Judge,~~ shall be under the direct control and supervision of the City Manager

~~2.04.070 – Departments Created~~

~~There are created the following departments~~

- A. The administrative service of the City includes the following Departments:
 - 1) City Clerk’s Office, led by the City Clerk, who shall:
 - a. Maintain Council records, including all Ordinances, Resolutions, motions, votes, and actions of the Council;
 - b. Handle required notices and publications;
 - c. Attest and affix the City seal to official documents or as directed by the City Manager
 - d. Manage City elections as required by law;
 - e. Safeguard City documents and records in accordance with law;
 - f. Manage cemetery records and burial information;
 - g. Prepare Council agendas and transcribe minutes;
 - h. Issue City permits and licenses, unless otherwise authorized;

- i. Attend Council meetings unless excused by the City Manager;
 - j. Perform other duties as may now or hereafter be assigned by statute, ordinance, or the City Manager;
- 2) ~~The Department of Finance Department, which shall be supervised by the City Clerk led by the Finance Director, which officer who shall be ex-officio City Treasurer and Clerk of the Council, shall:~~
- a. ~~Manage City accounts and public moneys shall keep and supervise all accounts and have custody of all public moneys of the City;~~
 - b. ~~Handle special assessments and water billing apportion and collect special assessments; issue licenses; collect license fees; issue water statements; collect water accounts make and keep a journal of proceedings of the Council; have custody of all public records of the City not specifically entrusted to any other office; and~~
 - c. ~~Perform such other duties as may now or hereafter be assigned by law statute, ordinance, or the City Manager;~~
- 3) ~~Planning Department, led by the Planning Director, shall:~~
- a. Administer land development, zoning, and building permits;
 - b. Manage floodplain and historic preservation
 - c. Perform other duties as may now or hereafter be assigned by statute, ordinance, or the City Manager;
- 4) ~~The Department of Police Department, which shall be under the supervision and direction of a led by the Chief of Police, -The Department of Police shall:~~
- a. ~~Preserve public peace cause the public peace of the City to be preserved and;~~
 - b. ~~shall Enforce all laws and ordinances; and~~
 - c. ~~shall carry out Perform other duties as may now or hereafter be assigned by statute, ordinance, or at the direction of the City Manager;~~
- ~~C.—The Department of Fire, which shall be a volunteer department headed by a Fire Chief who shall be responsible for the supervision and direction of the department and for the prevention and suppression of fires and who shall perform other duties as the City Manager may direct;~~
- 5) ~~The Department of Public Works Department, which shall be supervised and directed by a led by the Public Works Director, -The Department of Public Works shall:~~
- a. ~~Be responsible for the mManagement, maintainance, repair, and construction of all property of the City property except as provided elsewhere in this Code; and~~
 - b. ~~Any function, or activity of the municipality not included elsewhere in this Code, shall come under the supervision of this department Perform other duties as may now or hereafter be assigned by statute, ordinance, or the City Manager;~~
- ~~E.—The Cemetery Department supervised by a Sexton, the functions of which department shall include cemetery construction, maintenance, landscaping and other necessary duties;~~
- ~~F.—Health Department which shall be headed by a Sanitarian, which department shall perform all functions relating to the general health of the City.~~

- 6) Water Department, led by the Water Superintendent, shall:
- a. Manage water supplies, rights, treatment,, storage and related infrastructure; and
 - b. Perform other duties as may now or hereafter be assigned by statute, ordinance, or the City Manager;

What Changed?

- Updated language. Removed the Police Magistrate position. Added the Prosecutor and Municipal Judge positions.
- Updated language.
- Added 2.08.030(A)(1) – City Clerk’s Office
- Updated language in 2.08.030(A)(2) Finance Department (Former 2.04.070(A))
- Added 2.08.030(A)(3) – Planning Department
- Updated language in 2.08.030(A)(4) Police Department (Former 2.04.070(B))
- Deleted former 2.04.070(C) – The Department of Fire in its entirety
- Updated language in 2.08.030(A)(5) Public Works Department (Former 2.04.070(D))
- Deleted former 2.04.070(E) – The Cemetery Department in its entirety
- Deleted former 2.04.070(F) – Health Department in its entirety
- Added 2.08.030(A)(6) – Water Department

Tell me more...

- Updated language to modernize syntax. Removed the Police Magistrate position, as this position no longer exists. Added the Prosecutor and Municipal Judge positions to reflect current organizational structure
- Updated language to reflect that these departments currently exist within the City’s organizational structure; they are not being created with the passage of this ordinance.
- Added the City Clerk’s office to separate this position from the Finance Department as they are wholly unique under the City’s current organizational structure. Removed some duties from other sections such as the Finance Department (i.e. licensing, and record administration) to list them properly under the purview of the City Clerk. The additional responsibilities align with current organizational structure, Colorado statute, best practice, etc.
- Separated the Finance Department from the City Clerk’s office. Recognized the Finance Director as ex-officio City Treasurer as appropriate, rather than the City Clerk. Condensed, modernized, and consolidated language regarding duties and responsibilities.
- Added the Planning Department as this is a major department of the city. The responsibilities listed align with current organizational structure, Colorado statute, best practice, etc.
- Updated language regarding the Police Department to modernize syntax. Standardized the bullet point regarding performance of other duties to align with the language utilized for the same bullet point for all other departments.
- Removed the Department of Fire in its entirety as the Fire Department is no longer under the purview of the City.
- Updated language in the Public Works Department to modernize syntax and utilize active voice as was utilized in other sections. Standardized the bullet point regarding performance of other duties to align with the language utilized for the same bullet point for all other departments.

Removed language stating all other functions fall under this Department as this is no longer the practice with the City's current organizational structure.

- Removed the Cemetery Department in its entirety as this now falls under the purview of the Public Works Department.
- Removed the Health Department in its entirety as this is no longer a City Department.
- Added the Water Department as this is a major department of the city. The responsibilities listed align with current organizational structure, Colorado statute, best practice, etc.

Add 2.08.040 – Duties

Current:

N/A

Proposed:

2.08.040 – Duties

It is the duty of the City Manager to:

- A. Oversee the administration of City affairs and enforce City ordinances and applicable State laws;
- B. Act as chief conservator of the peace within the City;
- C. Advise City Council on municipal matters, including making recommendations on City affairs as deemed necessary, keeping the Council informed of the City's financial condition and future needs, and preparing and submitting the annual budget estimate;
- D. Report to the City Council, including submitting required reports as specified by the Council and providing monthly detailed reports covering City activities comprising a summary of revenues and expenditures for the preceding month and a breakdown by appropriations and funds showing the exact financial condition of the City and each department as near as reasonably possible to the last day of the previous month
- E. Perform such other duties as may be required by him or her by ordinance or resolution of the City Council.

What Changed?

Added language regarding specific duties of the City Manager

Tell me more...

The duties listed align with current and best practices, etc.

Add 2.08.050 – Council not to Interfere

Current:

N/A

Proposed:

2.08.050 – Council not to Interfere

- A. Neither the City Council nor any of its committees or members shall direct or request the appointment of any person to, nor the removal of any person from, office by the City

Manager. Further, neither the City Council nor any of its committees or members shall take part in the appointment or removal of employees in the administrative service of the City.

- B. The City Council and its members shall deal with that portion of the administrative service for which the City Manager is responsible solely through the City Manager, and neither the City Council nor any member thereof shall give orders to any subordinate of the City, either publicly or privately. Any violation of the provisions of this Section by a member of the City Council constitutes misconduct and is punishable in such manner as may be determined by other members of the City Council.

What Changed?

Added language regarding specific to not-interference in City Administration by the Governing Body.

Tell me more...

This language matches language in Colorado Statute for the non-interference in City Administration by the Governing Body or any members or committees thereof (see CRS 31-4-212).

Florence Municipal Code Chapter 2.12

suggested changes:

2.12.010 – Powers and Duties Generally

Current:

2.12.020 – Powers and Duties Generally

The City Attorney shall prosecute all actions upon any ordinance of the City for the recovery of fines and penalties; and, as the case may be, shall prosecute or defend every action originating or pending before a justice of the peace or in any court, to which action the City shall be a party, or in which action the official acts of any of its officers or agents shall be involved; provided, that without the order of the City Council, said Attorney shall commence no action in the interest of the City except for the violation of a City ordinance.

