MONUMENT TOWN COUNCIL
REGULAR MEETING AGENDA
TUESDAY, FEBRUARY 18, 2025 – 6:30 PM

Monument Town Hall - Council Chambers
645 Beacon Lite Road - Monument, CO 80132
Participate Via Microsoft Teams
or Via Telephone: 719-300-6099 ID: 326 790 158#
Council Packet

1. Call to Order, Pledge of Allegiance, Roll Call:

2. Disclosures of Conflicts of Interest:

a. Disclosures of Potential Conflicts of Interest - *(Town Attorney)*

b. Vote on Excluding Council Members With Potential Conflicts of Interest From Consideration, Discussion and Voting on Identified Matters - *(Town Attorney)*

3. Approval of the Consent Agenda:

a. Agenda - February 18, 2025

b. Meeting Minutes - February 3, 2025

c. Resolution No. 13-2025 - A Resolution Approving a Change Order to the Booster Station Pressure Reducing Valve & Distribution Valve Project - *(Thomas Tharnish)*

d. Resolution No. 14-2025 - A Resolution Approving the Purchase of a new DINGO Machine for the Water Department - *(Thomas Tharnish)*

4. Presentations:

a. Pikes Peak Regional Building Department Annual Report - *(Greg Dingrando, PPRBD)*

b. Jackson Creek Parkway 90% Roadway Design - *(Thomas Tharnish & Steve Murray, FHU)*

5. Ordinances: *Public Hearing(s) Required*

a. Ordinance No. 04-2025 - An Ordinance Repealing and Readopting Title 1 of the Monument Municipal Code - *(Town Attorney)*

6. Resolutions:

7. Discussion Item(s):

a. Town Manager Position - *(Town Council)*

b. Update Parks Survey - *(Madeline VanDenHoek)*

c. Appointing Two Councilmembers to the Comprehensive Plan Steering Committee - *(Dan Ungerleider)*

8. Public Comments For Items Not on the Agenda: *Individuals attending in person may raise their hand to indicate their desire to comment. Individuals attending via Teams may "raise their hand"*

digitally to comment via connected devices. Please lower your hand when finished with your comments. Comments are limited to 3 minutes.

9. Future Agenda Item Authorization:

10. Council Comments:

11. Executive Sessions:

a. Executive Pursuant to 24-6-402(4)(b), C.R.S. for a Conference With the Town Attorney to Receive Legal Advice Concerning the Procedures for Municipal Annexation - *(Town Attorney)*

12. Adjournment:

MONUMENT TOWN COUNCIL
REGULAR MEETING MINUTES
Monday February 3, 2025 – 6:30 PM
Monument Town Hall – 645 Beacon Lite Rd., Monument CO 80132
Hybrid Meeting – Remote Participation Via Teams

1. **Call to Order, Pledge of Allegiance, Roll Call:** Mayor LaKind called to order the regular meeting of the Monument Town Council and led those assembled in the Pledge of Allegiance. Proper notice of the meeting was posted for more than 24 hours in the designated posting locations. The following Council members were present for the meeting:

TOWN COUNCIL	TOWN STAFF
PRESENT: Mayor Mitch LaKind Mayor Pro Tem Steve King Councilmember Sana Abbott Councilmember Laura Kronick Councilmember Kenneth Kimple Councilmember Jim Romanello	Madeline VanDenHoek, Interim Town Manager Patrick Regan, Police Chief Tina Erickson, Town Clerk Bob Cole, Town Attorney Will Williams, Director of IT Thomas Tharnish, Director of Public Works Jennifer Phillips, Director of Finance Laura Hogan, Director of Administration Dan Ungerleider, Director of Planning Steve Murray, Senior Accountant
ATTENDED REMOTELY: Councilmember Marco Fiorito	
ABSENT WITH PRIOR NOTICE:	
ABSENT WITHOUT PRIOR NOTICE:	

2. **Disclosures of Conflicts of Interest:**
   a. Disclosures of Potential Conflicts of Interest
   b. Vote on Excluding Council Members with Potential Conflicts of Interest from Consideration, Discussions and Voting on Identified Matters.
      - None were submitted.

3. **Approval of the Consent Agenda:**
   a. Agenda – February 3, 2025.
   b. Meeting Minutes – January 21, 2025.
   c. Invoices Over $25K.
   Romanello moved to approve the consent agenda as presented. Abbott seconded the motion. Roll call vote was taken, and the motion passed 7 to 0.

4. **Oath of Office:**
   a. Regan led Officer's Corbiere, Robinson and Sergeant Rios into their Oaths of Office.

5. **Ordinance(s):**
   a. <u>Ordinance No. 03-2025 – An Ordinance Adding Section 18.03.395 and Amending Section 18.07.110 of the Monument Municipal Code Setting Minimum Requirements for Owner Occupied Units Within Multifamily Dwellings to Promote Affordable Homeownership and a Diverse Mix of Housing Options in Multifamily Projects.</u> King moved to table Ordinance No. 03-2025 indefinitely. Kronick seconded the motion. Roll call vote was taken and the motion passed 7 to 0.

6. **Resolution(s):**
   a. <u>Resolution No. 09-2025 – A Resolution Approving a Final Plat for Woodmoor Placer Replat B Subdivision.</u> Ungerleider presented Resolution No. 09-2025 as

included in the council packet. LaKind opened the public hearing, Karen Lusby questioned the relationship to the proposed development and the development of Jackson Creek Parkway. Fire Chief Kovacs spoke in favor of the development as a new fire department will be developed. LaKind closed the public hearing. Romanello moved to approve Resolution No. 09-2025. Abbott seconded the motion. Roll call vote was taken and the motion passed 7 to 0.

b. Resolution No. 10-2025 – A Resolution Approving a Final Plat for Falcon Commerce Center Park and Signage Final Plat. Ungerleider presented Resolution No.10-2025 as included in the council packet. LaKind opened the public hearing, none were received. LaKind closed the public hearing. Kronick moved to approve Resolution No.10-2025. Romanello seconded the motion. Roll call vote was taken and the motion passed 7 to 0.

c. Resolution No. 11-2025 – A Resolution Authorizing an Agreement for Auditing Services for the Town of Monument with DMC Auditing and Consulting, LLC for the 2024 Fiscal Year Audit with Town's Sole Discretion to Extend Auditing Services for an Additional Two 1-Year Periods 2025 and 2026. Murray presented Resolution No. 11-2025 as included in the council packet. Kronick moved to approve Resolution No. 11-2025. Abbott seconded the motion. Roll call vote was taken and the motion passed 7 to 0.

d. Resolution No. 12-2025 – A Resolution Approving an IGA Between CDOT and the Town of Monument for Highway 105 and North Bound Off-Ramp Off I-25. Tharnish presented Resolution No. 12-2025 as included in the council packet. Steve Schlosser with Classic Homes provided information on drainage and the Town's current responsibility to include the new infrastructure. Romanello moved to approve Resolution No. 12-2025 to include non-substantive adjustments by staff and attorneys. Kronick seconded the motion. Roll call vote was taken and the motion passed 7 to 0.

7. Public Comment for Items Not on the Agenda:

a. Jason DeaBueno with Silver Key spoke about the relationship Silver Key has had with D-38 and the impact demolishing Grace Best school, their future for staying within the community, as well as services for the community. He gave appreciation for continued support.

8. Future Agenda Item Authorization(s):

a. None.

9. Council Comment(s):

a. None.

10. Executive Session:

a. LaKind moved to enter into executive session pursuant to 24-6-402 (4)(b), C.R.S. for a conference with the Town Attorney and the Town's Water Attorney to receive legal advice on specific legal questions regarding water supply; and pursuant to 24-6-402 (4)(e), C.R.S., to determine positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and instructing negotiators regarding proposed agreements with the Loop Water Authority and the Northern Delivery System, and to adjourn upon conclusion of executive session. Romanello seconded the motion. Roll call vote was taken and the motion passed 7 to 0.

- The Council entered executive session at 8:02 pm.

- The Council concluded executive session at 9:58 pm.

11. Adjournment:

a. The regular meeting was adjourned at 7:50 pm prior to executive session.

Respectfully Submitted,

_____

Tina Erickson, Town Clerk

MEMORANDUM

TO: The Honorable Mayor and Town Council
FROM: Thomas A. Tharnish, Director of Public Works
DATE: February 18, 2025
RE: Resolution 13-2025 to approve a change order for the Booster Station Pressure Reducing Valve and Distribution Valve Project

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BACKGROUND: The Town of Monument Water Department staff has a project currently underway involving installation of two new distribution valves and the modification of two pressure-reducing valves at the Booster Station site. During the installation of one of the two new distribution valves, it was discovered that we could not isolate one of the main water lines feeding the Town pressure zone. The water line we are talking about is a 12" line underneath Beacon Lite Rd. just South of the apartment building on Beacon Lite Rd. This 12" line is one of the main water supply lines to about 2/3 of the residents on the Town side pressure zone.

DISCUSSION: After performing an evaluation of the situation, it was determined that the risk presented a major problem if we were to have a future water break on that section of the 12"line. I had a further discussion with the Town Manager about the risks if we were to not do something to gain control of this section of the 12" line. The best method to mitigate the risk of being unable to isolate this section is to bring in a specialized crew to install what is known as a "hot valve insert". Basically, the crew would both cut into and install a new valve at the same time without having to isolate the pressure in the line. It is a rare occurrence to install a hot valve by this method, but it is quick and efficient. We have had to this type of valve installation only two other times in my 25 years here, but it works great and gives us the ability to isolate this line in the future if the situation warrants it. After the discussion with the Town Manager, we proceeded forward with the "hot valve insertion" and it was performed as designed.

PROS/CON'S: Pro's - By moving forward with this resolution to approve the change order to install a "hot valve insertion", it will reduce the risk to the Town of being unable to isolate this vital section of our distribution system. Con's – By not approving this resolution, we would need to find another solution to minimize the risk of isolating this section of our water system. Due to the new valve having been installed as a result of the emergency situation, we would not remove it but would need to find alternative means to fund the installation.

FISCAL IMPACT: The cost of the change order was $54,136.05. The original resolution approving this project had a $30,000 contingency built into the cost in case this type of situation occurred. The increase in this change order is the $54,136.05 quoted minus the $30,000 already included in the approved project cost. The financial impact is now **$24,136.05**. The funding of this change order will be covered under the WEF budget.

STAFF RECOMMENDATION: Recommend passage of Resolution 13-2025, approving a change order for the Booster Station Pressure Reducing Valve and Distribution Valve Project.

TOWN OF MONUMENT

RESOLUTION NO. 13 - 2025

A RESOLUTION APPROVING A CHANGE ORDER TO THE BOOSTER STATION PRESSURE REDUCING VALVE AND DISTRIBUTION VALVE PROJECT

WHEREAS, the Town's Water Department staff has evaluated the change order presented for the Booster Station Pressure Reducing Valve and Distribution Valve Project, and;

WHEREAS, the Town's staff has taken emergency steps to install a new isolation valve to reduce the risk of not being able to isolate a critical section of a 12" water line that could affect 2/3 of the Town's citizens, and;

WHEREAS, the Town's staff supervised the installation of the new valve and tested it to ensure the reliability and integrity of the distribution system, and;

WHEREAS, If the Town Council approves this change order to the original project cost, it will allow for staff to continue with the remaining portion of the work needed to improve the reliability of the water distribution system.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO THAT:

The Town Council hereby approves the change order for the Booster Station Pressure Reducing Valve and Distribution Valve Project to reduce the risk of future issues when this section of our distribution system requires isolation.

PASSED AND RESOLVED by the Town Council of the Town of Monument, El Paso County, Colorado, this 18th day of February 2025 by a vote of ___ for and ____ against.

TOWN OF MONUMENT

_____
Mitch LaKind, Mayor

ATTEST:

_____
Tina Erickson, Town Clerk

BARNARD
STRUCTURES
INCORPORATED

4096 Cheyenne Dr.
Larkspur, CO.
80118

PROPOSAL/QUOTE
Date: 01/29/2025
Phone: 303-347-0175

JOB: Installation of a 12" Inserta Valve in Place of 12" Gate Valve

CONTRACTOR/OWNER: Town of Monument

ITEMS:

1. Re-Excavate and excavate an additional 6' to make room for an Inserta Valve	$7375.00
2. 12"Inserta Valve	$39062.50
3. TCS with Flaggers	$2460.00
4. Squeege	$790.00
5. Class 6 Roadbase	$975.00
6. Asphalt Remove and Replace	$2237.50
7. Additional Solid Sleeve and Accessories	$786.25
8. Mark-up	$4294.90
9. Deduct 12" Gate Valve	$-3845.10

Price: $54,136.05

INCLUSIONS: Insurance

EXCLUSIONS: Additional Permits

PLEASE CALL OUR OFFICE IF YOU HAVE ANY QUESTIONS REGARDING THIS QUOTE.

THANK YOU, Mike Barnard

MEMORANDUM

TO: The Honorable Mayor and Town Council
FROM: Thomas A. Tharnish, Director of Public Works
DATE: February 18, 2025
RE: Resolution 14-2025 to approve the purchase of a new Dingo machine for the Water Department

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BACKGROUND: The Town of Monument Water Department staff have had a need for a Dingo, sometimes referred to as a "Compact Utility Loader", to assist with their daily operations. The versatility of what a Dingo can do is very useful with multiple attachments to be utilized both indoors and outdoors. The Streets Department purchased a similar unit several years ago and is used very frequently in their tasks. It has a proven track record with very low maintenance needs.

DISCUSSION: After performing an evaluation of what tasks we would use this machine for, it was determined that the use of this Dingo machine would help improve when moving heavy loads inside our water facilities, lessen the labor needed to remove snow on the sidewalk areas surrounding our water treatment facilities and give us the ability to relocate heavy equipment that we would otherwise need to rent equipment to get the task done. The E-Dingo basically operates like a skid-steer with multiple attachments such as a narrow bucket, auger, etc.

PROS/CON'S: Pro's - By moving forward with this resolution to approve the purchase of a new Dingo, it gives the Water Department staff the ability to perform many maintenance tasks that are currently being performed by either renting other equipment, using a lot of man hours when performing snow removal in tight locations. Con's - By not approving this resolution, we will continue to perform many labor-intensive tasks until we can request the purchase of this machine in a future budget year.

FISCAL IMPACT: The purchase cost of the Dingo machine is **$52,057.05**. The price of this equipment was based upon competitive pricing from Sourcewell. Sourcewell is a cooperative purchasing company that pre bids equipment for government agencies and is well respected in their field. The funding of this equipment purchase is budgeted at $75,000 in the Water Enterprise Budget for 2025.

STAFF RECOMMENDATION: Recommend passage of Resolution 14-2025, approving the purchase of a new Dingo machine for the Water Department.

TOWN OF MONUMENT

RESOLUTION NO. 14 - 2025

A RESOLUTION APPROVING THE PURCHASE OF A NEW DINGO MACHINE FOR THE WATER DEPARTMENT

WHEREAS, the Town's Water Department staff has evaluated the need to purchase a new Dingo machine to assist with the operations and maintenance tasks, and;

WHEREAS, the Town's staff has searched for the supply and availability of a Dingo machine and has gathered pricing data from Sourcewell, a government cooperative purchasing company, to meet the Town's contract and purchasing policy requirements, and;

WHEREAS, the Town staff has determined that the addition of this equipment will help with maintenance of the water treatment facilities and with snow removal duties at the water facilities, and;

WHEREAS, If the Town Council approves this equipment purchase of a Dingo machine, it will help with saving man-hours and provide a safety method of moving heavy equipment inside the water facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO THAT:

The Town Council hereby approves the purchase of a new Dingo machine for the Water Department to help with maintenance tasks and provide safety when moving heavy equipment at the water facilities.

PASSED AND RESOLVED by the Town Council of the Town of Monument, El Paso County, Colorado, this 18th day of February 2025 by a vote of ___ for and ____ against.

TOWN OF MONUMENT

_____
Mitch LaKind, Mayor

ATTEST:

_____
Tina Erickson, Town Clerk

REMIT TO:
The L.L. Johnson Distributing Company
4700 Holly Street
Denver, CO 80216-6410
303-320-1270

INVOICE

UPC VENDOR	INVOICE DATE	ORDER NO.
000000		1947608-00
	P.O. NO.	PAGE #
	Jonathan Rigaud	1

CUST.#: 349507

BILL TO: TOWN OF MONUMENT
645 BEACON LITE RD
MONUMENT, CO 80132-9143

PATTLEN ENTERPRISES, INC.
4700 HOLLY STREET
DENVER, CO 80216

SHIP TO: TOWN OF MONUMENT
645 BEACON LITE RD
MONUMENT, CO 80132-9143

INSTRUCTIONS		TERMS	
WILL CALL ALL ORDERS*		Net 30 Days	
SHIP POINT	SHIP VIA	SHIPPED	ORDER DATE
L.L. Johnson Distributing Co.	Slsm Deliver		02/04/25

LINE NO.	PRODUCT AND DESCRIPTION	QUANTITY ORDERED	QUANTITY SHIPPED	QUANTITY B.O.	UNIT PRICE	AMOUNT (NET)
1	22219 E-DINGO 500	1			44288.800	44288.80
2	22520 NARROW BUCKET	1			687.200	687.20
3	DPF-36 36" ADJUSTABLE FORKS	1			888.000	888.00
4	35-27700 4' DOZER BLADE DINGO	1			2775.000	2775.00
5	161-1050 TIRE-SOLID 18"X7" EDINGO 500	1			354.000	354.00
6	161-1050 TIRE-SOLID 18"X7" EDINGO 500	1			354.000	354.00
7	161-1050 TIRE-SOLID 18"X7" EDINGO 500	1			354.000	354.00
8	161-1050 TIRE-SOLID 18"X7" EDINGO 500	1			354.000	354.00
9	SETUP&DELIVERY-DINGO DINGO SET-UP & DELIVERY	1			2002.000	2002.00

SUBTOTAL	52057.00
FREIGHT	0.00
STATE TAX	
COUNTY TAX	
CITY TAX	
OTHER TAX	
TOTAL INVOICE	52057.00

Last Page

DUE DATE _____

NO MERCHANDISE RETURNABLE WITHOUT AUTHORIZATION. RETURNED GOODS MAY BE SUBJECT TO RESTOCKING FEE. INVOICES NOT PAID WITHIN TERMS SUBJECT TO FINANCE CHARGE.

PIKES PEAK REGIONAL BUILDING DEPARTMENT

2024 Highlights, Numbers, and Maps

1

PPRBD 2024 HIGHLIGHTS

- Housing construction sees slight improvement
- More than 3,500 apartments reach completion
- New apartment permits drop significantly
- New Commercial Permits Decline
- Reroof permits remain high
- Increase in inspections

2

PERMIT NUMBERS - 2024

NEW SINGLE FAMILY

	2019	2020	2021	2022	2023	2024
JANUARY	184	357	552	412	154	184
FEBRUARY	294	350	551	378	165	310
MARCH	289	444	450	536	235	274
APRIL	380	373	408	426	261	324
MAY	436	350	326	388	290	372
JUNE	393	374	445	440	578	239
JULY	338	399	472	211	128	208
AUGUST	332	430	364	144	169	207
SEPTEMBER	391	564	429	171	148	180
OCTOBER	382	568	403	163	214	211
NOVEMBER	286	453	315	143	143	162
DECEMBER	277	406	357	192	180	183
TOTAL	**3982**	**5068**	**5072**	**3605**	**2665**	**2854**

NEW COMMERCIAL

	2019	2020	2021	2022	2023	2024
JANUARY	25	33	64	60	32	31
FEBRUARY	18	17	37	60	47	15
MARCH	32	47	55	51	57	31
APRIL	31	32	53	32	31	13
MAY	61	22	28	34	44	35
JUNE	31	25	62	39	31	29
JULY	33	33	44	64	20	23
AUGUST	25	70	45	55	44	24
SEPTEMBER	27	26	33	24	36	18
OCTOBER	20	24	38	36	30	14
NOVEMBER	34	56	66	28	21	18
DECEMBER	23	27	48	51	13	51
TOTAL	**360**	**412**	**583**	**533**	**405**	**302**

3

NEW HOMES - 2024

- SINGLE FAMILY HOMES (2024) – 2,854 (+7%)
  - DETACHED HOMES – 2,463
  - TOWNHOMES - 273
  - DUPLEXES - 118 PERMITS (236 UNITS)
- BREAK DOWN BY JURISDICTION
  - COLORADO SPRINGS – 1,458 (+8%)
  - EL PASO COUNTY - 1,085 (15%)
  - MONUMENT - 193 (-30%)
  - FOUNTAIN - 65 (+18%)
  - WOODLAND PARK - 38
  - PALMER LAKE - 7 (+5 HOMES)
  - MANITOU SPRINGS - 5
  - GREEN MOUNTAIN FALLS - 0

4

Pikes Peak
REGIONAL
Building Department
PERMIT NUMBERS - 2024
Monument
Gleneagle
Air Force Academy
Black Forest
Peyton
Calhan
Green Mountain Falls
Cascade
Manitou Springs
Cimarron Hills
Falcon
Ellicott
Seven Falls
Stratmoor Hills
Fort Carson
Security
Security-Widefield
Fountain
LEGEND
Detached Homes 2024
Townhomes 2024
Duplex 2024
Apartments 2024
Condos 2024

5

Pikes Peak
REGIONAL
Building Department
MONUMENT & PALMER LAKE - 2024
Palmer Lake
Monument
Woodmoor
FOREST LAKES
Beaver Creek
LEGEND
Detached Homes 2024
Townhomes 2024
Duplex 2024
Apartments 2024
Condos 2024

6

MONUMENT - 2024

- Single Family Homes – 193 (-30%)
  - Jackson Creek - 94 (+108%)
  - Monument Junction - 60
  - Forest Lakes (El Paso Co) - 43
  - Willow Springs - 34 (-78%)
  - Home Place Ranch - 28
- Single Family Estimated Valuation = $117-Million (-6%)
- Residential Alterations - 1,331 (-2%)
  - Estimated Valuation = $9.7-Million

7

MONUMENT JUNCTION & JACKSON CREEK - 2024

8

Pikes Peak
REGIONAL
Building Department
HOME PLACE RANCH - 2024
Home Place Ranch
Totals - 28
Jackson Creek
Sanctuary Rim Dr
Saber Creek Dr
Green Rock Pl
Genesee Dr
Celtic Ct
Kingswood Dr
Lyons Tail Rd
E Baptist Rd
Catnap Ln
Summerdale Dr
Eagle Claw Ln
Highesh Ln
Longmeadow Ln

9

Pikes Peak
REGIONAL
Building Department
FOREST LAKES & WILLOW SPRINGS - 2024
Willow Springs
Totals - 34
Forest Lakes
Totals - 44
FOREST LAKES
Beaver Creek
Doolittle Rd
Spaatz Rd
Chennault Rd
Arnold Ave
Harmon Dr
Lindbergh Rd
Wagon Shop Dr
Old Denver Rd
W Baptist Rd

10

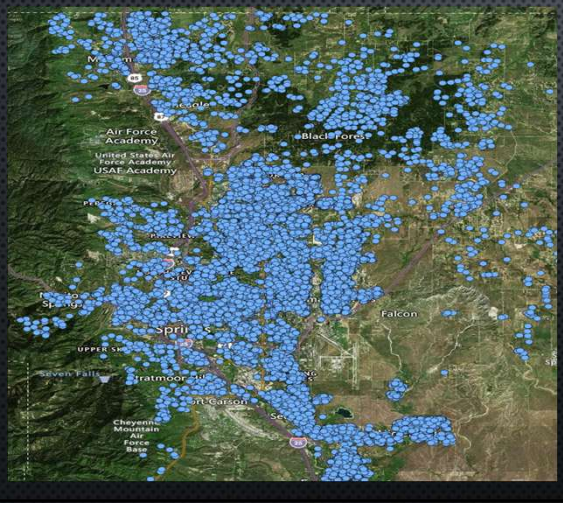
BREAK DOWN BY NEIGHBORHOOD - 2024

- Banning Lewis - 295 (+84%)
- Falcon Area - 233 (+14%)
- Sterling Ranch - 203
- Lorson Ranch - 146 (+13%)
- Wolf Ranch - 136
- Cordera - 122
- Springs Ranch - 111
- Jackson Creek - 94 (+108%)
- Aspen Meadows - 80
- Bradley Heights - 80

11

REROOF PERMITS - 2024

Reroof Permits – 16,139 (-9%)



Hardest Hit Area - Lorson Ranch

12

COMMERCIAL PERMITS - 2024

- New Commercial – 302 (-25%)
  - 3RD straight year with a decline
- New Multi-Family
  - 838 new apt units (-63%)
    - Fewest since 2015
  - 3,795 units were completed
  - 6,060 apt units still under construction
- Notable New Commercial Projects
  - Patriot Park Apartments (286 units)- $60-Million
  - Abrams Elementary (D8) - $40-Million
  - King Soopers x 2 (Fountain & Flying Horse) - $37-Million
  - Restaurant at Ford Amphitheater - $8-Million
  - Bentley Commons (168 units) - affordable housing
  - COS Airport Renovations - International Terminal

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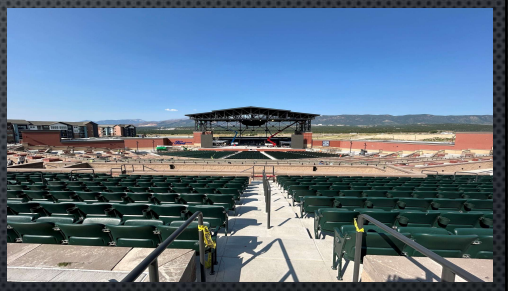
COMMERCIAL PERMITS - 2024

- Notable Projects Completed in 2024
  - Ford Amphitheater
  - USAFA Visitor Center and Hotel Polaris
  - Epicenter Apartments (408 Units)
  - Alta 25 Apartments (264 Units)
  - Woody & Millie Guest House
- **Estimated Valuation for ALL Construction = $3.4 Billion**



14

MONUMENT COMMERCIAL - 2024

- New Commercial – 70 (+6%; Includes subs)
  - Monument Warehouse - $14-Million
  - Town of Monument (3 Well Houses) - $2-Million Combined
  - Neighborhood Community Center - $2-Million
  - Ziggi's Coffee - $1-Million
- Commercial Estimated Valuation = $27-Million (-55%)
- Commercial Alterations – 99 (-7%)
  - Monument Fire Station #4 - $1.2 Million

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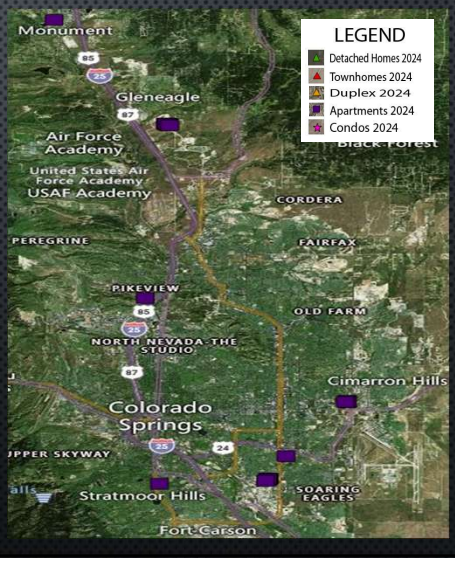
MONUMENT APARTMENTS - 2024

- New Multi Family
  - Front Street Apartments (3 units) $910K
  - Condo's (2 units) $585K
    - 1st set of Condo's since 2021
- Apartments Currently Under Construction
  - Pikes Peak Region – 6,060 Units
  - Monument – 3 Units

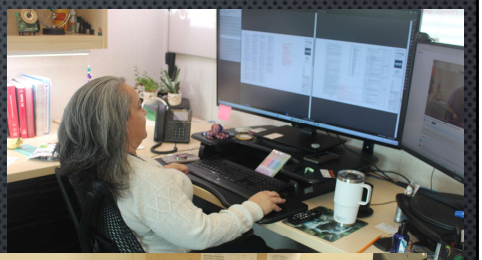


16

PLAN REVIEW NUMBERS - 2024

- New Single Family – 2,879 (+6%)
- Residential Alterations – 6,520 (-13%)
- New Comm & Multi Fam – 307 (-10%)
  - New Commercial – 284 (-6%)
  - Multi Family - 23 (-39%)
- Commercial Alterations – 1,758 (+1%)

- **Total Plans – 12,338 (-6%)**



17

INSPECTION NUMBERS - 2024

- Total Inspections - 296,112 (+3%)
- 63 Inspectors
- Department Average – 1,179 per day
- Daily Average – 20 per inspector

- Still offering same day inspections (Except Roofing)