Proposed:

2.12.010 – Powers and Duties Generally

~~The City Attorney shall prosecute all actions upon any ordinance of the City for the recovery of fines and penalties; and, as the case may be, shall prosecute or defend every action originating or pending before a justice of the peace or in any court, to which action the City shall be a party, or in which action the official acts of any of its officers or agents shall be involved; provided, that without the order of the City Council, said Attorney shall commence no action in the interest of the City except for the violation of a City ordinance.~~

The City Council shall appoint a City Attorney, who, upon taking office, shall be an attorney at law licensed to practice law in the State of Colorado. The City Attorney shall serve at the pleasure of the City Council. The City Attorney shall advise the City Council and City officials in matters relating to

their official powers and duties, and perform such other duties as the City Council may prescribe by ordinance or resolution.

What Changed?

Updated language regarding the general powers and duties of the City Attorney.

Tell me more...

The powers and duties previously listed are more closely aligned with those of a prosecutor than those of the City Attorney. The general statement provided here is consistent with the actual powers and duties of the City Attorney and are unlikely to vary based on Governing Body, Attorney, or other Staff. Other specific responsibilities may be outlined contractually etc.

Add 2.12.020 – Compensation

Current:

N/A

Proposed:

2.12.020 – Compensation

The City Council shall establish compensation for the City Attorney, his or her assistants and special counsel. Any agreement for compensation to special counsel shall be made only upon approval of the City Council and prior to the service being rendered.

What Changed?

Added language regarding compensation for all legal counsel related individuals.

Tell me more...

Added language regarding compensation for all legal counsel related individuals, including but not specifically limited to the City Attorney. This reflects more modern practices of utilizing specialized attorneys in addition to and/or with coordination from the City Attorney to handle specialized cases and legal situations.

2.12.030 – Salary

Current:

2.12.070 – Salary

The City Attorney shall be paid a salary to be determined from time to time by the City Council. Such payments shall be made on a monthly basis.

Proposed:

2.12.030 – Salary

The City Attorney shall be paid a salary **or other Council-approved compensation structure** to be determined from time to time by the City Council. Such payments shall be made on a monthly basis

What Changed?

Added language allowing for alternative compensation structures.

Tell me more...

Added language alternative compensation structures to provide additional flexibility for the City.

Florence Municipal Code Chapter 2.16

suggested changes:

2.16.010 – Establishment

Current:

2.16.010 – Establishment and Jurisdiction

There shall be a Qualified Municipal Court of Record which shall keep a verbatim record of its proceedings and a Municipal Judge who, as a condition of holding this office, shall have been admitted to and at all times during his term shall be licensed in the practice of law in Colorado. Preference may be given to a qualified resident of Florence for the position of Municipal Judge. The Municipal Court shall have exclusive original jurisdiction to hear, try, and determine all cases arising under the ordinances of the City of Florence for the violation and enforcement thereof and there shall be no change of venue therefrom.

Proposed:

2.16.010 – Establishment

~~There shall be a~~ A Qualified Municipal Court of Record ~~in and for the City of Florence is hereby established and created pursuant to and governed by the provisions of the state laws of Colorado.~~ ~~which~~ Said Municipal Court shall keep a verbatim record of its proceedings.

What Changed?

Removed language not pertaining to the establishment of the Court.

Tell me more...

Removed language not pertaining to the establishment of the Court. Some of the language removed is utilized in future Sections, but has been broken out for better flow and ease of review.

2.16.020 – Jurisdiction

Current:

2.16.010 – Establishment and Jurisdiction

There shall be a Qualified Municipal Court of Record which shall keep a verbatim record of its proceedings and a Municipal Judge who, as a condition of holding this office, shall have been admitted to and at all times during his term shall be licensed in the practice of law in Colorado. Preference may be given to a qualified resident of Florence for the position of Municipal Judge. The Municipal Court shall have exclusive original jurisdiction to hear, try, and determine all cases arising under the ordinances of the City of Florence for the violation and enforcement thereof and there shall be no change of venue therefrom.

Proposed:

2.16.020 – Jurisdiction

The Municipal Court shall have exclusive original jurisdiction to hear, try, and determine all cases arising under the ordinances of the City of Florence for the violation and enforcement thereof and there shall be no change of venue therefrom.

What Changed?

Made jurisdiction its own section and removed language not pertaining to the jurisdiction of the Court.

Tell me more...

Removed language not pertaining to the jurisdiction of the Court. Some of the other language removed is utilized in future Sections, but has been broken out for better flow and ease of review.

2.16.030 – Municipal Judge

Current:

2.16.010 – Establishment and Jurisdiction

There shall be a Qualified Municipal Court of Record which shall keep a verbatim record of its proceedings and a Municipal Judge who, as a condition of holding this office, shall have been admitted to and at all times during his term shall be licensed in the practice of law in Colorado. Preference may be given to a qualified resident of Florence for the position of Municipal Judge. The Municipal Court shall have exclusive original jurisdiction to hear, try, and determine all cases arising under the ordinances of the City of Florence for the violation and enforcement thereof and there shall be no change of venue therefrom.

2.16.020 – Municipal Judge – Appointment – Term of Office

The Municipal Judge shall be appointed by the City Council after the general election in odd-numbered years. The term of office shall be for two (2) years from the date of appointment unless sooner terminated for cause as provided in the Colorado Revised Statutes in effect at said time. In the event of a vacancy in the office of Municipal Judge, prior to the expiration of a term of office as set forth herein, any appointment shall be for the remainder of the unexpired term. City Council may also appoint such additional Assistant Municipal Judges as may be necessary to act in case of temporary absence, sickness, disqualification or other inability of the presiding Municipal Judge to act.

The term of such appointment of an Assistant Judge shall be for the term reasonably deemed necessary as based on the reason for the inability of the presiding Municipal Judge.

2.16.030 – Municipal Judge – Compensation

The salary of the Municipal Judge shall be established by ordinance upon the appointment of said Judge. The salary shall be a fixed annual compensation which shall be payable on a monthly or other periodic basis. Any Assistant Municipal Judges shall receive such compensation as shall be determined at the time of their appointment

Proposed:

2.16.030 –Municipal Judge

- A. Qualifications – The Municipal Judge ~~who~~, as a condition of holding this office, shall have been admitted to and at all times during his or her term shall be licensed in the practice of law in

Colorado. ~~Preference may be given to a qualified resident of Florence for the position of Municipal Judge.~~

- B. Appointment - The Municipal Judge shall be appointed by the City Council after the general election in odd-numbered years.
- C. Term - The term of office shall be for two (2) years from the date of appointment unless sooner terminated for cause as provided in the Colorado Revised Statutes in effect at said time.
- D. Vacancy - In the event of a vacancy in the office of Municipal Judge, prior to the expiration of a term of office as set forth herein, any appointment shall be for the remainder of the unexpired term.
- E. Compensation - The salary of the Municipal Judge shall be established by ordinance upon the appointment of said Judge. The salary shall be a fixed annual compensation which shall be payable on a monthly or other periodic basis.
- F. Assistant Municipal Judge(s) -City Council may also appoint such additional Assistant Municipal Judges as may be necessary to act in case of temporary absence, sickness, disqualification or other inability of the presiding Municipal Judge to act. The term of such appointment of an Assistant Judge shall be for the term reasonably deemed necessary as based on the reason for the inability of the presiding Municipal Judge. Any Assistant Municipal Judges shall receive such compensation as shall be determined at the time of their appointment

What Changed?

- Removed language regarding residency
- Created one main section to include all information regarding the Municipal Judge

Tell me more...

- Removed language regarding residency as this can be enacted during the section process and based on the preferences of the Council at the time
- Created one main section with multiple subsections for all information pertaining to the Municipal Judge in order to improve flow and ease of review.

Add 2.16.040 – Oath of Office

Current:

N/A

Proposed:

2.16.040 – Oath of Office

Before entering upon the duties of his or her office, the Municipal Judge shall take an oath or affirmation that they will support the Constitution of the United States, the Constitution of the State, and the laws of the City, and will faithfully perform the duties of their office.

What Changed?

Added language regarding taking an Oath of Office

Tell me more...

Added language regarding taking an Oath of Office as a procedural item.

2.16.050 – Clerk of the Municipal Court

Current:

2.16.050 – Clerk of the Municipal Court

The Municipal Judge shall serve as ex-officio clerk of the Municipal Court who shall receive no further or additional compensation for the performance of said duties. The Municipal Judge acting as Municipal Court Clerk shall execute a performance bond as required by Colorado Revised Statutes the cost of which shall be paid by the City.

Proposed:

2.16.050 – Clerk of the Municipal Court

The City Manager may appoint a person to serve as Municipal Court Clerk, whose duties as Court Clerk shall be assigned by the Municipal Judge. The Municipal Judge ~~shall serve as ex-officio clerk of the~~ may also act as Municipal Court Clerk in accordance with Colorado state statutes. ~~who~~ The Municipal Judge shall receive no further or additional compensation for the performance of said duties. The Municipal Judge acting as Municipal Court Clerk shall execute a performance bond as required by Colorado Revised Statutes, the cost of which shall be paid by the City.

What Changed?

Added language allowing for the appointment of a Municipal Court Clerk who is not the Municipal Judge.

Tell me more...

Added language allowing for the appointment of a Municipal Court Clerk who is not the Municipal Judge to reflect current practices.

2.16.060 – Rules of Procedure

Current:

2.16.120 – Procedure

The Municipal Court rules of procedure promulgated by the Supreme Court of the state of Colorado, from time to time, shall govern the procedures in Municipal Court.

Proposed:

2.16.060 – Rules of Procedure

The Municipal Court rules of procedure promulgated ~~from time to time~~ by the Supreme Court of the ~~s~~State of Colorado, ~~from time to time~~, shall govern the procedures in Municipal Court.

What Changed?

- Changed the Section title from “Procedure” to “Rules of Procedure”

- Moved the Section to earlier in the Chapter
- Changed word order
- Corrected capitalization

Tell me more...

- Changed the Section title from “Procedure” to “Rules of Procedure” to better clarify the contents.
- Moved the Section to earlier in the Chapter for improved flow and readability of the Chapter.
- Changed word order for improved flow.
- Corrected capitalization for correct grammar.

2.16.070 – Contempt

Current:

2.16.160 – Contempt

The Municipal Court Judge shall have full power and authority to punish for contempt of court; provided, however, that for a juvenile found in contempt, imprisonment may not exceed forty-eight (48) hours in a facility approved for the detention of juveniles or a fine of three hundred (\$300.00) dollars and for an adult the imprisonment may not exceed ninety (90) days and the fine may not exceed three hundred (\$300.00) dollars.

Proposed:

2.16.070 – Contempt

The Municipal Court Judge shall have full power and authority to punish for contempt of court **in accordance with the following; ~~provided, however, that for a juvenile found in contempt,~~**

- A. Juveniles -** imprisonment **or detention** may not exceed forty-eight (48) hours in a facility approved for the detention of juveniles or a fine of three hundred (\$300.00) dollars; and
- B. Adults -** for an adult the- imprisonment may not exceed ninety (90) days and the fine may not exceed three hundred (\$300.00) dollars.

What Changed?

- Moved the Section to earlier in the Chapter
- Created separate subsections of juveniles and adults
- Changed wording to better match the creation of subsections

Tell me more...

- Moved the Section to earlier in the Chapter for improved flow and readability of the Chapter.
- Created subsections for juveniles and adults for improved flow and readability of the Section.
- Changed wording to better match the creation of said subsections.

2.16.080 – Court Facilities and Supplies

Current:

2.16.060 – Court Facilities and Supplies

Space for court proceedings shall be provided as deemed appropriate by the City Council and may include limitations upon court times due to sharing of facilities with other City entities. The City Council shall provide necessary moneys for supplies necessary to conduct the business of the court through and at the time of the annual budget preparation.

Proposed:

2.16.080 – Court Facilities and Supplies

Space for court proceedings shall be provided as deemed appropriate by the City Council and may include limitations upon court times due to sharing of facilities with other City entities. The City Council shall provide necessary moneys for supplies necessary to conduct the business of the court through and at the time of the annual budget preparation.

What Changed?

- Moved the Section to later in the Chapter

Tell me more...

- Moved the Section to later in the Chapter for improved flow and readability of the Chapter.

2.16.090 – Fines and Penalties

Current:

2.16.070 – Fines and Penalties

The Municipal Judge shall be authorized to impose fines and penalties as provided by ordinances of the City limited by provisions of the Colorado Revised Statutes.

2.16.080 – Costs

The Municipal Judge shall be authorized to impose costs of zero to three hundred dollars (\$0.00 to \$300.00) after conviction of an ordinance violation at a trial to the court, or to a jury, plea of guilty or plea of no contest.

2.16.090 – Payment of Fines – Traffic Violations

The fine schedule set forth in Section 10.04.040 for violation of the provisions of the Model Traffic Code for Colorado Municipalities may be payable as penalty assessments or, the defendant may appear before the Judge to enter a plea or have a trial.

2.16.100 – Fines and Costs

All fines and costs collected or received by the Municipal Court shall be reflected in a written receipt. A copy of said receipt shall be given to the person delivering the money to the Municipal Court, a copy shall be given to the City Clerk, and a copy shall be retained in the records of the Municipal Court. Each such receipt shall be identified by the name of the defendant and by the citation number.

All moneys received by the Municipal Court within one (1) calendar week shall be delivered on or before the close of the first business day of the next calendar week to the City Clerk or his authorized agent together with the City Clerk's copy of all written receipts.

In the absence of the Municipal Judge, the City Clerk, or his agent, shall be authorized to accept any and all moneys otherwise directed to the Municipal Court. In such case, the City Clerk or his agent shall prepare a receipt for said moneys with one (1) copy to the Municipal Judge, one (1) copy to the person delivering the money, and one (1) copy for the records of the City Clerk.

All moneys received by the City Clerk shall be deposited in the general fund of the City of Florence.

Proposed:

2.16.090 –Fines and Penalties

The Municipal Judge shall be authorized to impose fines and penalties as provided by ordinances of the City limited by provisions of the Colorado Revised Statutes.

- A. **Ordinance Violations** - The Municipal Judge shall be authorized to impose costs of zero to three hundred dollars (\$0.00 to \$300.00) after conviction of an ordinance violation at a trial to the court, or to a jury, plea of guilty or plea of no contest.
- B. **Traffic Violations** - The fine schedule set forth in Section 10.04.040 for violation of the provisions of the Model Traffic Code for Colorado Municipalities may be payable as penalty assessments or, the defendant may appear before the Judge to enter a plea or have a trial.
- C. **Payments Received**
 - a. All fines and costs collected or received by the Municipal Court shall be reflected in a written receipt. A copy of said receipt shall be given to the person delivering the money to the Municipal Court, a copy shall be given to the City Clerk, and a copy shall be retained in the records of the Municipal Court. Each such receipt shall be identified by the name of the defendant and by the citation number.
 - b. All moneys received by the Municipal Court within one (1) calendar week shall be delivered on or before the close of the first business day of the next calendar week to the City Clerk or his authorized agent together with the City Clerk's copy of all written receipts.
 - c. In the absence of the Municipal Judge, the City Clerk, or his agent, shall be authorized to accept any and all moneys otherwise directed to the Municipal Court. In such case, the City Clerk or his agent shall prepare a receipt for said moneys with one (1) copy to the Municipal Judge, one (1) copy to the person delivering the money, and one (1) copy for the records of the City Clerk.
 - d. All moneys received by the City Clerk shall be deposited in the general fund of the City of Florence.

What Changed?

Created one main section to include all information regarding the Fines and Penalties

Tell me more...

Created one main section with multiple subsections for all information pertaining to the Fines and Penalties in order to improve flow and ease of review.

2.16.100 – Surcharge for Purchase of Police Equipment

Current:

2.16.070 – Fines and Penalties

A surcharge in the amount of twenty-five dollars (\$25.00) per offense shall be imposed against a defendant, in addition to all other costs and fines imposed, after the defendant is convicted of a municipal ordinance violation at a trial to the court, or to a jury, plea of guilty or plea of no contest. Such surcharge shall also be imposed on all penalty assessments where the defendant elects to pay the penalty rather than appear at court. Said surcharge is dedicated to the purchase of equipment to be used by the Police Department and shall be set aside in a separate category within the general fund for this particular purpose. The surcharge provided for herein may be adjusted as necessary by resolution of the City Council. A copy of the fee schedule shall be available for inspection at the City Clerk's office.

Proposed:

2.16.100 – Surcharge for Purchase of Police Equipment

A surcharge in the amount of twenty-five dollars (\$25.00) per offense shall be imposed against a defendant, in addition to all other costs and fines imposed, after the defendant is convicted of a municipal ordinance violation at a trial to the court, or to a jury, plea of guilty or plea of no contest. Such surcharge shall also be imposed on all penalty assessments where the defendant elects to pay the penalty rather than appear at court. Said surcharge is dedicated to the purchase of equipment to be used by the Police Department and shall be set aside in a separate category within the general fund for this particular purpose. ~~The surcharge provided for herein may be adjusted as necessary by resolution of the City Council.~~ A copy of the fee schedule shall be available for inspection at the City Clerk's office.