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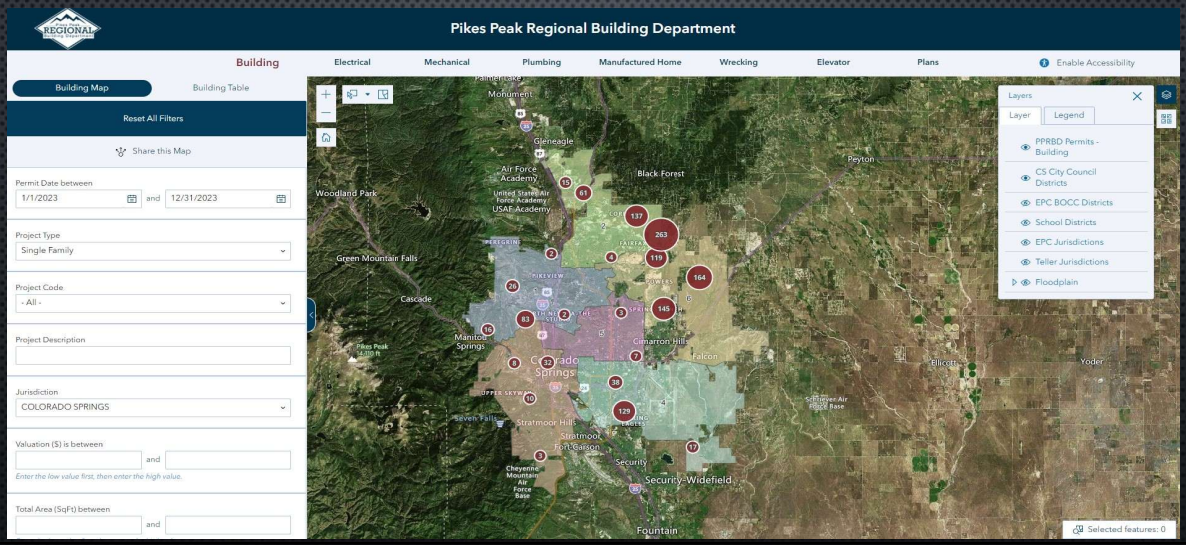
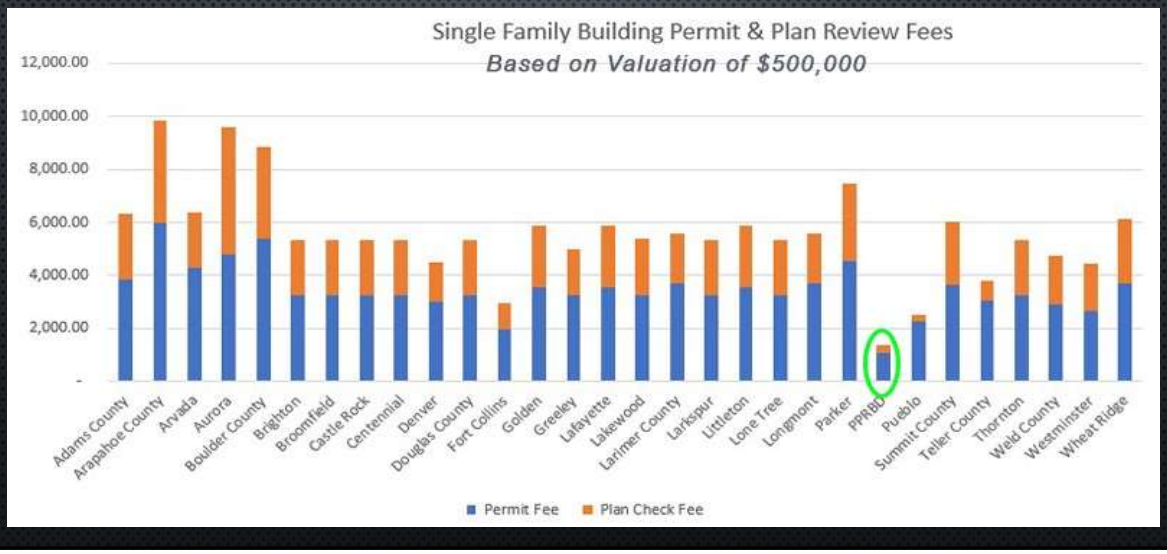
PPRBD GIS MAPPING TOOL



19

SINGLE FAMILY HOME FEES



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Pikes Peak
REGIONAL
Building Department
PPRBD Classes
4 Great Classes to Choose From
Contractor 101
Residential Realtor
Homeowner Permitting
Commercial Property
Sign Up - www.PPRBD.org/education

21

QUESTIONS?

22

Jackson Creek Parkway

TOWN OF MONUMENT TEAM:

Madeline VanDenHoek– Town Manager

Tom Tharnish – Director of Public Works

Cassandra Olgren - Project Manager

PARTNER AGENCIES:

TRIVIEW METROPOLITAN DISTRICT

El PASO COUNTY

COLORADO DEPARTMENT OF TRANSPORTATION

JACKSON CREEK PARKWAY CORRIDOR

Town Council

Introductions

February 18, 2025

Town Council

Introductions
Consultant Team

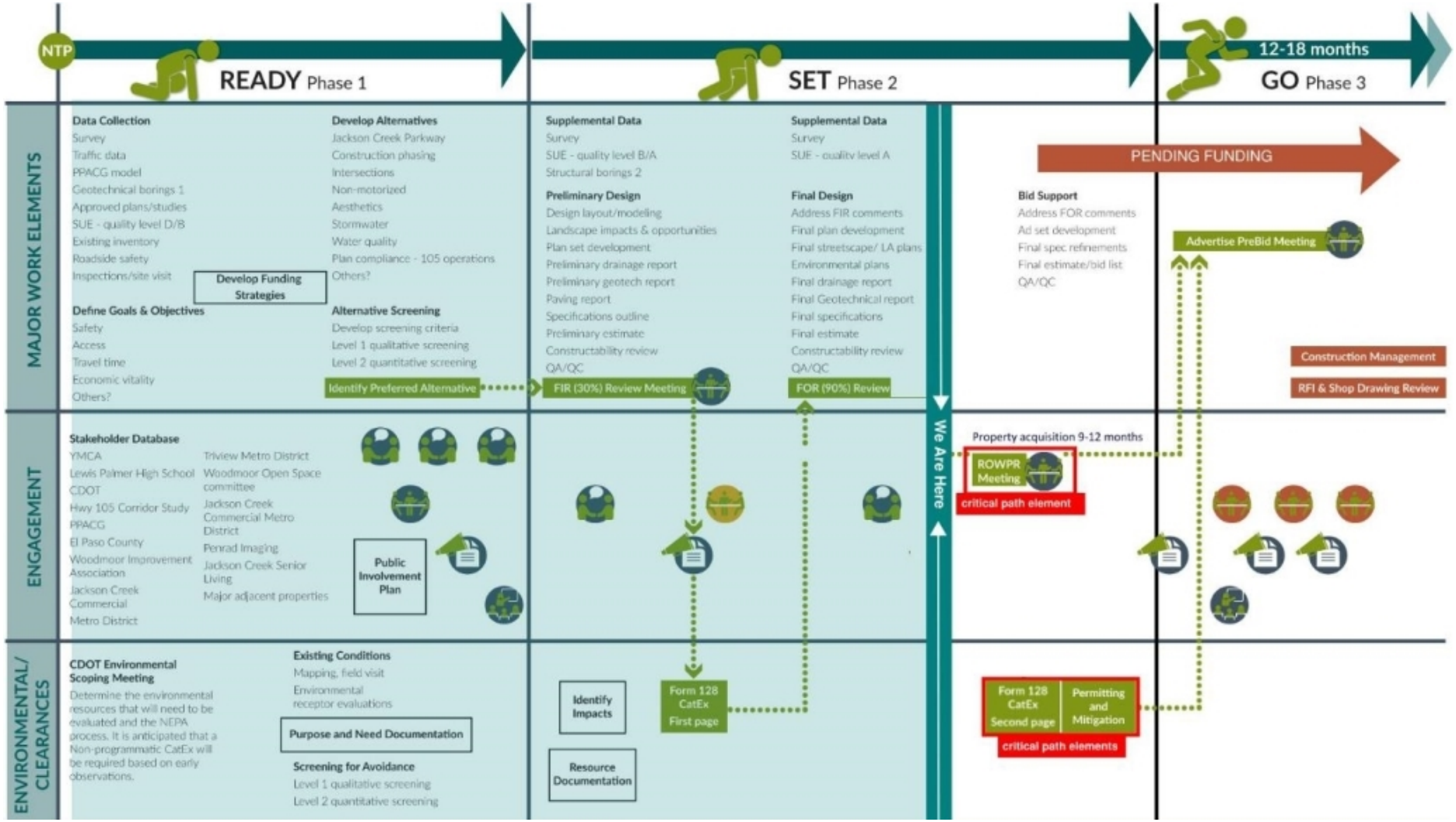
FELSBURG HOLT & ULLEVIG connecting & enhancing communities	Prime Consultant Roadway, Traffic, Environmental PM: Steve Murray, PE
J·R ENGINEERING	Survey, SUE, ROW, Stormwater
bachman pr	Public Involvement
VIVID Engineering Group	Geotechnical, Pavement Design
TRS	ROW Appraisals, Acquisitions
CLANTON & ASSOCIATES	Lighting