What Changed?

Removed language regarding amendment of fee by Resolution.

Tell me more...

It is not legal to amend an Ordinance with a Resolution. This language has been removed. Further updates will need to occur by Ordinance.

2.16.110 – Disbursement of Court-Ordered Funds

Current:

2.16.070 – Fines and Penalties

In the event that moneys must be paid, the Municipal Judge shall request from the City Clerk a check drawn on the account of the City of Florence to a specific payee and designate the name of the defendant and case number. This check shall be ready to be delivered to the designated payee or the Municipal Judge no later than two (2) business days from the date of the request.

Proposed:

2.16.110 – ~~Fines and Penalties~~ Disbursement of Court-Ordered Funds

In the event that moneys must be paid, the Municipal Judge shall request from the City Clerk a check drawn on the account of the City of Florence to a specific payee and designate the name of the defendant and case number. This check shall be ready to be delivered to the designated payee or the Municipal Judge no later than two (2) business days from the date of the request.

What Changed?

Changed Section title.

Tell me more...

The Section title was changed to provide a more accurate description of the information contained within the Section.

2.16.120 – Collection of Unpaid Municipal Court Fees, Costs, and Fines

Current:

2.16.170 – Collection of Unpaid Municipal Court Fees, Costs, and Fines

The City Manager, or his or her designee, is authorized to assign for collection to any agency or agencies authorized to do business in the State of Colorado, as determined by the City Manager, or his or her designee, all fees, costs, and fines which have been assessed by the municipal court of the City and which are unpaid to the City and are delinquent.

2.16.180 Addition of Costs of Collection

The agency or agencies authorized pursuant to this article to collect on behalf of the City said fees, costs, and fines, is directed to add to the amounts assigned by the City for collection of any and all amounts charged the City for services rendered in collecting such delinquent fees, costs and fines, not to exceed twenty-five (25) percent of the amount assigned for collection.

Proposed:

2.16.120 – Collection of Unpaid Municipal Court Fees, Costs, and Fines

The City Manager, or his or her designee, is authorized to assign for collection to any agency or agencies authorized to do business in the State of Colorado, as determined by the City Manager, or his or her designee, all fees, costs, and fines which have been assessed by the municipal court of the City and which are unpaid to the City and are delinquent.

- A. Additional Costs of Collections - ~~The agency or~~ Agencies authorized pursuant to this article to collect ~~on behalf of the City said delinquent~~ fees, costs, and fines ~~is directed to shall add to the amounts assigned by the City for collection of any and all amounts charged the City for services rendered in collecting such delinquent fees, costs and fines, not to their service charges to the assigned collection amounts. These added charges must not~~ exceed twenty-five (25) percent of the amount assigned for collection.

What Changed?

- Created one main section to include all information regarding the collection of unpaid municipal court fees, costs, and fines.
- Updated language regarding additional collection fees.

Tell me more...

- Created one main section with multiple subsections for all information pertaining to the collection of unpaid municipal court fees, costs, and fines in order to improve flow and ease of review
- Updated language regarding additional collection fees in order to modernize the syntax.

2.16.130 – Jury Trial

Current:

2.16.130 – Jury Trial Fee

A defendant waives his right to a jury trial unless within ten (10) days of his arraignment or entry of plea he files a written demand for a jury trial and at the same time tenders to the Court a jury fee of twenty-five (\$25.00) dollars, unless the fee is waived by the Judge because of the indigence of the defendant. If the action is dismissed or the defendant is acquitted of the charge, or if the defendant having paid a jury fee files with the Court, at least ten (10) days before the scheduled trial date a written waiver of jury trial, the jury fee shall be refunded

2.16.140 – Jury Trials

In any action before Municipal Court in which the defendant is entitled to a jury trial by the constitution or the general laws of the State, such party shall have a jury upon request. The jury shall consist of three (3) jurors unless a greater number, not to exceed six (6), is requested by the defendant.

2.16.150 – Jurors – Payment

Jurors shall be paid the sum of six (\$6.00) dollars per day for actual jury service, and three (\$3.00) dollars for each day of service of the jury panel alone.

Proposed:

2.16.130 – Jury Trial

In any action before Municipal Court in which the defendant is entitled to a jury trial by the constitution or the general laws of the State, such party shall have a jury upon request. The jury shall consist of three (3) jurors unless a greater number, not to exceed six (6), is requested by the defendant. **No person shall have the right to a trial by jury for the violation of a municipal ordinance or any provision of this Code which is neither criminal nor punishable by imprisonment under said ordinance or Code provision or any counterpart state statute. In such matters, all questions of fact and law shall be determined by the municipal judge.**

- A. **Fees** - A defendant waives his right to a jury trial unless within ten (10) days of his arraignment or entry of plea he files a written demand for a jury trial and at the same time tenders to the Court a jury fee of twenty-five (\$25.00) dollars, unless the fee is waived by the Judge because of the indigence of the defendant. If the action is dismissed or the defendant is acquitted of the charge, or if the defendant having paid a jury fee files with the Court, at least ten (10) days before the scheduled trial date a written waiver of jury trial, the jury fee shall be refunded.
- B. **Payment of Jurors** - Jurors shall be paid the sum of six (\$6.00) dollars per day for actual jury service, and three (\$3.00) dollars for each day of service of the jury panel alone.

What Changed?

- Created one main section to include all information regarding jury trials.
- Updated language regarding when a jury trial is allowed under State Statute.

Tell me more...

- Created one main section with multiple subsections for all information pertaining to jury trials in order to improve flow and ease of review
- Updated language regarding when a jury trial is allowed under State Statute. This language aligns with language in CRS 16-10-101.

2.16.140 – Community Service Program

Current:

2.16.190 – Community Service Program

- A. Purpose. The purpose of this section is to authorize the Municipal Court to implement a Community Service Program for municipal defendants. The Community Service Program assigns and monitors sentenced offenders to complete public service work pursuant to this code, court policies and state and national practices. The program must maintain self-sufficiency through client-paid fees and other program charges, while providing a wide range of services to the local community. The program shall be administered by the Municipal Court through the City Manager or his or her designee.
- B. Philosophy. The philosophy of the program is that, through restorative justice principles and practices, court-ordered community service work can and should be beneficial for all involved parties: The local community, the court, the program and the defendant.
- C. Procedure. Any defendant ordered by the Municipal Court to serve community service as part of his or her sentence shall report to the City Manager or his or her designee. All community service shall be monitored by the Municipal Court, as directed by the City Manager or his or her designee. The Municipal Court through the City Manager or his or her designee will prepare all forms necessary to effectively administer the program.
- D. Conversion. The Municipal Judge has discretion to allow for a "conversion" of hours into the Community Service Program. Conversion means allowing a defendant to convert some of the fine imposed by the court into a number of hours in lieu of paying some of the fine. The amount that may be converted into Community Service Program hours shall be limited to one hundred (100) percent of the fine imposed by the court. The conversion rate will be posted in the City's fines and fees schedule and adjusted from time to time by the City Manager and shall also be subject to final approval of City Council during the budget process or during budget amendment process. All conversion shall be monitored by the Municipal Court. The Municipal Court will prepare all forms necessary to effectively administer the conversion.

- E. Fees. The City Manager or his or her designee, shall have authority to assess or modify an appropriate fee to pay for the administration of the Community Service Program. Such fees shall also be subject to final approval of City Council during the budget process or during the budget amendment process. This fee shall be assessed on each case where the defendant is ordered to complete community service.
- F. Falsification of information. The falsification of Community Service Program forms, including, but not limited to, forged signatures, claimed time and work information, shall constitute a violation of this section and shall be punishable by a fine in accordance with the provisions of Section 1.12.010 of this code.

Proposed:

2.16.140 – Community Service Program

- A. ~~Purpose.–Establishment. The purpose of this section is to authorize the Municipal Court to implement~~ There is hereby established a Community Service Program for ~~municipal defendants~~ the City of Florence, Colorado, to provide an alternative sentencing option for the Municipal Court and to provide a source of volunteer labor for the community. ~~The Community Service Program assigns and monitors sentenced offenders to complete public service work pursuant to this code, court policies and state and national practices. The program must maintain self-sufficiency through client paid fees and other program charges, while providing a wide range of services to the local community.~~ The program shall be administered by the Municipal Court through the City Manager or designee.
- B. Philosophy. The ~~philosophy of the~~ program ~~is that,~~ through based on restorative justice principles ~~and practices, court ordered community service work can and should be beneficial for~~ aims to benefit all ~~involved~~ parties: ~~the~~ local community, the court, the program, and the defendant through court-ordered community service work
- C. Procedure. ~~Any d~~Defendants ordered ~~by the Municipal Court~~ to serve community service ~~as part of his or her sentence~~ shall report to the City Manager or ~~his or her~~ designee. ~~All community service shall be monitored by t~~The Municipal Court, ~~as directed by~~ through the City Manager or ~~his or her~~ designee, will monitor all community service and ~~will prepare all forms~~ necessary ~~to effectively administer the program.~~ forms for program administration.
- D. Conversion. The Municipal Judge ~~has discretion to~~ may allow ~~for a "conversion" of hours into the Community Service Program. Conversion means allowing a~~ defendants to ~~convert some of the fine imposed by the court into a number of hours in lieu of paying some of the fine. The amount that may be converted into Community Service Program hours shall be limited to one hundred (100) percent of the fine imposed by the court.~~ convert up to 100% of imposed fines into Community Service Program hours. The conversion rate, ~~will be~~ posted in the City's fines and fees schedule, ~~and will be~~ adjusted by the City Manager and ~~shall also be subject to final approval of approved by~~ City Council during the budget process ~~or during budget amendment process. All conversion shall be monitored by t~~The Municipal Court will monitor all conversions and ~~will prepare all forms~~ necessary forms. ~~to effectively administer the conversion.~~

- E. Fees. The City Manager or ~~his or her~~ designee ~~shall have the authority to may~~ assess or modify ~~an appropriate fee to pay for the administration of the Community Service Program~~ fees for program administration, ~~Such fees shall be~~ subject to ~~final approval of~~ City Council ~~approval~~ during the budget process ~~or during budget amendment process~~. This fee ~~shall be assessed on~~ applies to each case where ~~the defendant is ordered to complete~~ community service ~~is ordered~~.
- F. Falsification of information. ~~The falsification of~~ Falsifying Community Service Program forms (including, ~~but not limited to,~~ forged signatures, claimed time, and work information) ~~shall constitute a violation of violates~~ this section and ~~shall be is~~ punishable by a fine ~~in accordance with the provisions of per~~ Section 1.12.010 of this code.

What Changed?

Updated language regarding the Community Service Program.

Tell me more...

Updated language regarding the Community Service Program. There are not changes to the spirit of the program. These changes are to modernize the syntax, eliminate redundancy, and improve flow and ease of review.

Florence Municipal Code Chapter 2.22 suggested changes:

Remove the Current Section 2.22 – Policemen’s Pension Board of Trustees

What Changed?

This change removes Section 2.22 – Policemen’s Pension Board of Trustees in its entirety.

Tell me more...

This Chapter is irrelevant as the Policemen’s Pension board of Trustees no longer exists under Colorado Statute.

Florence Municipal Code Chapter 2.28 suggested changes:

Remove the Current Section 2.28 – Residency Requirements

What Changed?

This change removes Section 2.28 – Residency Requirements in its entirety.

Tell me more...

This Chapter is better suited to contract language in the case of the City Manager or to the Personnel Polices in that case of all other employees.

Florence Municipal Code Chapter 2.32 suggested changes:

Remove the Current Section 2.32 – Social Security Coverage

What Changed?

This change removes Section 2.32 – Social Security Coverage in its entirety.

Tell me more...

This Chapter is obsolete and redundant to Federal laws and regulations. As such, it is unnecessary to include in the Florence Municipal Code.

Florence Municipal Code Chapter 2.34 suggested changes:

Remove the Current Section 2.34 – Matching Retirement

What Changed?

This change removes Section 2.34 – Matching Retirement in its entirety.

Tell me more...

This Chapter is better suited to the Personnel Polices as is consistent will all other employee benefits.

Florence Municipal Code Chapter 2.36 suggested changes:

Remove the Current Section 2.36 – Initiative, Referendum, and Recall

What Changed?

This change removes Section 2.36 – Initiative, Referendum, and Recall in its entirety.

Tell me more...

This Chapter is redundant to State Statute. As such, it is unnecessary to include in the Florence Municipal Code as this is not a situation seen regularly and in need of easy reference within the Code.

Florence Municipal Code Chapter 2.40

suggested changes:

2.40 – Purchase of City Property

Current:

2.08 – Sale and Purchase of City Property

Proposed:

2.08 – Purchase of City Property

What Changed?

The title of Chapter 2.40 was changed from “Sale and Purchase of City Property” to “Purchase of City Property”

Tell me more...

This change reflects a change in content of FMC Chapter 2.40 to include only information regarding the purchase of City property. Disposition of City property is covered by State Statute and may be address in the Purchasing Policy in the future If necessary

2.40.010 – Purchasing Authority

Current:

2.40.010 – Purchasing Authority

All purchases of materials, supplies and equipment of every kind and character for any and all departments of the City shall be made by or at the direction of the City Manager.

Proposed:

2.40.010 –Purchasing Authority

~~All purchases of materials, supplies and equipment of every kind and character for any and all departments of the City shall be made by or at the direction of the City Manager.~~ The City Council shall establish a Purchasing Policy by resolution, which outlines the rules and procedures for all City purchases. The City Manager shall serve as the purchasing agent for the City of Florence, with authority limited as specified in the Purchasing Policy. All purchases must comply with the approved Purchasing Policy.

The City Manager shall be the purchasing agent for the City of Florence, and all purchases shall be made in accordance with the purchasing rules and procedures described in the City of Florence's Purchasing Policy and approved by Resolution of the City Council

What Changed?

Removed language regarding amendment of fee by Resolution.

Tell me more...

It is not legal to amend and Ordinance with a Resolution. This language has been removed. Further updates will need to occur by Ordinance.

Florence Municipal Code Chapter 2.44 suggested changes:

2.44.010 – Compensation of Employees

Current:

2.40.030 – Compensation of Employees

The employees of the City of Florence shall be paid a salary within the attached schedules of compensation. The City Manager may grant an increase to an employee within the limits provided in this schedule at any time upon the basis of efficiency and/or seniority provided, however, that no increase shall be granted which exceeds the budgetary allotment for salaries for the specific department that year without the consent and approval of the City Council.

Proposed:

2.44.010 – Compensation of Employees

~~The employees of the City of Florence shall be paid a salary within the attached schedules of compensation. The City Manager may grant an increase to an employee within the limits provided in this schedule at any time upon the basis of efficiency and/or seniority provided, however, that no increase shall be granted which exceeds the budgetary allotment for salaries for the specific department that year without the consent and approval of the City Council.~~The salary or compensation of officers and employees shall be established by ordinance of the City Council, which shall provide uniform compensation for like services. Such schedules of compensation may fix the minimum and maximum for any grade or class. An increase in compensation, within the limits provided for the grade or class, may be granted at any time by the City Manager or other appointing authority upon the basis of efficiency and seniority.

What Changed?

Updated language to better reflect intended practices.

Tell me more...

The language has been updated to reflect desired salary-setting practices and to utilize modern syntax.

2.44.020 – Compensation of the City Manager, City Attorney, and Municipal Judge

Current:

2.40.040 – Compensation of the City Manager, City Attorney, and Municipal Judge

The compensation to be paid to the City Manager and City Attorney shall be determined and set by the City Council from time to time as deemed appropriate by said City Council. The compensation to be paid to the Municipal Judge shall be determined as provided by Section 2.16.040.

Proposed:

2.40.020 – Compensation of the City Manager, City Attorney, and Municipal Judge

The compensation to be paid to the City Manager and City Attorney shall be determined and set by the City Council from time to time as deemed appropriate by said City Council. The compensation to be paid to the Municipal Judge shall be determined as provided by Section 2.16.0340.

What Changed?

Updated citation to reflect proposed Code changes.

Tell me more...

The internal citation has been updated to reflect the appropriate section of the FMC following proposed Code changes.

Florence Municipal Code Chapter 2.48 suggested changes:

Remove the Current Section 2.48 – Tree Board

What Changed?

This change removes Section 2.48 – Tree Board in its entirety.

Tell me more...

This Chapter is better suited to formation and governance by Resolution than by Ordinance/Code, as it is not Statutory.

Florence Municipal Code Chapter 2.50 suggested changes:

Remove the Current Section 2.50 – CIRSA Worker's Compensation Insurance Coverage

What Changed?

This change removes Section 2.50 – CIRSA Worker’s Compensation Insurance Coverage in its entirety.

Tell me more...

This Chapter is obsolete as current contracting practices do not require codification via Ordinance.

Florence Municipal Code Chapter 2.51 suggested changes:

Remove the Current Section 2.51 – CIRSA Property/Casualty Insurance Coverage

What Changed?