JACKSON CREEK PARKWAY CORRIDOR

CLASSIC HOMES — JCP North

Kimley»Horn — Higby

February 18, 2025



JACKSON CREEK PARKWAY CORRIDOR

MONUMENT COLORADO EST. 1879

Town Council

Process

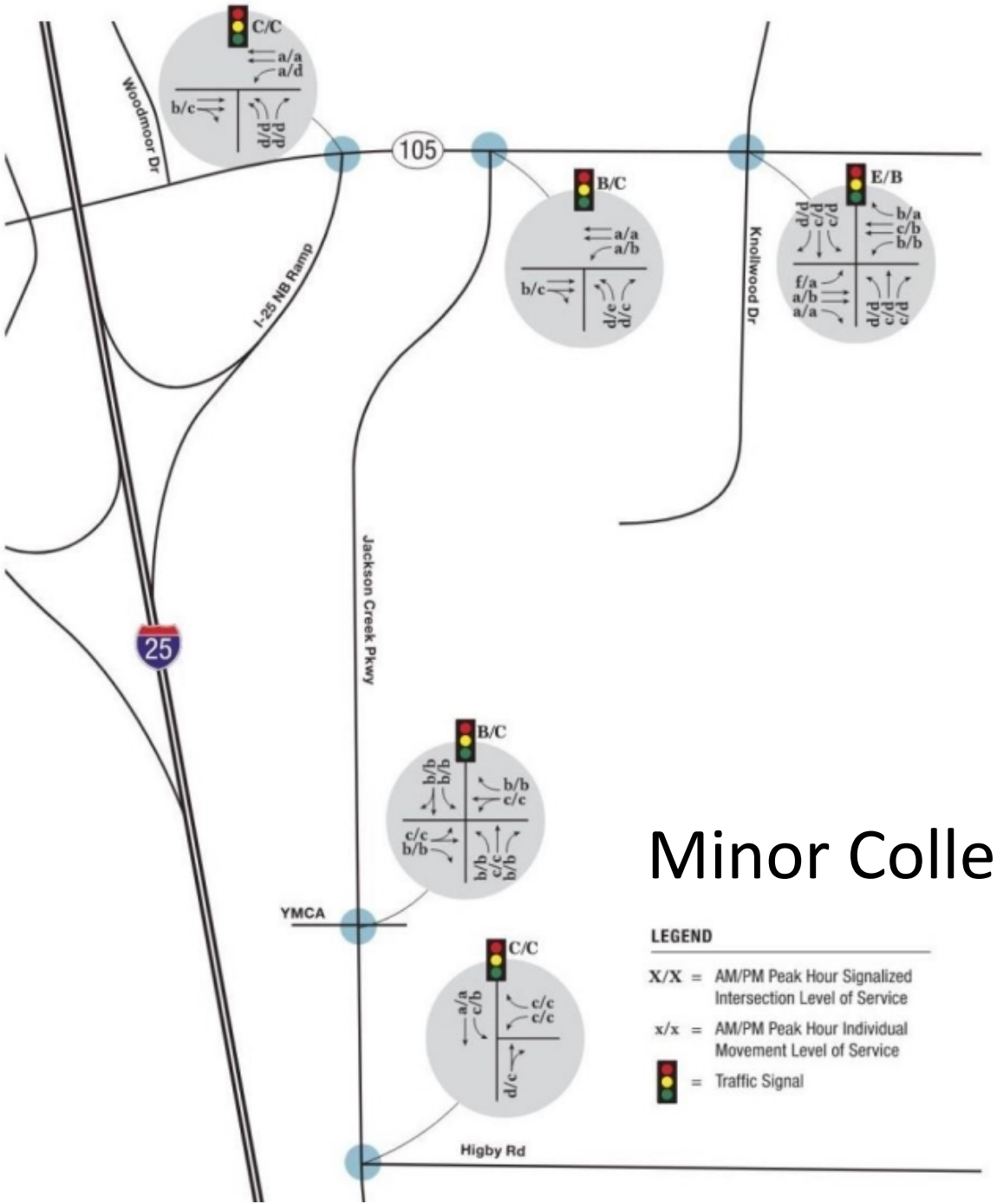
February 18, 2025

JACKSON CREEK
PARKWAY
CORRIDOR

Town Council

Project Background

February 18, 2025



Minor Collector

JACKSON CREEK PARKWAY CORRIDOR

Town Council

Project Background Existing Traffic and Operations

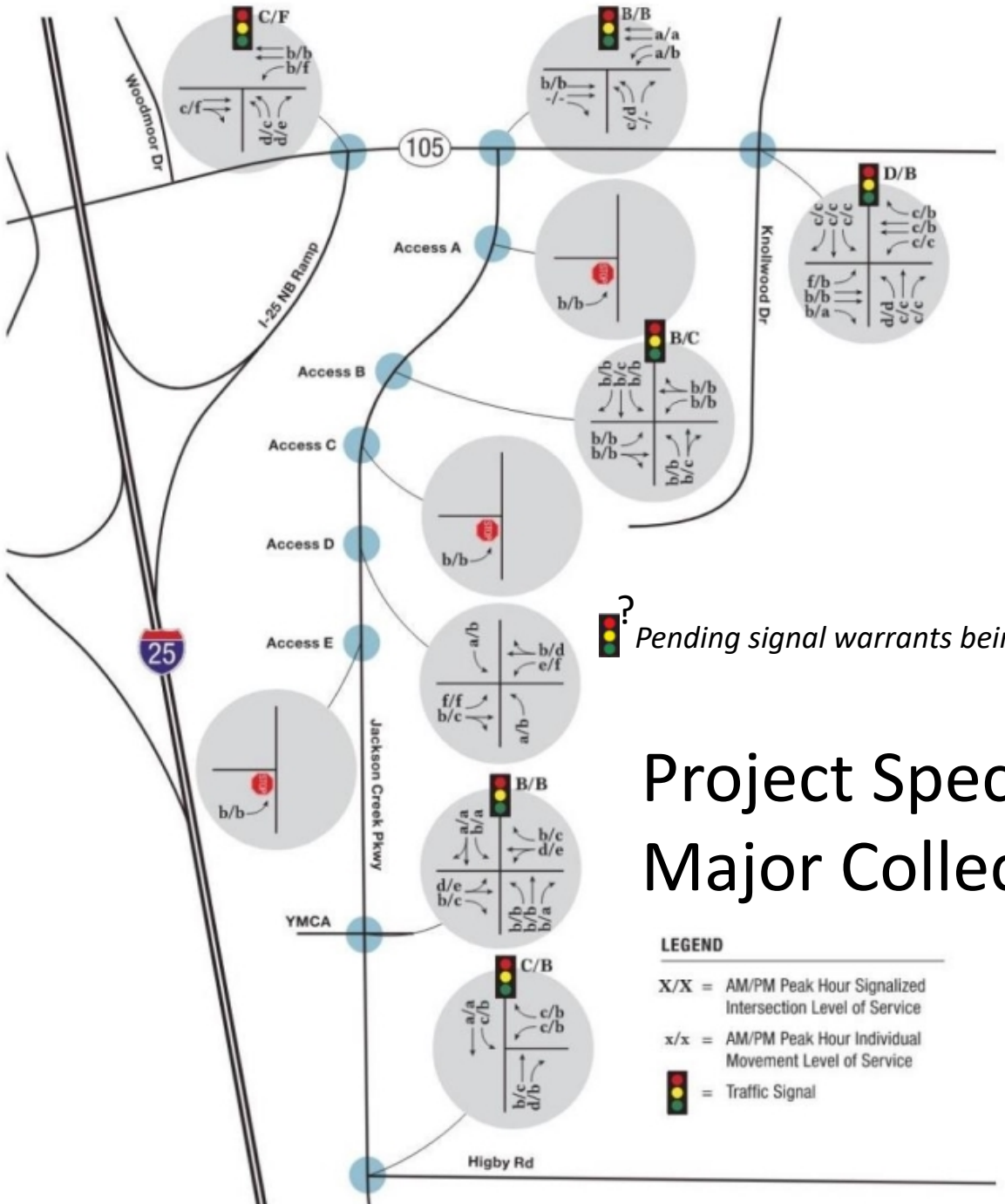
February 18, 2025

JACKSON CREEK
PARKWAY
CORRIDOR

Town Council

Project Background

February 18, 2025



Pending signal warrants being met

Project Specific Major Collector

LEGEND

X/X = AM/PM Peak Hour Signalized Intersection Level of Service

x/x = AM/PM Peak Hour Individual Movement Level of Service

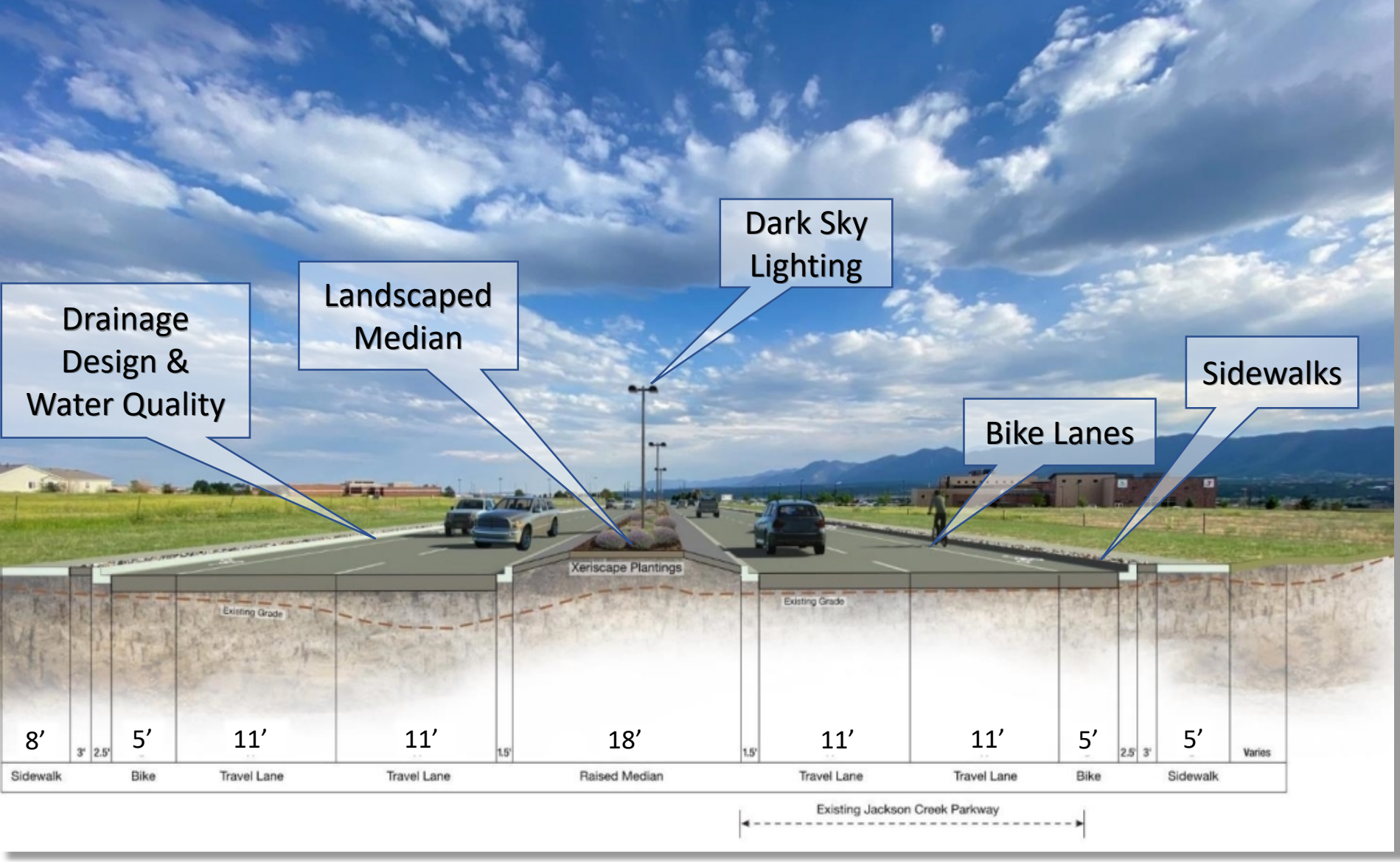
= Traffic Signal

JACKSON CREEK PARKWAY CORRIDOR

Public Meeting

Project Background 2045 Traffic and Operations

February 18, 2025

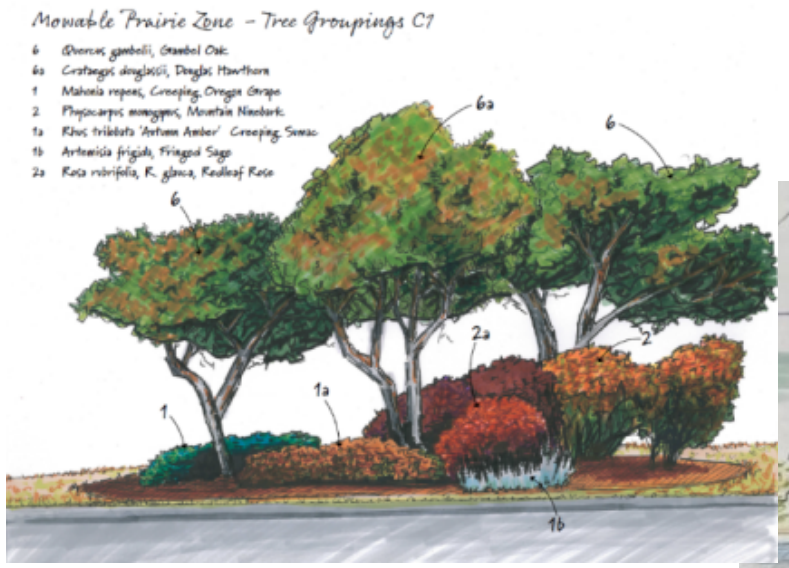


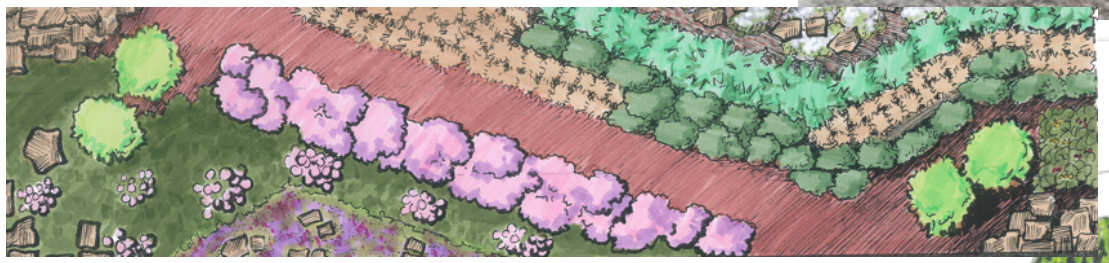
Town Council

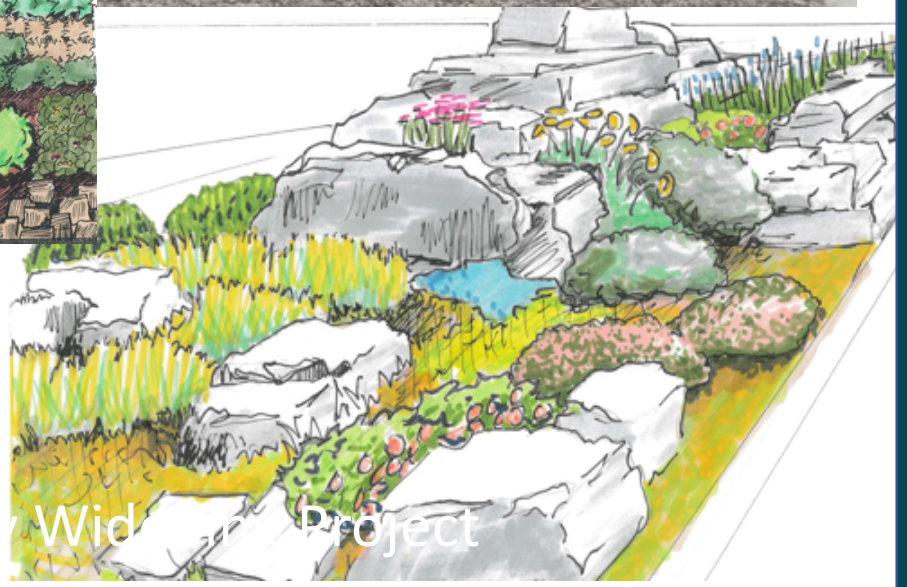
Project Background

JACKSON CREEK PARKWAY CORRIDOR

February 18, 2025





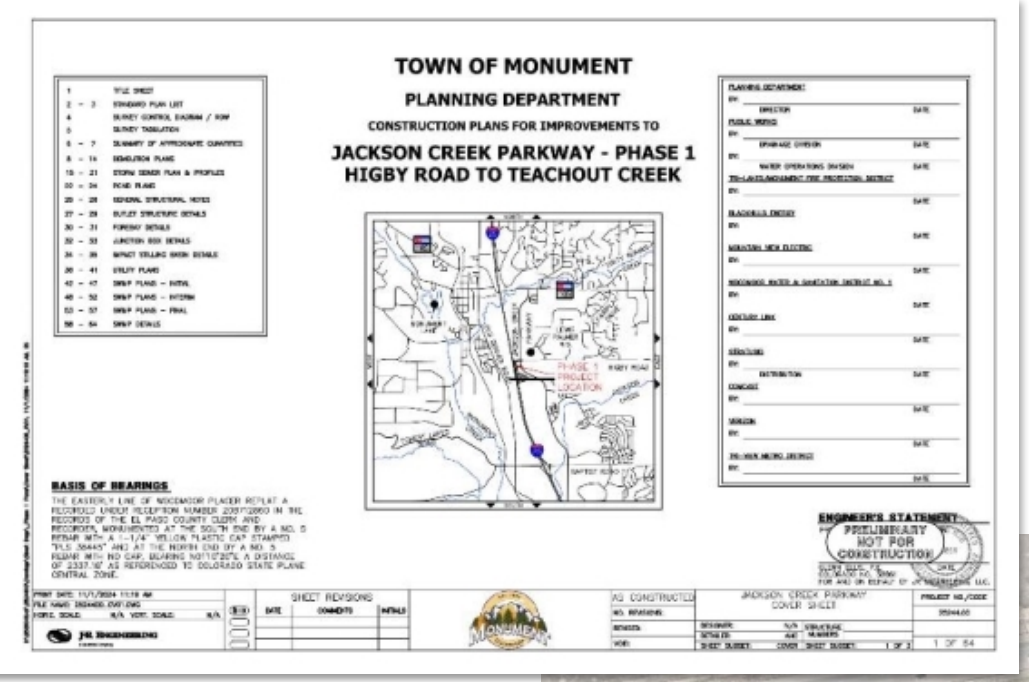


JACKSON CREEK
PARKWAY
CORRIDOR

Town Council

Project
Background
Gateway
Median
Treatments

February 18, 2025



Phase 1: 90% Submittal

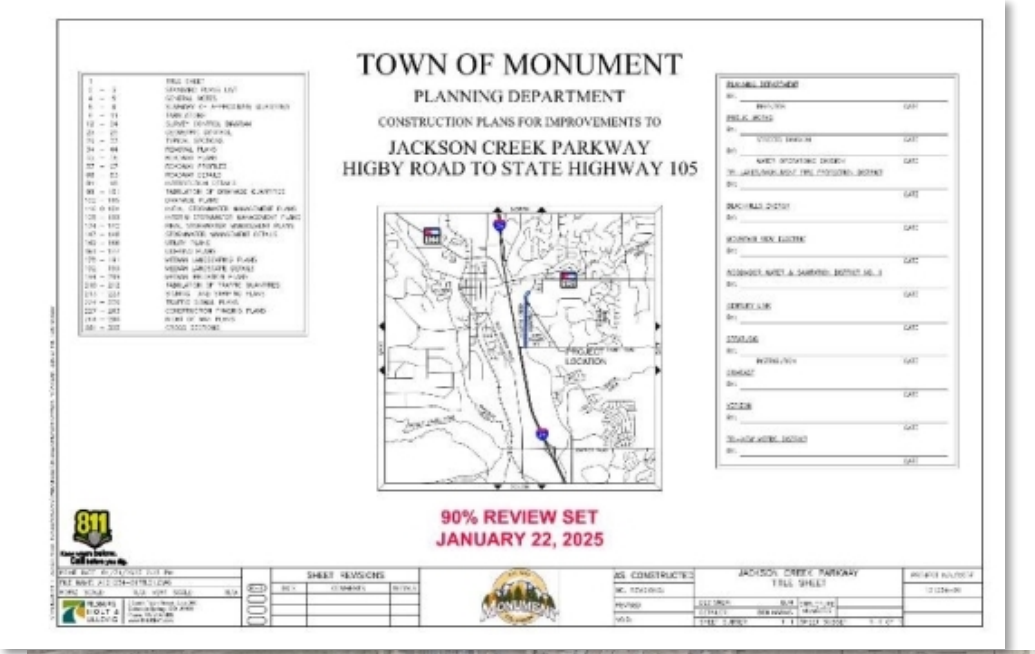
- Teachout Creek Water Quality Pond
- 64 plan sheets
- Estimated Cost $2.2M

JACKSON CREEK PARKWAY CORRIDOR

Town Council

90% plan submittal

February 18, 2025



Phase 2: 90% Submittal

- Jackson Creek Pkwy Widening Higby to Fat Tire drive
- 325 plan sheets
- Estimated Cost $13.5

JACKSON CREEK PARKWAY CORRIDOR

Town Council

90% plan submittal

February 18, 2025

90% Phase 1&2 Combined Engineers Estimate: $15.7M

JACKSON CREEK
PARKWAY
CORRIDOR

Town Council

90% plan submittal

February 18, 2025

Town Council

Schedule

Q4 2021	Q3 2022	Q4 2024	TBD	TBD
Data Collection Engagement Alternatives	Conceptual design	90% Design	Bid	Construction

Dependent on Funding

Property Acquisition/NEPA permitting

JACKSON CREEK PARKWAY CORRIDOR

February 18, 2025

Jackson Creek Parkway

Thank you!