This change removes Section 2.51 – CIRSA Property/Casualty Insurance Coverage in its entirety.

Tell me more...

This Chapter is obsolete as current contracting practices do not require codification via Ordinance.

Florence Municipal Code Chapter 2.52 suggested changes:

Remove the Current Section 2.52 – Employee Legal Defense Policy

What Changed?

This change removes Section 2.52 – Employee Legal Defense Policy in its entirety.

Tell me more...

This Chapter is obsolete. Much of the contents of this chapter are covered by the City’s insurance policies and/or Statute. Additionally, policy does not belong in Code.

ORDINANCE NO. 1-2025

AN ORDINANCE DECLARING, ESTABLISHING, AMENDING AND CREATING CODES, PROCEDURES AND POLICIES FOR ADMINISTRATION AND PERSONNEL, INCLUDING THE CITY COUNCIL, CITY MANAGER, CITY ATTORNEY, MUNICIPAL COURTS, PURCHASE OF CITY PROPERTY, AND SALARIES, AMENDING CHAPTERS 2.04, 2.08, 2.12, 2.16, 2.40, AND 2.44, AND REPEALING CHAPTERS 2.22, 2.28, 2.32, 2.34, 2.36, 2.48, 4.50, 2.51, AND 2.52 OF TITLE 2 – ADMINISTRATION AND PERSONNEL OF THE FLORENCE, COLORADO MUNICIPAL CODE, AND AMENDING OR REPEALING ALL ORDINANCES OR REGULATIONS NOT IN CONFORMITY HEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, COLORADO:

SECTION ONE: Title 2, Administration and Personnel, Chapter 2.04, Administrative Organization is hereby amended to read as follows:

Chapter 2.04 – CITY COUNCIL

2.04.010 – City Council Rules of Procedure

The City Council Rules of Procedure, December 18, 2023, adopted document is hereby incorporated by reference. The City Council Rules of Procedure, December 18, 2023 document provides the approved guidelines for the conduct of orderly meetings of the City Council of the City of Florence, Colorado.

2.04.020 –Number

The City Council shall consist of seven (7) members, which number shall include the Mayor and two (2) members from each ward in the City, elected in accordance with the provisions of this chapter.

2.04.030 – Authority

The City Council shall constitute the legislative body of the City, shall have the power and authority, except as otherwise provided by statute, to exercise all power 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 exercise thereof.

(A) Mayor

1. The Mayor shall be the presiding officer of the City Council and shall have the same voting powers as any Council Member.
2. The Mayor shall be considered a member of the City Council and shall be recognized as the head of the City government for all ceremonial purposes.
3. The Mayor shall execute and authenticate by his or her signature all bonds, warrants, contracts and instruments of and concerning the business of the City, as the Council members or any statutes or ordinances may require.
4. The Mayor shall exercise all powers and perform such other duties as are conferred upon him or her by state statutes and this Code.

2.04.040 – Qualifications

Each Council Member shall be a resident of the City and a registered elector who has resided within the City limits for a period of at least twelve (12) consecutive months immediately preceding the date of the election. They shall also be at least eighteen (18) years of age. However, in case of annexation of property, any person who has resided within the annexed territory for the time prescribed in this Subsection shall be deemed to have met the residence requirements for the City.

2.04.050 – Term of Office

- (A) Councilmembers. There shall be two (2) Councilmembers elected from each ward, each of which shall serve a four (4) year term. The terms of office shall be staggered so that one (1) Councilmember from each ward is elected every two (2) years in odd-numbered years. In the event that a vacancy in office occurs which requires the election of two (2) Councilmembers from a ward in the same election, the candidate receiving the highest number of votes shall be elected to serve a four (4) year term, and the candidate receiving the next highest number of votes shall be elected to serve a two (2) year term. At the next regular municipal election, and at each subsequent election thereafter, the Councilmembers to be elected shall serve four (4) year terms.
- (B) Mayor. The Mayor shall be elected from the City at large, by a plurality of votes cast for that office, at the regular municipal election held in November of odd-numbered years. The Mayor shall serve for a term of two (2) years.
- (C) Commencement of Term. Following the regular municipal election, the term of all newly elected members of the city council shall commence on the first Monday after the first Tuesday in January following their election. (CRS 31-4-105)

2.04.060 – Vacancies

- (A) Councilmembers. If any vacancy occurs in the office of a Councilmember because of death, resignation, removal or for any other reason, the City Council shall declare a vacancy in the office, and shall fill the vacancy by a majority vote of the City Council within sixty (60) days from the declaration of the vacancy, or by special election, as provided in CRS 31-4-108(b). A successor so appointed or elected shall serve until the term of a successor elected at the next regular municipal election has commenced. (CRS 31-4-106).
- (B) Mayor. In case of the Mayor's death, disability, resignation, or other vacation of the office, the City Council shall declare a vacancy in the office of Mayor, and, upon such declaration, the City Council may order a special election as soon as practicable to fill the vacancy until the term of office of a successor elected at the next regular municipal election has commenced, as provided in CRS 31-4-105, and the City Council may appoint a registered elector in the City of Florence to act as Mayor until such special election. If the City Council does not call a special election, it shall, within sixty (60) days of the declaration of the vacancy, fill the vacancy by appointment until the term of the successor elected at the next regular municipal election has commenced. (CRS 31-4-103)

2.04.070 – – Salaries

- (A) Compensation of the Mayor and Councilmembers. The salary or compensation of the Mayor of the City of Florence shall be two hundred and fifty dollars (\$250.00) per month. The salary or compensation of the Councilmembers shall be two hundred dollars (\$200.00) per month.

- (B) Pursuant to C.R.S. 31-4-405 and C.R.S. 31-4-109, the compensation of any Councilmember or Mayor shall not be increased nor decreased during his or her term of office.
- (C) Any person appointed to fill a vacancy in the office of Mayor or Councilmember shall receive the same compensation as the person who created the vacancy.
- (D) A person who has resigned as Mayor or Councilmember cannot be reelected or reappointed during the same term if the compensation for said office has been increased during that term

SECTION TWO: Title 2, Administration and Personnel, Chapter 2.08, City Council, is hereby amended to read as follows:

Chapter 2.08– CITY MANAGER

2.08.010 -Qualifications.

- A. The City Council shall appoint a City Manager, who shall be the Chief Administrative Officer of the City. The City Manager shall be chosen solely on the basis of their executive and administrative qualifications and need not, at time of appointment, be a resident of the City or State.
- B. No member of the City Council shall be chosen as City Manager during their term of office.
- C. The City Manager shall be appointed for an indefinite term.
- D. In the case of absence or disability of the City Manager, the City Council may designate a qualified person to perform the duties of the office during such absence or disability.
- E. The City Manager may be removed for cause by a majority vote of the City Council.
 - a. Prior to the removal of the City Manager, the City Manager must be given, if they so demand, a written statement of the reasons alleged for their removal. The City Manager has the right to be heard thereon in a public meeting of the City Council prior to the final vote on the question of their removal. Pending and during such hearing, the City Council may suspend the City Manager from office.
 - b. The action of the City Council in suspending or removing the City Manager shall be final. It is the intent of this Section to vest all authority and to fix all responsibility for such suspension or removal in the City Council.

2.08.020 - Powers, Responsibilities, and Authority.

- A. The City Manager shall be the Chief Administrative Officer of the City and shall be responsible solely to the City Council for the proper administration of all affairs placed in their charge by Statute, Ordinance, or as assumed by the City Council.

- B. The City Manager shall have the power to appoint and remove all non-elected employees and officers of the City, with the exception of the City Attorney, City Prosecutor, and the Municipal Judge.
- a. Appointments made by the City Manager shall be based on the candidate's demonstrated competence, relevant experience, and ability to perform the essential functions of the position. The City Manager shall prioritize merit, professional qualifications, and commitment to public service in all hiring decisions..
 - b. All appointments shall be without definite term, unless otherwise specified at time of appointment.
 - c. Officers and employees appointed by the City Manager may be removed by the City Manager at any time for cause. The decision of the City Manager in any such case shall be final.

2.08.030 - Departmental Control

- A. All City departments, with the exception of the City Attorney, City Prosecutor, and Municipal Judge, shall be under the direct control and supervision of the City Manager
- a. The administrative service of the City includes the following Departments:
 - 1) City Clerk's Office, led by the City Clerk, who shall:
 - a. Maintain Council records, including all Ordinances, Resolutions, motions, votes, and actions of the Council;
 - b. Handle required notices and publications;
 - c. Attest and affix the City seal to official documents or as directed by the City Manager
 - d. Manage City elections as required by law;
 - e. Safeguard City documents and records in accordance with law;
 - f. Manage cemetery records and burial information;
 - g. Prepare Council agendas and transcribe minutes;
 - h. Issue City permits and licenses, unless otherwise authorized;
 - i. Attend Council meetings unless excused by the City Manager;
 - j. Perform other duties as may now or hereafter be assigned by statute, ordinance, or the City Manager;
 - 2) Finance Department, led by the Finance Director, who shall be ex-officio City Treasurer, shall:
 - a. Manage City accounts and public moneys
 - b. Handle special assessments and water billing;
 - c. Perform other duties as may now or hereafter be assigned by statute, ordinance, or the City Manager;
 - 3) Planning Department, led by the Planning Director, shall:
 - a. Administer land development, zoning, and building permits;
 - b. Manage floodplain and historic preservation

- c. Perform other duties as may now or hereafter be assigned by statute, ordinance, or the City Manager;
- 4) Police Department, led by the Chief of Police, shall:
 - a. Preserve public peace;
 - b. Enforce laws and ordinances; and
 - c. Perform other duties as may now or hereafter be assigned by statute, ordinance, or the City Manager;
- 5) Public Works Department, led by the Public Works Director, shall:
 - a. Manage, maintain, repair, and construct City property; and
 - b. Perform other duties as may now or hereafter be assigned by statute, ordinance, or the City Manager;
- 6) Water Department, led by the Water Superintendent, shall:
 - a. Manage water supplies, rights, treatment,, storage and related infrastructure; and
 - b. Perform other duties as may now or hereafter be assigned by statute, ordinance, or the City Manager.

2.08.040 - Duties

It is the duty of the City Manager to:

- A. Oversee the administration of City affairs and enforce City ordinances and applicable State laws;
- B. Act as chief conservator of the peace within the City;
- C. Advise City Council on municipal matters, including making recommendations on City affairs as deemed necessary, keeping the Council informed of the City's financial condition and future needs, and preparing and submitting the annual budget estimate;
- D. Report to the City Council, including submitting required reports as specified by the Council and providing monthly detailed reports covering City activities comprising a summary of revenues and expenditures for the preceding month and a breakdown by appropriations and funds showing the exact financial condition of the City and each department as near as reasonably possible to the last day of the previous month
- E. Perform such other duties as may be required by him or her by ordinance or resolution of the City Council.

2.08.050 – Council not to Interfere

- A. Neither the City Council nor any of its committees or members shall direct or request the appointment of any person to, nor the removal of any person from, office by the City Manager. Further, neither the City Council nor any of its committees or members shall take part in the appointment or removal of employees in the administrative service of the City.
- B. The City Council and its members shall deal with that portion of the administrative service for which the City Manager is responsible solely through the City Manager, and neither the City Council nor any member thereof shall give orders to any subordinate of the City, either

publicly or privately. Any violation of the provisions of this Section by a member of the City Council constitutes misconduct and is punishable in such manner as may be determined by other members of the City Council.

SECTION THREE: Title 2, Administration and Personnel, Chapter 2.12, City Attorney, is hereby amended to read as follows:

Chapter 2.12– CITY ATTORNEY

2.12.010 – Powers and Duties Generally

The City Council shall appoint a City Attorney, who, upon taking office, shall be an attorney at law licensed to practice law in the State of Colorado. The City Attorney shall serve at the pleasure of the City Council. The City Attorney shall advise the City Council and City officials in matters relating to their official powers and duties and perform such other duties as the City Council may prescribe by ordinance or resolution

2.12.020 – Compensation

The City Council shall establish compensation for the City Attorney, his or her assistants and special counsel. Any agreement for compensation to special counsel shall be made only upon approval of the City Council and prior to the service being rendered.

2.12.030 - Salary

The City Attorney shall be paid a salary or other Council-approved compensation structure to be determined from time to time by the City Council. Such payments shall be made on a monthly basis.

SECTION FOUR: Title 2, Administration and Personnel, Chapter 2.16, Municipal Courts, is hereby amended to read as follows:

Chapter 2.16– MUNICIPAL COURTS

2.16.010 – Establishment

A Qualified Municipal Court of Record in and for the City of Florence is hereby established and created pursuant to and governed by the provisions of the state laws of Colorado. Said Municipal Court shall keep a verbatim record of its proceedings.

2.16.020 – Jurisdiction

The Municipal Court shall have exclusive original jurisdiction to hear, try, and determine all cases arising under the ordinances of the City of Florence for the violation and enforcement thereof.

2.16.030 –Municipal Judge

- A. Qualifications – The Municipal Judge, as a condition of holding this office, shall have been admitted to and at all times during his or her term shall be licensed in the practice of law in Colorado.
- B. Appointment - The Municipal Judge shall be appointed by the City Council after the general election in odd-numbered years.

- C. Term - The term of office shall be for two (2) years from the date of appointment unless sooner terminated for cause as provided in the Colorado Revised Statutes in effect at said time.
- D. Vacancy - In the event of a vacancy in the office of Municipal Judge, prior to the expiration of a term of office as set forth herein, any appointment shall be for the remainder of the unexpired term.
- E. Compensation - The salary of the Municipal Judge shall be established by ordinance upon the appointment of said Judge. The salary shall be a fixed annual compensation which shall be payable on a monthly or other periodic basis.
- F. Assistant Municipal Judge(s) -City Council may also appoint such additional Assistant Municipal Judges as may be necessary to act in case of temporary absence, sickness, disqualification or other inability of the presiding Municipal Judge to act. The term of such appointment of an Assistant Judge shall be for the term reasonably deemed necessary as based on the reason for the inability of the presiding Municipal Judge. Any Assistant Municipal Judges shall receive such compensation as shall be determined at the time of their appointment

2.16.040 – Oath of Office

Before entering upon the duties of his or her office, the Municipal Judge shall take an oath or affirmation that they will support the Constitution of the United States, the Constitution of the State, and the laws of the City and will faithfully perform the duties of their office.

2.16.050 – Clerk of the Municipal Court

The City Manager may appoint a person to serve as Municipal Court Clerk, whose duties as Court Clerk shall be assigned by the Municipal Judge. The Municipal Judge may also act as Municipal Court Clerk in accordance with Colorado state statutes. The Municipal Judge shall receive no further or additional compensation for the performance of said duties. The Municipal Judge acting as Municipal Court Clerk shall execute a performance bond as required by Colorado Revised Statutes, the cost of which shall be paid by the City.

2.16.060 – Rules of Procedure

The Municipal Court rules of procedure promulgated from time to time by the Supreme Court of the State of Colorado, shall govern the procedures in Municipal Court.

2.16.070 – Contempt

The Municipal Court Judge shall have full power and authority to punish for contempt of court in accordance with the following;

- A. Juveniles –imprisonment or detention may not exceed forty-eight (48) hours in a facility approved for the detention of juveniles or a fine of three hundred (\$300.00) dollars
- B. Adults - imprisonment may not exceed ninety (90) days and the fine may not exceed three hundred (\$300.00) dollars.

2.16.080 – Court Facilities and Supplies

Space for court proceedings shall be provided as deemed appropriate by the City Council and may include limitations upon court times due to sharing of facilities with other City entities. The City Council

shall provide necessary moneys for supplies necessary to conduct the business of the court through and at the time of the annual budget preparation.

2.16.090 –Fines and Penalties

The Municipal Judge shall be authorized to impose fines and penalties as provided by ordinances of the City limited by provisions of the Colorado Revised Statutes.

- A. Ordinance Violations - The Municipal Judge shall be authorized to impose costs of zero to three hundred dollars (\$0.00 to \$300.00) after conviction of an ordinance violation at a trial to the court, or to a jury, plea of guilty or plea of no contest.
- B. Traffic Violations - The fine schedule set forth in Section 10.04.040 for violation of the provisions of the Model Traffic Code for Colorado Municipalities may be payable as penalty assessments or, the defendant may appear before the Judge to enter a plea or have a trial.
- C. Payments Received
 - a. All fines and costs collected or received by the Municipal Court shall be reflected in a written receipt. A copy of said receipt shall be given to the person delivering the money to the Municipal Court, a copy shall be given to the City Clerk, and a copy shall be retained in the records of the Municipal Court. Each such receipt shall be identified by the name of the defendant and by the citation number.
 - b. All moneys received by the Municipal Court within one (1) calendar week shall be delivered on or before the close of the first business day of the next calendar week to the City Clerk or his authorized agent together with the City Clerk's copy of all written receipts.
 - c. In the absence of the Municipal Judge, the City Clerk, or his agent, shall be authorized to accept any and all moneys otherwise directed to the Municipal Court. In such case, the City Clerk or his agent shall prepare a receipt for said moneys with one (1) copy to the Municipal Judge, one (1) copy to the person delivering the money, and one (1) copy for the records of the City Clerk.
 - d. All moneys received by the City Clerk shall be deposited in the general fund of the City of Florence.