EST. 1879
MONUMENT
COLORADO

Stay Informed

- *Recorded Message Phone: 719-423-8100*

- *Sign up for project updates by sending an email to:*
  Hwy105aConstruction@gmail.com
  JacksonCreekPkwy@gmail.com

- *Websites:*
  http://EPC-Hwy105AConstruction.com/
  https://www.jacksoncreekpkwy.com/

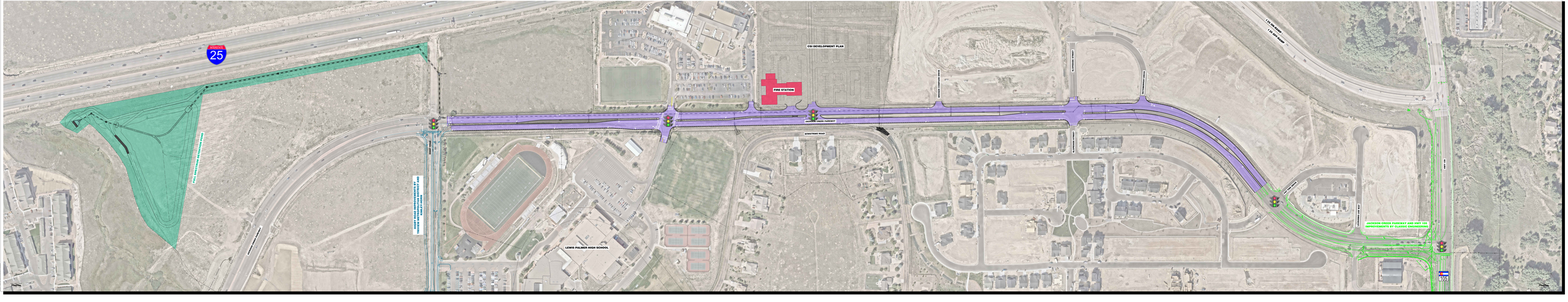
JACKSON CREEK PARKWAY CORRIDOR

FELSBURG HOLT & ULLEVIG

JACKSON CREEK PARKWAY | HIGBY ROAD TO HWY 105

CORRIDOR IMPROVEMENTS

JACKSON CREEK PARKWAY (February 10, 2025)



JACKSON CREEK PARKWAY (February 10, 2025)

DRAFT

ENGINEERS OPINION OF PROBABLE CONSTRUCTION COST

JACKSON CREEK PARKWAY - HIGBY RD TO SH 105
Town of Monument
Phase 1 and Phase 2
FHU #121234

Prepared By:	Steve Murray, PE	Date:	2025-02-10

BID ITEMS

#	ITEM #	ITEM DESCRIPTION	UNIT	2024 CDOT Q1 COST AVERAGES	QUANTITY	CURRENT COST
1	202-00019	REMOVAL OF INLET	EACH	$ 2,122	2.0	$ 4,244
2	202-00027	REMOVAL OF RIPRAP	SY	$ 42.00	91.0	$ 3,822
3	202-00037	REMOVAL OF END SECTION	EACH	$ 657.00	5.0	$ 3,285
4	SP202-00035	REMOVAL OF PIPE (12" RCP)	LF	$ 30.00	428.0	$ 12,840
5	SP202-00036	REMOVAL OF PIPE (24" RCP)	LF	$ 45.00	270.0	$ 12,150
6	SP202-00039	REMOVAL OF PIPE (36" RCP)	LF	$ 55.00	299.0	$ 16,445
7	202-00190	REMOVAL OF CONCRETE MEDIAN COVER MATERIAL	SY	$ 19.00	13.0	$ 247
8	202-00200	REMOVAL OF SIDEWALK	SY	$ 26.00	53.0	$ 1,378
9	202-00203	REMOVAL OF CURB AND GUTTER	LF	$ 15.00	1,461.0	$ 21,915
10	202-00206	REMOVAL OF CONCRETE CURB RAMP	SY	$ 35.00	37.0	$ 1,295
11	202-00220	REMOVAL OF ASPHALT MAT	SY	$ 12.00	23,169.0	$ 278,028
12	202-00810	REMOVAL OF GROUND SIGN	EACH	$ 151.00	10.0	$ 1,510
13	202-00828	REMOVAL OF TRAFFIC SIGNAL EQUIPMENT	L S	$ 24,903.00	1.0	$ 24,903
14	202-01000	REMOVAL OF FENCE	LF	$ 4.00	51.0	$ 204
15	203-00010	UNCLASSIFIED EXCAVATION (COMPLETE IN PLACE)	CY	$ 28.00	22,901.0	$ 641,228
16	206-00064	ABANDON AND FLOW-FILL EXISTING PIPE	LF	$ 25.00	185.0	$ 4,625
17	207-00205	TOPSOIL	CY	$ 61.00	540.0	$ 32,940
18	207-01110	PLANTER SOIL MIX	CY	$ 15.00	394.0	$ 5,910
19	208-00007	EROSION LOG TYPE 2 (8 INCH)	LF	$ 9.00	3.0	$ 27
20	208-00020	SILT FENCE	LF	$ 3.00	5,725.0	$ 17,175
21	208-00041	ROCK CHECK DAM	EACH	$ 1,621.00	82.0	$ 132,922
22	208-00045	CONCRETE WASHOUT STRUCTURE	EACH	$ 3,745.00	1.0	$ 3,745
23	208-00054	STORM DRAIN INLET PROTECTION (TYPE II)	EACH	$ 280.00	34.0	$ 9,520
24	208-00070	VEHICLE TRACKING PAD	EACH	$ 3,686.00	4.0	$ 14,744
25	210-00810	RESET GROUND SIGN	EACH	$ 523.00	1.0	$ 523
26	210-04010	ADJUST MANHOLE	EACH	$ 1,211.00	8.0	$ 9,688
27	210-04050	ADJUST VALVE BOX	EACH	$ 537.00	6.0	$ 3,222
28	212-00011	SEEDING (LAWN)	ACRE	$ 1,750.00	8.0	$ 14,000
29	212-00708	SEEDING (NATIVE) BROADCAST	ACRE	$ 3,705.00	1.0	$ 3,705
30	213-00067	ROCK MULCH (WEED FREE)(3INCH)	SF	$ 5.00	6,525.0	$ 32,625
31	213-00700	LANDSCAPE BOULDER	EACH	$ 300.00	75.0	$ 22,500
32	213-00702	FLAGSTONE	EACH	$ 35.00	120.0	$ 4,200
33	214-00205	DECIDUOUS TREE (5 GALLON CONTAINER)	EACH	$ 775.00	15.0	$ 11,625
34	214-00206	RAISED MEDIAN 1 PLANTING ZONE	LS	$ 27,000.00	1.0	$ 27,000
35	214-00207	RAISED MEDIAN 2 PLANTING ZONE	LS	$ 27,000.00	1.0	$ 27,000
36	214-00208	RAISED MEDIAN 3 PLANTING ZONE	LS	$ 27,000.00	1.0	$ 27,000
37	304-09150	AGGREGATE BASE COURSE (RECYCLED CONCRETE)	TON	$ 35.00	31,833.0	$ 1,114,155
38	308-00305	STAGING AREA	LS	$ 5,000.00	1.0	$ 5,000
39	403-33741	HOT MIX ASPHALT (GRADING S) (75) (PG 64-22)	TON	$ 155.00	7,004.0	$ 1,085,620
40	403-34751	HOT MIX ASPHALT (GRADING SX) (75) (PG 64-28)	TON	$ 134.00	3,500.0	$ 469,000
41	411-10255	EMULSIFIED ASPHALT (SLOW-SETTING)	GAL	$ 5.00	6,368.0	$ 31,840
42	412-00800	CONCRETE PAVEMENT (8 INCH)	SY	$ 120.00	49.0	$ 5,880
43	420-00132	GEOTEXTILE (SEPARATOR) (CLASS 1)	SY	$ 6.00	31,815.0	$ 190,890
44	503-00018	DRILLED SHAFT (18 INCH)	LF	$ 647.00	15.0	$ 9,705
45	503-00036	DRILLED SHAFT (36 INCH)	LF	$ 281.00	50.0	$ 14,050
46	506-00412	SOIL RIPRAP (12 INCH)	CY	$ 140.00	164.0	$ 22,960
47	603-01180	18 INCH REINFORCED CONCRETE PIPE	LF	$ 181.00	1,224.0	$ 221,544
48	603-01240	24 INCH REINFORCED CONCRETE PIPE	LF	$ 214.00	98.0	$ 20,972
49	603-01300	30 INCH REINFORCED CONCRETE PIPE	LF	$ 260.00	387.0	$ 100,620
50	603-01360	36 INCH REINFORCED CONCRETE PIPE	LF	$ 371.00	107.0	$ 39,697
51	603-01480	48 INCH REINFORCED CONCRETE PIPE	LF	$ 525.00	857.0	$ 449,925
52	603-01540	54 INCH REINFORCED CONCRETE PIPE	LF	$ 580.00	1,404.0	$ 814,320
53	603-01600	60 INCH REINFORCED CONCRETE PIPE	LF	$ 750.00	138.0	$ 103,500
54	604-00305	INLET TYPE C (5 FOOT)	EACH	$ 7,962.00	1.0	$ 7,962
55	604-00515	INLET TYPE D (15 FOOT)	EACH	$ 10,000.00	1.0	$ 10,000
56	604-00615	INLET TYPE D (DOUBLE)(10 FOOT)	EACH	$ 8,000.00	1.0	$ 8,000
57	604-19105	INLET TYPE R L 5 (5 FOOT)	EACH	$ 8,938.00	6.0	$ 53,628
58	604-19110	INLET TYPE R L 5 (10 FOOT)	EACH	$ 14,606.00	8.0	$ 116,848
59	604-19205	INLET TYPE R L 10 (5 FOOT)	EACH	$ 12,250.00	3.0	$ 36,750
60	604-19210	INLET TYPE R L 10 (10 FOOT)	EACH	$ 14,000.00	6.0	$ 84,000
61	604-19215	INLET TYPE R L 10 (15 FOOT)	EACH	$ 20,250.00	1.0	$ 20,250
62	604-19410	INLET TYPE R SPECIAL (10 FOOT)	EACH	$ 16,500.00	1.0	$ 16,500
63	SP604-30005	MANHOLE SLAB BASE (10 FOOT)(4' FLAT TOP MANHOLE)	EACH	$ 8,000.00	1.0	$ 8,000
64	SP604-30006	MANHOLE SLAB BASE (10 FOOT)(5' MANHOLE)	EACH	$ 9,000.00	2.0	$ 18,000
65	SP604-30007	MANHOLE SLAB BASE (10 FOOT)(5' FLAT TOP MANHOLE	EACH	$ 1,000.00	3.0	$ 3,000
66	SP604-30008	MANHOLE SLAB BASE (10 FOOT)(6' FLAT TOP MANHOLE)	EACH	$ 12,000.00	2.0	$ 24,000
67	SP604-30009	MANHOLE SLAB BASE (15 FOOT)(6' MANHOLE)	EACH	$ 13,000.00	1.0	$ 13,000
68	SP604-30010	MANHOLE SLAB BASE (15 FOOT)(6' DROP MANHOLE)	EACH	$ 13,000.00	1.0	$ 13,000
69	SP604-30012	MANHOLE SLAB BASE (15 FOOT)(8' DROP MANHOLE)	EACH	$ 21,000.00	6.0	$ 126,000
70	SP604-30014	MANHOLE SLAB BASE (15 FOOT)(8' DROP MANHOLE)(FLAT TOP)	EACH	$ 26,000.00	1.0	$ 26,000
71	SP604-30015	MANHOLE SLAB BASE (15 FOOT)(9' FLAT TOP MANHOLE)	EACH	$ 28,000.00	1.0	$ 28,000
72	SP604-30017	MANHOLE SLAB BASE (10 FOOT)(8' FLAT TOP MANHOLE)	EACH	$ 19,000.00	1.0	$ 19,000
73	607-11525	FENCE (PLASTIC)	LF	$ 5.00	3,465.0	$ 17,325
74	607-53160	FENCE CHAIN LINK (60 INCH)	LF	$ 40.00	45.0	$ 1,800
75	608-00000	CONCRETE SIDEWALK	SY	$ 100.00	6,238.0	$ 623,800
76	608-00010	CONCRETE CURB RAMP	SY	$ 211.00	259.0	$ 54,649
77	609-21010	CURB AND GUTTER TYPE 2 (SECTION I-B)	LF	$ 47.00	8,759.0	$ 411,673
78	609-21020	CURB AND GUTTER TYPE 2 (SECTION II-B)	LF	$ 51.00	8,941.0	$ 455,991
79	610-00024	MEDIAN COVER MATERIAL (4 INCH PATTERNED CONCRETE)	SF	$ 20.00	8,145.0	$ 162,900
80	610-00030	MEDIAN COVER MATERIAL (CONCRETE)	SF	$ 18.00	9,228.0	$ 166,104

BID ITEMS						
				2014 CDOT QI COST		
81	612-15000	CONSTRUCTION MARKER	EACH	$ 80.00	8.0	$ 640
82	613-00100	1 INCH ELECTRICAL CONDUIT	LF	$ 43.00	770.0	$ 33,110
83	613-00206	2 INCH ELECTRICAL CONDUIT (BORED)	LF	$ 60.00	200.0	$ 12,000
84	613-00306	3 INCH ELECTRICAL CONDUIT (BORED)	LF	$ 56.00	405.0	$ 22,680
85	613-01100	1 INCH ELECTRICAL CONDUIT (PLASTIC)	LF	$ 29.00	4,812.0	$ 139,548
86	613-01200	2 INCH ELECTRICAL CONDUIT (PLASTIC)	LF	$ 46.00	390.0	$ 17,940
87	613-01300	3 INCH ELECTRICAL CONDUIT (PLASTIC)	LF	$ 55.00	780.0	$ 42,900
88	613-07002	TYPE TWO PULL BOX	EACH	$ 2,550.00	32.0	$ 81,600
89	613-07003	TYPE THREE PULL BOX	EACH	$ 2,260.00	3.0	$ 6,780
90	613-07004	TYPE FOUR PULL BOX	EACH	$ 3,454.00	1.0	$ 3,454
91	613-07005	TYPE FIVE PULL BOX	EACH	$ 4,644.00	1.0	$ 4,644
92	613-07050	PULL BOX (13"X24"X18") DEEP	EACH	$ 2,500.00	5.0	$ 12,500
93	613-10000	WIRING	L S	$ 52,409.00	2.0	$ 104,818
94	613-13004	LUMINAIRE (LED) (4,000 LUMENS)	EACH	$ 1,500.00	4.0	$ 6,000
95	613-13008	LUMINAIRE (LED) (8,000 LUMENS)	EACH	$ 1,800.00	56.0	$ 100,800
96	613-32252	LIGHT STANDARD STEEL (25 FOOT) (2-ARM)	EACH	$ 12,000.00	28.0	$ 336,000
97	613-40000	CONCRETE FOUNDATION PAD	EACH	$ 2,968.00	2.0	$ 5,936
98	613-40010	LIGHT STANDARD FOUNDATION	EACH	$ 6,252.00	28.0	$ 175,056
99	613-50109	METER POWER PEDESTAL	EACH	$ 13,633.00	2.0	$ 27,266
100	614-00011	SIGN PANEL (CLASS I)	SF	$ 32.00	168.0	$ 5,376
101	614-00012	SIGN PANEL (CLASS II)	SF	$ 39.00	27.0	$ 1,053
102	614-00044	TIMBER SIGN POST 4X4 INCH	LF	$ 50.00	330.5	$ 16,525
103	614-10160	SIGNAL HEAD BACKPLATES	EACH	$ 300.00	10.0	$ 3,000
104	614-70150	PEDESTRIAN SIGNAL FACE (16) (COUNTDOWN)	EACH	$ 848.00	8.0	$ 6,784
105	614-70336	TRAFFIC SIGNAL FACE (12-12-12)	EACH	$ 1,166.00	12.0	$ 13,992
106	614-70560	TRAFFIC SIGNAL FACE (12-12-12-12-12)	EACH	$ 1,200.00	4.0	$ 4,800
107	614-72855	TRAFFIC SIGNAL CONTROLLER CABINET	EACH	$ 36,411.00	1.0	$ 36,411
108	614-72860	PEDESTRIAN PUSH BUTTON	EACH	$ 1,275.00	8.0	$ 10,200
109	614-72863	PEDESTRIAN PUSH BUTTON POST ASSEMBLY	EACH	$ 2,709.00	2.0	$ 5,418
110	614-72886	INTERSECTION DETECTION SYSTEM (CAMERA)	EACH	$ 16,643.00	4.0	$ 66,572
111	614-81125	TRAFFIC SIGNAL-LIGHT POLE STEEL (1-25 FOOT MAST ARM)	EACH	$ 18,500.00	1.0	$ 18,500
112	614-81145	TRAFFIC SIGNAL-LIGHT POLE STEEL (1-45 FOOT MAST ARM)	EACH	$ 27,468.00	2.0	$ 54,936
113	614-84000	TRAFFIC SIGNAL PEDESTAL POLE STEEL	EACH	$ 4,036.00	5.0	$ 20,180
114	619-40060	3/4 INCH COPPER PIPE	LF	$ 60.00	186.0	$ 11,160
115	619-40120	1-1/2 INCH COPPER PIPE	LF	$ 100.00	13.0	$ 1,300
116	619-77400	CURB STOP AND BOX	EACH	$ 30.00	2.0	$ 60
117	619-99999	1-1/2 INCH WATER SERVICE TAP	EACH	$ 6,000.00	1.0	$ 6,000
118	620-00001	FIELD OFFICE (CLASS 1)	EACH	$ 39,626.00	1.0	$ 39,626
119	620-00011	FIELD LABORATORY (CLASS 1)	EACH	$ 23,104.00	1.0	$ 23,104
120	619-99999-SPC1	3/4 INCH WATER SERVICE TAP	EACH	$ 4,000.00	1.0	$ 4,000
121	623-00001	IRRIGATION SYSTEM	LS	$ 144,000.00	1.0	$ 144,000
122	623-07006	3/4 INCH WATER METER	EACH	$ 3,000.00	1.0	$ 3,000
123	623-07012	1-1/2 INCH WATER METER	EACH	$ 4,000.00	1.0	$ 4,000
124	625-00000	CONSTRUCTION SURVEYING	L S	$ 50,000.00	1.0	$ 50,000
125	627-00005	EPOXY PAVEMENT MARKING	GAL	$ 134.00	74.0	$ 9,916
126	627-30205	THERMOPLASTIC PAVEMENT MARKING (WORD-SYMBOL)	SF	$ 28.00	778.0	$ 21,784
127	627-30210	THERMOPLASTIC PAVEMENT MARKING (XWALK-STOPLINE)	SF	$ 17.00	1,320.0	$ 22,440
128	630-00002	CONSTRUCTION TRAFFIC CONTROL	LS	$ 500,000.00	1.0	$ 500,000
129	700-70010	F/A MINOR CONTRACT REVISIONS	F A	$ 1,000,000.00	1.0	$ 1,000,000
130	700-70015	F/A MOBILIZATION	F A	$ 500,000.00	1.0	$ 500,000
131	700-70082	F/A FURNISH & INSTALL ELECTRICAL SERVICE	F A	$ 3,000.00	1.0	$ 3,000
132	700-70592	F/A SURVEY MONUMENTATION	F A	$ 25,000.00	1.0	$ 25,000
133	700-70593	F/A ROW MONUMENTATION	F A	$ 25,000.00	1.0	$ 25,000
					TOTAL CONSTRUCTION BID ITEMS	$ 12,444,857

ENGINEERS OPIONION OF PROBABLE COST (EOPC):		(A)	**$ 12,444,857**
EOPC WITH CONTINGENCY:	**5%**	(B)	**$ 13,067,100**

In providing opinions of probable construction cost, the Client understands that Felsburg, Holt and Ullevig (FHU) has no control over costs or the price of labor, equipment or materials, or over the Contractor's method of pricing, and that the opionions of probable construction costs provided herein are to the made on the basis of our qualifications and experience. FHU makes no warranty, expressed or implied, as to the accuracy of such opinions as compared to bid or actual costs.

Notes:

1. This Estimate is based on the FHU portion of the design project limits including Jackson Creek Parkway North of Higby to the limits of the work being done by Classic Engineering approximately 1,000 ft south of 105.

2. This estimate is based on the 90% design with a 5% contingency to acount for minor changes, and additional contingency is provided in 700-70010 Minor Contract Revisions.

3. The Item costs are based on the best available item cost comparrisons, but do not include market fluctuation increases or decreases that are outside the control of the design team at the time of estimating.

4. It is assumed that the majority of the cost of property acquisition will be minimal due to developer fees offsetting any property costs.

ADJUSTED CONSTRUCTION COST:		
PERCENTAGE BASED PROJECT COSTS		
UTILITY RELOCATION	2.0%	*$261,342*
PROPERTY ACQUISITION	1.5%	*$196,006*
PHASE 1 REGIONAL WATER QUALITY PONI	(C)	**$ 2,197,690**
PHASE 2 JACKSON CREEK PARKWAY WIDEI	(D)	**$ 13,524,448**
CONSTRUCTION COST TOTAL:	(E)	**$15,722,138**
PROGRAM COSTS		
DESIGN SUPPORT DURING CONSTRUCTION (Not included in the Scope)	1.5%	*$202,867*
CONSTRUCTION MANAGEMENT (Not included in the Scope) if needed	8.0%	*$1,081,956*
PROGRAM COST (INLCUDING FEES):	(F)	**$17,006,961**

COLLINS | COLE
WINN | ULMER

MEMORANDUM

February 10, 2025

TO: Town Council
Town of Monument

FROM: Robert G. Cole

RE: **Ordinance No. 04-2025 Repealing and Readopting Title 1 of the Monument Municipal Code**

Ordinance No. 04-2025 repeals and readopts Title 1 of the Monument Municipal Code ("Code") to make changes to conform to the Home Rule Charter ("Charter"), make updates that are necessitated by changes in law, and provide general editorial cleanup. The changes are shown on Exhibit A. Text that is being deleted is shown in ~~strikeout format~~. Text that is being added is shown in <u>underline format</u>.

The reason for many of the changes will be apparent. Many changes conform terminology to the Charter, make capitalization, phraseology, and punctuation consistent, and utilize defined terms. Some changes remove duplicative provisions, combine provisions on the same subject, or clarify ambiguous provisions. A few specific explanations of some changes may be helpful.

1. Section 1.01.060 has been deleted as unnecessary. This section made clear that certain ordinances were not contained in the Code because they were inadvertently omitted from the prior codification but remained in effect. The substantive provisions of these ordinances will be incorporated into the Code as we go forward with amending or readopting each Title. Section 1.01.050 makes clear that in case of conflict between the Code and an ordinance, the ordinance governs, which makes it unnecessary to retain Section 1.01.060 in the short term.

2. Section 1.01.070 has been deleted. It is not accurate or necessary for the Code to specify the last ordinance incorporated into the Code, as that will constantly change with future additions, deletions, and amendments.

3. Section 1.01.090 incorporates language from the duplicative Section 1.04.040, which has been deleted.

4. Section 1.01.012 has been deleted. It is not necessary to adopt the Title 1 amendments by emergency ordinance.

5. Section 1.04.01 has been deleted as being duplicative of Section 1.1.020.

E: rcole@cogovlaw.com | 165 S. Union Blvd, Suite 785, Lakewood, CO 80228

6. Section 1.04.020, next to last paragraph is deleted as it is duplicative of Section 1.01.040.

7. Section 1.12.010 now includes language restating the Charter requirement that elections be conducted pursuant to the Municipal Election Code, unless otherwise provided by resolution or ordinance calling the election.

8. Sections 1.12.020 and 1.12.030 restate with clarifications provisions regarding cancelling elections and write-in candidate affidavits.

9. Section 1.12.040 has been clarified to state that all Town elections will be mail ballot elections. If a polling place election is desired, a Code amendment will be required.

10. Previous Section 1.12.040 was deleted because the Municipal Election Code uses a permanent absentee voter list only with polling place elections.

Section 1.20.010, regarding fines, deserves specific consideration. It states that if a fine amount for violation of a Code provision is not specifically set, the fine is not more than $2,650. Since 2013 state statute has allowed this amount to increase annually based on CPI. The Code has not previously included this automatic escalation, though we have added it with the proposed revisions. We will also have for your consideration at your meeting the amount that the fine would be for 2025 had it escalated based on CPI since 2013, if you wish to reset it going forward. Also, we have updated the potential jail time for violations from ninety days to one year as allowed by statute. Thus, you have three considerations regarding Section 1.20.010:

1. Do you want to increase the fine amount for 2025 based on the change in CPI from 2013 to now?
2. Do you want the fine amount to automatically increase annually based on CPI?
3. Do you want to increase jail time for violations from ninety days to one year?

If a Town Council member wishes that the Town Council adopt the proposed revisions to Title 1, the motion to approve Ordinance 04-2025 should include any desired modifications to the proposed Section 1.20.010 or any other section. An appropriate motion would be:

I move that the Town Council adopt Ordinance No. 04-2025, an Ordinance Repealing and Readopting Title 1 of the Monument Municipal Code [with the following changes: _____].

TOWN OF MONUMENT

ORDINANCE NO. 04-2025

AN ORDINANCE REPEALING AND READOPTING TITLE 1 OF THE MONUMENT MUNICIPAL CODE

WHEREAS, the Town of Monument ("Town") is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town's Home Rule Charter approved by the electors on November 8, 2022 ("Charter"); and

WHEREAS, the Members of the Town Council ("Council") have been duly elected and qualified; and

WHEREAS, the Council has determined that it is necessary to repeal and readopt Title 1 of the Monument Municipal Code to bring it into conformance with the Charter and provide general updates; and

WHEREAS, this Ordinance was introduced by title, considered at a public hearing, and voted upon at the regular meeting of the Town Council on February 18, 2025.

THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO, ORDAINS:

Section 1. Incorporation. The recitals set forth above are incorporated and ordained as if set forth in this section in full.

Section 2. Repeal and Readopt Title 1 of the Monument Municipal Code. Title 1 of the Monument Municipal Code as set forth on Exhibit A, attached hereto and incorporated herein, is repealed and readopted with underlined text being added and stricken text being deleted.

Section 4. Publication. Pursuant to Subsection 6.5, 3. of the Charter and Subsection 2.04.030, G. of the Monument Municipal Code, upon approval this Ordinance shall be published on the Town's official website in full for not less than ten (10) days.

Section 5. Authentication and Filing. Upon passage this Ordinance shall be authenticated by the Mayor and Town Clerk and maintained by the Town Clerk in such form as is sufficient to assure reasonable access by the public. Failure to authenticate any ordinance shall not invalidate it or suspend its operation.

Section 6. Effective Date. This Ordinance shall become effective and be in full force and effect ten (10) days after final publication.

Section 8. Severability. If any portion of this Ordinance or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of the ordinance which can be given effect without the invalid portion or application, provided such remaining portions or applications are not determined by the court to be inoperable.

INTRODUCED, PASSED, and ADOPTED/REJECTED, by the Town Council of the Town of Monument, Colorado this 18th day of February, 2025 by a vote of ____ for and _____ against.

TOWN OF MONUMENT, COLORADO

By: _____
Mitch LaKind, Mayor

Attest:

_____
Tina Erickson, Town Clerk

EXHIBIT A
TO ORDINANCE NO. 04-2025

Title 1
GENERAL PROVISIONS

Chapter 1.01 CODE ADOPTION

1.01.010 Adoption.

There is adopted the "Monument Municipal Code" as compiled, edited, and published

1.01.020 Title—Citation—Reference.

The ordinances codified in this ~~c~~Code shall be known as the "Monument Municipal Code" and it shall be sufficient to refer to said ~~c~~Code as the "Monument Municipal Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting, or repealing all or any part or portion thereof as an addition to, amendment to, correction, or repeal of the "Monument Municipal Code." References may be made to the titles, chapters, sections, and subsections of the "Monument Municipal Code" and such references shall apply to those titles, chapters, sections, or subsections as they appear in the ~~c~~Code.

1.01.030 Reference applies to all amendments.

Whenever a reference is made to this ~~c~~Code as the "Monument Municipal Code" or to any portion thereof, or to any ordinance of the Town~~ of Monument,~~ codified in this ~~c~~Code, the references shall apply to all amendments, corrections, and additions~~ heretofore, now, or hereafter made~~.

1.01.040 Title, chapter, and section headings.

Title, chapter, and section headings contained herein shall not be deemed to governn~~m~~, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any title, chapter, or section hereof.