2.16.110 – Surcharge for Purchase of Police Equipment

A surcharge in the amount of twenty-five dollars (\$25.00) per offense shall be imposed against a defendant, in addition to all other costs and fines imposed, after the defendant is convicted of a municipal ordinance violation at a trial to the court, or to a jury, plea of guilty or plea of no contest. Such surcharge shall also be imposed on all penalty assessments where the defendant elects to pay the penalty rather than appear at court. Said surcharge is dedicated to the purchase of equipment to be used by the Police Department and shall be set aside in a separate category within the general fund for this particular purpose. A copy of the fee schedule shall be available for inspection at the City Clerk's office.

2.16.120 – Disbursement of Court-Ordered Funds

In the event that moneys must be paid, the Municipal Judge shall request from the City Clerk a check drawn on the account of the City of Florence to a specific payee and designate the name of the defendant and case number. This check shall be ready to be delivered to the designated payee or the Municipal Judge no later than two (2) business days from the date of the request.

2.16.140 – Jury Trials

In any action before Municipal Court in which the defendant is entitled to a jury trial by the constitution or the general laws of the State, such party shall have a jury upon request. The jury shall consist of three (3) jurors unless a greater number, not to exceed six (6), is requested by the defendant. No person shall have the right to a trial by jury for the violation of a municipal ordinance or any provision of this Code which is neither criminal nor punishable by imprisonment under said ordinance or Code provision or any counterpart state statute. In such matters, all questions of fact and law shall be determined by the municipal judge.

- A. Fees - A defendant waives his right to a jury trial unless within ten (10) days of his arraignment or entry of plea he files a written demand for a jury trial and at the same time tenders to the Court a jury fee of twenty-five (\$25.00) dollars, unless the fee is waived by the Judge because of the indigence of the defendant. If the action is dismissed or the defendant is acquitted of the charge, or if the defendant having paid a jury fee files with the Court, at least ten (10) days before the scheduled trial date a written waiver of jury trial, the jury fee shall be refunded.
- B. Payment of Jurors - Jurors shall be paid the sum of six (\$6.00) dollars per day for actual jury service, and three (\$3.00) dollars for each day of service of the jury panel alone.

2.16.150 – Community Service Program

- A. Establishment. There is hereby established a Community Service Program for the City of Florence, Colorado, to provide an alternative sentencing option for the Municipal Court and to provide a source of volunteer labor for the community. The program shall be administered by the Municipal Court through the City Manager or designee.
- B. Philosophy. The program, based on restorative justice principles, aims to benefit all parties: the local community, the court, the program, and the defendant through court-ordered community service work
- C. Procedure. Defendants ordered to serve community service shall report to the City Manager or designee. The Municipal Court, through the City Manager or designee, will monitor all community service and prepare necessary forms for program administration.
- D. Conversion. The Municipal Judge may allow defendants to convert up to 100% of imposed fines into Community Service Program hours. The conversion rate, posted in the City's fines and fees schedule, will be adjusted by the City Manager and approved by City Council during the budget process. The Municipal Court will monitor all conversions and prepare necessary forms.
- E. Fees. The City Manager or designee may assess or modify fees for program administration, subject to City Council approval during the budget process. This fee applies to each case where community service is ordered.
- F. Falsification of information. Falsifying Community Service Program forms (including forged signatures, claimed time, and work information) violates this section and is punishable by a fine per Section 1.12.010 of this code.

SECTION FIVE: Title 2, Administration and Personnel, Chapter 2.22, Policeman’s Pension Fund Board of Trustees, is hereby repealed in its entirety.

SECTION SIX: Title 2, Administration and Personnel, Chapter 2.28, Residency Requirements, is hereby repealed in its entirety.

SECTION SEVEN: Title 2, Administration and Personnel, Chapter 2.32, Social Security Coverage, is hereby repealed in its entirety.

SECTION EIGHT: Title 2, Administration and Personnel, Chapter 2.34, Matching Retirement Program, is hereby repealed in its entirety.

SECTION NINE: Title 2, Administration and Personnel, Chapter 2.36, Initiative, Referendum, and Recall, is hereby repealed in its entirety.

SECTION TEN: Title 2, Administration and Personnel, Chapter 2.40, Sale and Purchase of City Property, is hereby amended to read as follows:

Chapter 2.40– PURCHASE OF CITY PROPERTY

2.40.010 – Purchasing Authority

The City Council shall establish a Purchasing Policy by resolution, which outlines the rules and procedures for all City purchases. The City Manager shall serve as the purchasing agent for the City of Florence, with authority limited as specified in the Purchasing Policy. All purchases must comply with the approved Purchasing Policy.

SECTION ELEVEN: Title 2, Administration and Personnel, Chapter 2.44, Salaries, is hereby amended to read as follows:

Chapter 2.44– SALARIES

2.44.010 – Compensation of Employees

The salary or compensation of officers and employees shall be established by ordinance of the City Council, which shall provide uniform compensation for like services. Such schedules of compensation may fix the minimum and maximum for any grade or class. An increase in compensation, within the limits provided for the grade or class, may be granted at any time by the City Manager or other appointing authority upon the basis of efficiency and seniority.

2.44.020 – Compensation of the City Manager, City Attorney, and Municipal Judge

The compensation to be paid to the City Manager and City Attorney shall be determined and set by the City Council from time to time as deemed appropriate by said City Council. The compensation to be paid to the Municipal Judge shall be determined as provided by Section 2.16.030.

SECTION TWELVE: Title 2, Administration and Personnel, Chapter 2.48, Tree Board, is hereby repealed in its entirety.

SECTION THIRTEEN: Title 2, Administration and Personnel, Chapter 2.50, CIRSA Worker’s Compensation Insurance Coverage, is hereby repealed in its entirety.

SECTION FOURTEEN: Title 2, Administration and Personnel, Chapter 2.51, CIRSA Worker’s Property/Casualty Insurance Coverage, is hereby repealed in its entirety.

SECTION FIFTEEN: Title 2, Administration and Personnel, Chapter 2.52, Employee Legal Defense Policy, is hereby repealed in its entirety.

SECTION SIXTEEN: All other ordinances not in conformity herewith are hereby repealed or amended to conform hereto.

Introduced as an Ordinance, passed on its first reading, and ordered published in full in the City’s official newspaper this _____ day of _____, 2025

(SEAL)

CITY OF FLORENCE, COLORADO

Steve Wolfe, Mayor

Attest:

Cortlyne Huppe, City Clerk

Passed on its second reading and ordered published by title in the City’s official newspaper this _____ day of _____, 2025

(SEAL)

CITY OF FLORENCE, COLORADO

Steve Wolfe, Mayor

Attest:

Cortlyne Huppe, City Clerk



CITY OF FLORENCE

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www.florencecolorado.org

City Manager Report

January 21, 2025 – January 30, 2025

Meetings with agencies, boards, and committees:

- ***Union Ditch Annual Shareholders Meeting – January 28, 2025***
 - Attended the annual Union Ditch shareholders meeting as a Board Member and the City of Florence’s proxy for the City’s Union Ditch Shares.

Internal Meetings/Discussion/Projects

- Staff has started work on several new programs to improve asset and program management and budgeting processes. These include a fleet management program and a meter and service line maintenance and replacement program. Fleet Management is currently scheduled to be presented to Council in the first quarter of 2025. The meter and service line programs will be concurrent with the 2025 rate study.
- The pavement management program based on the Street Needs Assessment is nearly complete and expected to come before Council at the February 18, 2025 City Council meeting. Staff will be polling the Council regarding if a Worksession on this topic is desired in advance of the Council meeting.
- Updates to the Purchasing and Personnel Policies are in their final stages and is expected to come before the Council at the February 18, 2025 City Council meeting.
- Staff is nearing the final stage of completing comprehensive fee updates (excluding utility rates) and expects to present them to Council late in the first quarter of 2025. These updates involve significant Code revisions as well in order to make future updates more efficient and streamlined.
- The RFQ for the City of Florence’s Master Plan (RFQ 2025-001) has been released. The deadline for submitting questions on the RFQ is February 13, 2025; the submittal deadline for the RFQ itself is February 27, 2025.