1.01.050 Reference to specific ordinances.

The provisions of this ~~c~~Code shall not in any manner change matters adopted by ordinance. In case of conflict between the contents of this Code and the ordinances adopting and amending the contents of this Code, the ordinances adopting and amending the Code shall govern.~~affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code.~~

1.01.060 Reserved. ~~Ordinances not included in code.~~

~~Some ordinances or parts of ordinances passed and adopted by the Town of Monument were inadvertently omitted from the codification in the new code. The following ordinances were duly and properly adopted by the town and are in full force and effect and shall remain in full force and effect following adoption of this code except as such ordinances may have been specifically modified by subsequently adopted ordinances:~~

~~Ordinance 19-96 AN ORDINANCE AMENDING SUBSECTION 6-5-1 OF CHAPTER 6, SECTION 5 OF THE MONUMENT MUNICIPAL CODE AND REPEALING ORDINANCE NO. 9 OF 1996 CONCERNING A CURFEW FOR MINORS WHO HAVE NOT REACHED THEIR EIGHTEENTH BIRTHDAY.~~

~~Ordinance 2-97 AN EMERGENCY ORDINANCE ESTABLISHING PROCEDURES FOR PUBLIC HEARINGS BEFORE THE BOARD OF TRUSTEES AND THE PLANNING COMMISSION OF THE TOWN OF MONUMENT.~~

~~Ordinance 18-97 AN EMERGENCY ORDINANCE AMENDING SECTION 2-22(a) OF THE MONUMENT TOWN CODE CHANGING THE MEETING TIME OF THE BOARD OF TRUSTEES.~~

~~Ordinance 6-98 AN ORDINANCE REPEALING MONUMENT TOWN CODE 10-2-2 d. AND ENACTING MONUMENT TOWN CODE 10-2-15 CONCERNING ABANDONMENT OF WATER TAPS.~~

~~Ordinance 11-99 AN ORDINANCE ESTABLISHING ADVISORY COMMITTEES TO THE BOARD OF TRUSTEES AND PROVIDING THAT A CHARTER BE CREATED FOR EACH COMMITTEE.~~

~~Ordinance 20-99 AN ORDINANCE REPEALING ORDINANCES 7-90, 3-92 -AND 24-97 AND REPLACING THEM WITH THIS ORDINANCE ALLOCATING A PORTION OF THE BUSINESS LICENSE FEES TO A COMMUNITY DEVELOPMENT FUND.~~

~~Ordinance 21-99 AN EMERGENCY ORDINANCE AMENDING ARTICLE 9, SECTION 6, REGARDING EMERGENCY TRAFFIC RESTRICTIONS.~~

~~Ordinance 14-98 AN EMERGENCY ORDINANCE AMENDING THE REQUIREMENTS FOR THE ISSUANCE OF LAND USE PERMITS.~~

~~Ordinance 14-99 AN EMERGENCY ORDINANCE AMENDING ARTICLE 13, SECTION 3 BY ADDING A SUBSECTION CONTAINING THE DEFINITION OF DRIVEWAY.~~

~~Ordinance 9-2000 AN ORDINANCE AMENDING THE TOWN CODE REGARDING WIDTH OF SIDEWALKS.~~

~~Ordinance 13-2000 AN ORDINANCE AMENDING THE TOWN CODE AND SECTIONS 12.05.010 AND 12.05.020 REGARDING DEDICATION OF LAND FOR PUBLIC USE AND PAYMENT OF FEES IN LIEU OF DEDICATION OF LAND.~~

~~Ordinance 22-2000 AN ORDINANCE AMENDING THE TOWN CODE REGARDING LAND USE HEARINGS.~~

1.01.070 Reserved. ~~Ordinances passed prior to adoption of the code.~~

~~The last ordinance included in this code, not including the ordinances specifically ulisted in Section 1.01.060 of this chapter was Ordinance 25-00, passed July 17, 2000. All ordinances passed by the Town since that date up to and including ordinances passed as of August 20, 2001 are adopted and made a part of this code.~~

(Ord. 21-01 § 1)

1.01.080 Effect of ~~e~~Code on past actions and obligations.

The adoption and amendment of this ~~e~~Code does not affect prosecutions for ordinance violations committed prior to the effective date of this ~~e~~Code or the applicable amendment, does not waive any fee or penalty due and unpaid on the effective date of this ~~e~~Code or applicable amendment, and does not affect the validity of any bond or cash deposit posted, filed, or deposited pursuant to the requirements of any ordinance.

1.01.090 ~~Constitutionality~~Severability.

If any provision, article, section, sentence, clause, or part of this Code or the application thereof to any person or circumstance is held by any court of competent jurisdiction to be unconstitutional or invalid, such holding shall not affect, impair, or invalidate other provisions or applications of this Code, in whole or in part, which can be given effect without the invalid provision or application, and to this end the provisions of this Code are declared to be severable. ~~If any section, subsection, sentence, clause, or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.~~

1.01.010 References to prior code.

References in ~~t~~Town forms, documents, and regulations to the chapters and sections of the former Town code shall be construed to apply to the corresponding provisions contained within this ~~e~~Code.

1.01.011 Safety clause.

The ~~board of trustees~~Town Council finds and declares that the ordinances codified in this Code are ~~chapter is~~ promulgated and adopted pursuant to the Town's home rule powers for the public health, safety, and welfare and that said ordinances bear~~s~~ a rational relation to the legislative objective sought to be obtained.

~~1.01.012 Emergency ordinance.~~

~~For the reasons stated in the recitals to this ordinance, it is declared that an emergency exists and in the interest of the immediate preservation of the public health, safety, and welfare this ordinance shall take effect upon its adoption on first and final reading.~~

Chapter 1.04 GENERAL PROVISIONS

1.04.010 Reserved.~~Title for citation.~~

~~The ordinances embraced in this and the following chapters and sections shall constitute and be designated "the Monument Municipal Code," and may be so cited.~~

1.04.020 Definitions and rules of construction.

In ~~the~~ constructingon ~~of~~ this ~~c~~Code ~~of all ordinances of the Town~~, the following definitions and rules of construction shall be observed, unless it ~~shall be~~is otherwise expressly provided in any section or ordinance~~s~~, or unless inconsistent with the manifest intent of the ordinance:

~~"Board" or "trustees" means the board of trustees of the Town of Monument.~~ "Charter" means the Monument Home Rule Charter, approved by the voters on November 8, 2022, as subsequently amended, unless the context requires otherwise.

"Code" means the compilation of ordinances codified in this "~~the~~ Monument Municipal Code" as published and subsequently amended~~,~~ unless the context requires otherwise.

"Council Member" or "Member" means a member of the Monument Town Council.

~~The words~~ "~~t~~The County" means the ~~C~~county of El Paso, Colorado.

"Day"~~.~~ ~~A day is~~means the period of time between midnight and the midnight following.

~~Daytime and Nighttime.~~ "Daytime" ~~is~~ means the period of time between sunrise and sunset. ~~"Nighttime" is the period of time between sunset and sunrise.~~

"Following" means next after.

"In the Town" means and includes all territory within the municipal boundaries of the Town based upon the area within its original incorporation plus all annexations and minus all disconnections, and as the context may provide, all other areas over which by law the Town ~~now~~ has~~, or shall hereafter acquire~~s~~; the~~ jurisdiction ~~for the~~to exercise ~~of~~ its police powers or other regulatory powers.

"Month" means a calendar month.

"Municipal Court" means the Municipal Court for the Town of Monument.

"Municipal Judge" means the municipal judge for the Town of Monument.

"Nighttime" means the period of time between sunset and sunrise.

"Oath" ~~shall be constructed to include~~ means an affirmation ~~in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases~~ : the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

"Owner~~,~~" applied to a building or land~~,~~ means and includes any part owner, joint owner, tenant in common, joint tenant, or tenant ~~by this~~ of the ~~entirety, of the~~ whole or any part of such building or land.

"Person" means ~~and includes~~ a firm, partnership, corporation, association, ~~or other~~ organization, ~~acting as a~~ group, ~~or~~ unit, or entity as well as an individual.

"Preceding"~~ Following. The words "pre-ceding" and "following"~~ means immediately previous.~~next before and next after, respectively.~~

"Property" means~~ and includes~~ real, tangible, ~~and~~ intangible, and personal property.

"Public way" means~~ and includes~~ any street, alley, boulevard, parkway, highway, sidewalk, or other public thoroughfare.

"Real property" means~~ and includes~~ lands, tenements, and hereditaments.

"Shall" is mandatory and "may" is permissive.

"Sidewalk" means the ~~portion of~~ paved walkway outside the curb line of the street~~ between the curb line and the adjacent property line,~~ intended for ~~the~~ use~~ of~~ by pedestrians.

"~~The~~ State" means the state of Colorado.

"Street" means~~ and includes~~ any public way, highway, street, avenue, boulevard, parkway, alley, right-of-way, or other public thoroughfare intended for vehicular traffic. Each of the terms used to define "street" are synonymous with each other.~~, and each of such words shall include all of them.~~

"Tenant" or "occupant" applied to a building or land~~, shall~~ includes any person who occupies the whole or a part of such building or land, whether alone or with others.

~~"The state" shall be construed to mean the state of Colorado.~~

"Town" ~~or "this Town"~~ means the ~~T~~town of Monument, Colorado.

"Town Council" or "Council" means the Town Council of the Town of Monument.

"Year" means a calendar year unless otherwise expressed.

All words and phrases shall be read in context and construed ~~and understood~~ according to the rules of grammar and common ~~and approved~~ usage~~ of the language.~~; ~~but technical w~~Words and phrases ~~and such others as may be~~that have acquired a ~~peculiar~~ technical ~~and appropriate~~or particular meaning, whether by legislative definition or otherwise,~~ in the law~~ shall be construed ~~and understood~~ according to such ~~peculiar~~ technical and ~~appropriate~~ particular meaning.

When an ordinance requires an act ~~to~~ be done which may ~~as well~~ be done by an agent ~~as by~~rather than the principal, such requirement~~s~~ shall be construed to include all such acts when done by an authorized agent.

~~The time within which an act is to be done shall be computed by excluding the first and including the last day; but if the time for an act to be done shall fall on Sunday or a legal holiday, the act shall be done upon the day following such Sunday or legal holiday.~~ In computing a period of days, the first day is excluded and the last day is included. If the last day of any period is a Saturday, Sunday, or legal holiday, the period is extended to include the next day which is not a Saturday, Sunday, or legal holiday.

~~Every word in any ordinance~~ Words importing ~~the masculine~~ a grammatical gender shall ~~extend to~~ include all other grammatical genders. ~~and be applied to females as well as males, and associates and bodies corporate as well as individuals, shall be included~~Words importing the neuter

gender shall include natural persons as well as things. The singular includes the plural, and the plural includes the singular. Words in the present tense include the future tense.

~~The title of any section or subsection of this code shall not be deemed to in any way restrict, qualify, or to limit the effect of the provisions set forth and contained in such section or subsection.~~

In all cases where an~~y~~ ordinance ~~shall~~ requires any act ~~to~~ be done in a reasonable time or reasonable notice ~~to~~ be given, such reasonable time or notice shall ~~be deemed to~~ mean only such time ~~only~~ as may be necessary to promptly perform such act or give ~~for the prompt performance of such duty, or compliance with~~ such notice.

1.04.030 Amendments.

Any additions or amendments to this ~~c~~Code shall be ~~adopted as~~ enacted by ordinance~~s~~ ~~as~~ following the procedure required by the Charter~~sState law,~~ and, when passed, ~~in such form as to indicate the intention to make the same a part thereof,~~ shall be incorporated into this ~~c~~Code. ~~so that reference to it as "the code of the Town of Monument" or "Monument Municipal Code" shall be understood as including such additions or amendments.~~

1.04.040 Reserved ~~Severability~~.

~~The provisions of this code are declared to be severable, and if any section, provision or part thereof shall be held unconstitutional or invalid, the remainder of this code shall continue in full force and effect, it being the legislative intent that this code would have been adopted even if such unconstitutional matter had not been included therein. It is further declared that if any provision or part of this code, or the application thereof to any person or circumstances, is held invalid, the remainder of this code and the application thereof to other persons shall not be affected thereby.~~

1.04.050 Effect of repealing ordinances.

Except as expressly provided, the ~~The~~ repeal of any provision of this ~~c~~Code shall not affect any right which has accrued,~~;~~ ~~any~~ duty imposed, ~~any~~ penalty incurred, ~~n~~or ~~any~~ action or proceedings as commenced under or by virtue of the provision repealed, nor the tenure of an office of any person holding office at the time when such repeal shall take effect. The repeal of any provision of this ~~c~~Code shall not revive any provision or ~~any~~ ordinance theretofore repealed or superseded.

Chapter 1.08 TOWN SEAL

1.08.010 Creation of ~~t~~Town seal.

A seal, the impression which is as follows: in the center the words "SEAL, INCORPORATED JUNE 2, 1879" and around the outer edge~~,~~ the words "MONUMENT, COLORADO" is declared ~~to be~~ the seal of the Town ~~of Monument~~.

Chapter 1.12 ELECTIONS

1.12.010 Conducting elections.

Except as otherwise prescribed by the Town Council by ordinance or resolution when calling a special or regular municipal election, such elections shall be governed by the Municipal Election Code of 1965, Article 10, Title 31, C.R.S.

1.12.020 ~~1.12.010~~ Cancellation of election.

Pursuant to Section 31-10-507, C.R.S.,~~The board of trustees may provide that,~~ if the only matter before the voters is the election of persons to office and if, at the close of business on the sixty-fourth day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent, the clerk, if instructed by resolution of the Town Council ~~board of trustees~~, shall cancel the election and by resolution declare the candidates elected. Any election may be cancelled in part for any Town Council offices for which there are not more candidates than the offices to be filled. Upon such declaration the candidates shall be deemed elected. Notice of such cancellation shall be published and posted at each polling place and not less than one other public place.

1.12.030 ~~1.12.020~~ Write-in candidate.

Pursuant to Section 31-10-306, C.R.S., no ~~No~~ write-in vote for any municipal office shall be counted unless an affidavit of intent to be a write-in candidate has been filed with the clerk by the person wishing to be the write-in candidate ~~not later than~~ prior to sixty-four (64) days before the day of the election. The affidavit of intent must indicate the office to which the affiant desires election and that the affiant is qualified to assume the office if elected.

1.12.040 Mail ballot elections. ~~1.12.030 Permanent mail ballot elections~~.

Pursuant to Section 31-10-908, C.R.S., all Town elections shall be conducted by mail ballot.~~The Town of Monument shall conduct permanent mail ballot elections in accordance with Title 31, Article 10 of the Colorado Revised Statutes Municipal Election Code and Monument Municipal Election Code.~~

~~**1.12.040 Permanent absentee voter.**~~

~~A "Permanent Absentee Voter" shall be defined as any active registered voter within the municipal election precinct for the purposes of Mail Ballot Elections not coordinated by the County Clerk and Recorder.~~

1.12.050 Council residential districts.

~~1.~~ As contemplated by Section 2.2 of the ~~Town Home Rule~~ Charter, the boundaries of the ~~council~~ Council residential districts are changed from those set forth in the ~~Home Rule~~ Charter as approved by the electors on November 8, 2022, and are as depicted on Exhibit A attached to Ordinance No. 09-2024. The ~~t~~Town is hereby divided into two residential districts:

~~(a~~A.~~)~~ Residential District 1 shall consist of all the area of land within the ~~t~~Town limits located west of Jackson Creek Parkway, all the area located north of the east-west line of Higby Road as extended, and all the area located south of Baptist Road as extended.

~~(b~~B.~~)~~ Residential District 2 shall be all the area of land within the ~~t~~Town limits ~~that is~~ located east of Jackson Creek Parkway between Higby Road and Baptist Road.

Chapter 1.14 MUNICIPAL CAMPAIGN FINANCE

1.14.010 Complaints; duties of the Town Clerk.

~~(a)~~A. A Town resident ~~of the Town of Monument~~ who believes that a violation of ~~Title 1 of Article 45, C.R.S., commonly known as~~ the ~~"~~Fair Campaign Practices Act~~"~~, Article 45, Title 1, C.R.S. ("FCPA"), has occurred in a Town election may file a written complaint with the Town Clerk~~. This written complaint shall be filed with the Town Clerk~~ no later than thirty (30) days after the violation is discoverable.

~~(b)~~B. Upon receipt of a complaint, the Town Clerk must send notice to the respondent. The respondent has thirty (30) days from the date of the notice to cure the allegations in the complaint or to respond to the complaint. In responding to the complaint, the respondent may request that the hearing officer dismiss the complaint for one or more of the reasons listed in this ~~s~~Subsection ~~(b)~~. If the respondent neither cures the allegations during the thirty-day cure period nor requests that the complaint be dismissed, the Town Clerk must appoint an independent hearing officer who is not an officer or employee of the Town. The hearing officer may dismiss, in ~~his or her~~their discretion, a complaint that does not specifically identify the section of the FCPA that the respondent allegedly violated or a complaint that does not assert facts sufficient to support the alleged violations. The dismissal is final and subject to review by the district court. If the hearing officer does not dismiss the complaint, the Town Clerk must fix a date for the hearing, which must be concluded no later than thirty (30) days from the date the cure period concluded.

~~(c)~~C. The hearing officer has the authority and ability to issue subpoenas as necessary.

~~(d)~~D. The respondent and complainant may present evidence to the hearing officer in the form of testimony, documents, rebuttal testimony, and opening and closing statements. The hearing officer is entitled to examine any witness and request the submission of additional evidence and arguments.

~~(e)~~E. The hearing officer must determine by a preponderance of the evidence if a violation of ~~this article~~the FCPA has been committed. Upon a finding against a respondent, the hearing officer must enter a decision and order any necessary relief. In the case of a violation of ~~C.R.S.~~ § 1-45-117, C.R.S., appropriate relief shall be an order from the hearing officer directing the person who made or caused to be made the contribution or expenditure in violation of that section to reimburse the fund of the Town from which the moneys were diverted for the amount of the contribution or expenditure and any other such ~~other~~ relief as may be appropriate.

The decision of the hearing officer is final and subject to review by the district court. The Town Clerk ~~and recorder~~ and the hearing officer are not necessary parties to the district court review.

~~(f)~~F. ~~Where necessary, t~~The Town Clerk may promulgate ~~any~~ rules necessary for the proper administration of campaign finance complaints, cures, and hearings including, but not limited to, any rules necessary to ensure the complaint, cure, and hearing process is a simplified, ~~and a~~ scalable process designed to enhance the just, speedy, and efficient determination of complaints.

Chapter 1.16 HEARING PROCEDURES

1.16.010 Purpose and applicability.

A. The purpose of the rules of procedure contained in this ~~c~~Chapter is to provide a uniform, consistent, and expeditious method of procedure for ~~the~~ conducting ~~of~~ all hearings held before the ~~board of trustees~~Town Council, or any board, commission, or Town official ~~of the Town~~. The provisions of this ~~c~~Chapter shall be applied uniformly in all such hearings; provided, however, that any board, commission, or official may supplement the provisions of this ~~c~~Chapter by ~~the~~ adopting~~on~~ ~~of~~ further rules of procedure not inconsistent herewith which~~. All rules adopted to supplement the provision of this chapter by any board, commission or official~~ shall be ~~reduced to~~ in writing and copies ~~thereof shall be made~~ available to the public. This Chapter does not apply to personnel matters involving Town personnel.

B. The ~~board of trustees~~Town Council,~~ the planning commission, the board of adjustment,~~ or any board, commission, Town official,~~ other~~ department, or subdivision of the Town is ~~are specifically~~ authorized to refer any matter within their respective jurisdictions ~~not requiring a hearing before the body~~ to a hearing officer who shall conduct a hearing on the matter pursuant to the provisions of this ~~c~~Chapter and/or any other applicable provision of ~~the Municipal~~this Code and render a decision thereon. Such decision shall be a final decision for purposes of appellate review except that an applicant may appeal to the body having jurisdiction over the matter to conduct a hearing to determine whether or not it wishes, in its sole discretion, to conduct an additional hearing to affirm or overrule the hearing officer's determination. Should the body having jurisdiction over the matter not act to schedule a hearing within twenty (20) days of receiving the request for hearing, the decision of the hearing officer shall be considered ~~to be~~ a final appealable order and the applicant shall have no further recourse except through the ~~D~~district ~~C~~court.

1.16.020 Quasi-judicial hearings.

The provisions of Sections 1.16.020 through 1.16.070 shall be applicable only to those hearings where the ~~board of trustees~~Town Council, board, commission, or official is called upon to exercise a power of a judicial or quasi-judicial nature which, for purposes of this ~~c~~Chapter, shall be deemed to consist of the following:

A. Hearings before the ~~board of trustees~~Town Council upon application for ~~the~~ issuance, ~~or hearings for the~~ suspension, or revocation of liquor or fermented malt

beverage licenses; upon all appeals of ordinances which zone or rezone realty; and upon all appeals from ~~the~~ decisions of any Town official, board, or commission~~,~~ where such an appeal is otherwise authorized~~,~~ and ~~which~~ requires an evidentiary hearing to determine such appeal~~, unless such procedure is otherwise provided for under this Code~~.~~;~~

B. Hearings before the board of adjustment upon any decision of the building inspector or upon request for a variance.~~; and~~

C. Hearings before any board, commission, or official respecting ~~the~~ issuance, suspension, or revocation of any license issued by the Town.

1.16.030 Participants ~~R~~rights ~~of participants~~.

All quasi-judicial hearings shall be conducted under procedures designed to ~~i~~ensure all interested parties due process of law and shall, in all cases, provide for the following:

A. ~~The a~~Administration of oaths to all parties or witnesses who appear ~~for the purpose of~~to testify~~ing~~ ~~upon~~ regarding factual matters.~~;~~

B. ~~The c~~Cross-examination, upon request, of all witnesses by the interested parties.~~;~~

C. ~~The stenographic,~~An audio recording or other verbatim~~,~~ reproduction of all testimony presented in the hearing, or an adequate summary of such testimony.~~;~~

D. A clear decision by the hearing body ~~which shall~~ setting forth the factual bases and reasons ~~for~~ supporting the decision rendered.

1.16.040 Order of procedure.

In all quasi-judicial hearings, the following order of procedure shall be followed:

A. Presentation of ~~those~~ documents showing ~~the regularity of the commencement of the proceedings~~ proper jurisdiction of the Town Council, board, commission, Town official, or hearing officer and the form of the public notice given.~~;~~

B. Presentation of evidence by the applicant, petitioner, appealing party, or complainant.~~;~~

C. Presentation of evidence ~~in~~ supporting ~~of~~ the applicant, petitioner, appealing party, or complainant by another person(s).~~;~~

D. Presentation of evidence from any person opposing the application, petition, appeal, or complaint.~~;~~

E. Presentation of evidence ~~in~~ opposing~~tion~~ or rebutt~~al~~ing ~~to~~ the matters presented by the opposition.~~;~~

F. All documents ~~or other items of~~and physical evidence~~,~~ shall be marked as exhibits with such identifying symbols as ~~may be~~are necessary to ~~determine~~ identify the exhibit referred to ~~determine the exhibit referred to~~ by any witness or other person.

1.16.050 Rules of evidence.

The hearing body shall not be required to observe any formal rules of evidence~~,~~ but may consider any matter which a majority thereof concludes is reasonably reliable and calculated to aid the hearing body in reaching an accurate determination of the issues involved.

1.16.060 Deliberation and notice of decision.

Each hearing body is authorized to deliberate upon the issues presented at the hearing in private, nonpublic sessions; provided, however, that no decision shall be effective~~,~~ except upon a vote of members of the hearing body~~,~~ conducted in an open session thereof~~,~~ which shall be duly recorded in the minutes of the public body. Written copies of all decisions shall be delivered to the applicant, petitioner, complainant, and other interested parties~~y~~ requesting the same.

1.16.070 Judicial enforcement and review.

Any party aggrieved by any decision rendered by the hearing body in any quasi-judicial hearing, as well as Town department heads, ~~or~~ authorized Town officials ~~of the Town~~, or the Town itself, may apply to have the decision reviewed by a court of competent jurisdiction~~,~~ in accordance with the provisions of the Colorado Rules of Civil Procedure.

1.16.080 Administrative hearings.

All ~~other~~ hearings which are not quasi-judicial hearings ~~except personnel hearings,~~ before the ~~board of trustees~~Town Council or any board, ~~or~~ commission, or official shall be deemed ~~to be~~ administrative hearings, the purpose of which is to obtain information to enable the board to determine legislative policy or ~~to~~ enable any board, commission, or official to make recommendations to the board on pending legislation. Such hearings shall be conducted in compliance with the provisions of ~~S~~Sections 1.16.090 through 1.16.130 and in ~~such~~ a manner ~~so as to~~which enables any person desiring to be heard a reasonable opportunity ~~for the~~to present~~ation of his or her~~their views. ~~All personnel hearings shall be conducted in a manner as set forth in the Personnel Manual.~~

1.16.090 ~~Commencement~~ Commencing ~~of~~ proceedings.

All proceedings conducted pursuant to the provisions of this ~~c~~Chapter shall be commenced in the ~~matter~~manner provided by the ordinance or statute governing the matter.

1.16.100 Referral to hearing body.

Upon receipt by the Town ~~c~~Clerk ~~of~~ from the secretary of any board, commission, or ~~any~~ other appropriate Town officer ~~of the Town~~, or any application, petition, notice of appeal, complaint, or other instrument initiating a hearing, the same shall be referred to the ~~board of trustees~~Town Council, board, commission, or official having jurisdiction over the matter, and a date, time, and place for hearing thereon shall be set by the ~~board of trustees~~Town Council, board, commission, or official, who shall direct public notice thereof ~~to~~ be given; provided, however, that the ~~board of trustees~~Town Council, ~~or any~~ board, or commission may authorize its clerk or secretary to set a date, time, and place for hearing upon receipt of such instrument without the necessity for action by the ~~board of trustees~~Town Council, board, commission, or official.

1.16.110 Public notice.

Public notice of the date, time, and place of the public hearing shall be given in the manner provided by this Code or ~~s~~State statute. In the absence of ~~s~~State law specifically delineating the manner in which public notice ~~is to~~must be given, notice of the date, time, place, and purpose of the hearing ~~to be held~~ shall be published on the Town's website and posted on the bulletin board located in the Town Hall lobby area ~~of Town Hall~~, not less than fifteen (15) days prior to the hearing date ~~of hearing~~. If notice is required to be provided to any individual for whom the Town has contact information on file (email addresses, phone numbers, or last known addresses), the Town shall provide notice via at least one of the available addresses or phone numbers. The preceding sentence shall not apply to any general circulation notice requirements, such as posting of Town Council meeting agendas.

1.16.120 Preserving order.

Each hearing body shall have the right to preserve order during the hearing and to take such steps as may be necessary to effectuate this, including ~~the~~ ejecting ~~of~~ any disorderly or obstreperous person interfering with the proceedings ~~as may be necessary.~~; ~~and t~~The hearing body may, prior to any presentations and as a condition to ~~the~~ taking ~~of~~ testimony or information from any person, require the registration of all persons desiring to be heard during the hearing~~s~~. ~~It~~ The hearing body may restrict the testimony of any person to the material issues pending before it and, to prevent duplicative or cumulative presentations, ~~it~~ may impose reasonable time restrictions on any person.

1.16.130 Adjournments.

After ~~commencement~~ commencing ~~of~~ any hearing, the hearing body may, if it is deemed necessary to obtain a full presentation, adjourn the hearing from time to time by publicly announcing the ~~fact of such~~ adjournment and the date, time, and place when and where the adjourned hearing shall re-commence, without the necessity of any further published notice thereof.

1.16.140 Land use hearings.

A. Except as may be required by law, no more than five (5) land use applications requiring ~~the~~ formal action by the Town Council shall be placed on any ~~one~~ single meeting agenda, with no more than two (2) of those applications being for review of major subdivisions or planned developments. This provision is designed to allow the Town Council adequate time for consideringation of each agenda item including applicant testimony and public presentations during the public hearing.

B. ~~Withdrawal of Application.~~ Any ~~request~~ application may be withdrawn upon written notice to the Town, but no ~~request~~ application shall be unilaterally withdrawn between ~~the~~ posting the notice of ~~the posting~~ hearing and the scheduled public hearing. The Town Council, in its sole discretion, may approve withdrawal of any item for which posting hearing notice has been accomplished. Absent approval by the Town Council, the hearing shall proceed as scheduled.

C. ~~Continuances.~~ An applicant may, as permitted in subsection ~~(b)~~ B. of this ~~s~~Section, continue a hearing upon written notice to the Town but no application shall be unilaterally continued between posting the notice of hearing and the scheduled public hearing ~~the same restrictions shall apply once posting has been accomplished~~. An applicant shall have the right, prior to posting of public notice, to one continuance. Subsequent continuances shall be granted by the Town Council in its sole discretion. Should an application be continued twice at the request of an applicant, the third continuance requested by an applicant shall be deemed a permanent withdrawal of the application. ~~At such time, should the applicant desire to continue with the process,~~ Thereafter a new application must be ~~initiated~~ submitted including payment of applicable fees for a new application.

Chapter 1.20 GENERAL PENALTY

1.20.010 General penalty—Continuing violations.

~~Whenever~~Any person convicted of violating any ~~in by~~ provision of this C~~c~~ode, ~~or~~ any Town ~~other~~ ordinance~~s~~ or resolution, ~~of the Town~~ or any rule or regulation promulgated under the provisions of this ~~c~~Code~~, any act is prohibited or declared to be unlawful or an offense or a misdemeanor or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or a misdemeanor,~~ where no specific penalty is provided therefor~~, any person who shall be convicted of any violation of any such provision of this code or other ordinance or resolution of the Town hereafter enacted or of such rules or regulations~~ shall be punished by a fine of not more than two thousand six hundred fifty dollars ($2,650.00) or by imprisonment in jail for a period not exceeding ~~ninety (90) days~~ one year, or by both such fine and imprisonment. Such fine amount shall be annually adjusted on January 1 of each year by the annual percentage change in the United States department of labor, bureau of labor statistics, consumer price index for Denver-Aurora-Lakewood, all items, all urban consumers, or its successor index.

Every day any violation of this ~~c~~Code, ~~or~~ any Town~~other~~ ordinance or resolution, ~~of the Town~~ or any rule or regulation promulgated under the provisions of this ~~c~~Code shall continue shall constitute a separate offense.

1.20.020 Aiding and abetting.

Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act declared in this ~~c~~Code to be in violation of the ordinances of this municipality, whether individually or in connection with one or more persons as a principal, agent, or accessory, shall be guilty of such offense, and every person who fraudulently, forcibly, or willfully induces, causes, coerces, requires, permits, or directs another to violate any ordinance of this municipality is likewise guilty of such offense.

CERTIFICATE OF PUBLICATION

I, the duly qualified and Town Clerk of the Town of Monument, Colorado, do hereby certify the foregoing Ordinance No.04_-2025 was approved by the Town Council of the Town of Monument at its regular meeting held on the _th day of February, 2025, and was published on February _, 2025, on the Town's official website for not less than ten (10) days, as shown on the Attached Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Monument, Colorado, this _____ day of February, 2025.

_____
Tina Erickson, Town Clerk

(S E A L)

Exhibit A to Certificate of Publication

[Screenshot showing date and time of website publication]