



December 19, 2019

To Frisco Town Council Candidates:

Thank you for your interest in the Town of Frisco and the possibility of running for an elected official position. The attached information is provided to you as a potential candidate for the upcoming Town of Frisco Municipal Election to be held April 7, 2020. Frisco voters will elect three council members and the mayor at that time. The elected candidates will be sworn in and expected to participate in the April 28th Council meeting. Their four year terms will expire in April 2024.

As a candidate, you are required to secure a minimum of twenty-five registered electors' signatures for the position of which you will be a candidate. The signatures must be of registered voters whose primary residence is within the physical boundaries of the Town of Frisco - a map is enclosed for your reference.

Petitions must be completed and returned to the Town Clerk's office no later than **5:00 p.m. Monday, January 27, 2020** in order for your name to be placed on the ballot. Please ensure the affidavit of circulator and the acceptance of nomination forms are properly executed. Enclosed, please find the Nomination Petition form for your use in securing the required signatures. Additional Nomination Petition forms are available through the Town Clerk's Office. Do not remove staples from petitions – the packet must be returned intact. Signatures on your Nomination Petition will be verified by the Town Clerk against the master Voter Registration List provided by the County Clerk and Recorder's Office. In the event you do not have a sufficient number of signatures, you will have an opportunity to amend your petition and return it within three days of the written notice of insufficiency.

Lastly, the Candidate Affidavit must be filed within ten days of your public announcement as a candidate. You may also file this affidavit at the time you submit your nomination petition. In no case may it be filed later than February 6, 2020. If you have any questions regarding the completion or circulation of your Nomination Petition, please do not hesitate to call.

As a candidate, we encourage you to educate yourself regarding this endeavor. We would like to extend a warm welcome to you and invite you to meet with us to discuss the role of elected officials, and learn more about home rule municipalities and the council-manager form of government. Please contact us at 970-668-9122 to arrange a convenient time to discuss any questions or concerns you may have.

Sincerely,

A handwritten signature in dark ink, appearing to read "Deborah Wohlmuth", written in a cursive style.

Deborah Wohlmuth
Town Clerk

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TOWN OF FRISCO MUNICIPAL ELECTION CALENDAR - APRIL 7, 2020

January 7, 2020 Tuesday	<ul style="list-style-type: none"> First day that nomination petitions may be circulated prior to the regular election. <i>91 days 31-10-909(a)</i>
January 27, 2020 Monday	<ul style="list-style-type: none"> Last day that nomination petitions may be circulated, signed and filed with the municipal clerk. All petitions are considered valid unless the clerk receives objection by mail regarding the affected candidate. The clerk then has 48 hours upon receiving the objection to determine its validity. <i>71 days 31-10-909(a)</i>
February 3, 2020 Monday	<ul style="list-style-type: none"> Last day to amend (cure) defective petitions. <i>64 days 31-10-909(1)(a)</i> Last day for any person who has accepted a nomination to withdraw and submit a written affidavit stating so. <i>64 days 31-10-303</i> Last day that any petition or certificate of nomination to fill a vacancy in nominations must be filed with the Town Clerk. <i>64 days 31-10-304(1)</i>
March 16, 2020 Monday	<ul style="list-style-type: none"> Last day that a person can move into a municipal election precinct and become a resident for purposes of voting in the election. <i>22 days 31-10-201(1)(b)</i> First day a registered elector may file an affidavit of change of address within the municipality with the county clerk in order to vote at the new residence. An elector may file this affidavit on any day through Election Day. <i>22 days 31-10-208</i>
March 17, 2020 Tuesday	<ul style="list-style-type: none"> Contribution report due to the Town Clerk. <i>21 days 1-45-108(2)(a)(ii)</i> Last day for write-in candidates to file affidavit of intent with Town Clerk. <i>21 days 31-10-306</i> Frisco Candidate Forum – 6:30 pm Frisco Town Hall
April 3, 2020 Friday	<ul style="list-style-type: none"> Last day to request “absentee ballot” (by 5:00 p.m.) <i>Friday before election 31-10-1002</i> Contribution report due to the Town Clerk. <i>Friday before election 1-45-108(2)(a)</i>
April 7, 2020 Tuesday	<ul style="list-style-type: none"> Election Day – Mail-In Ballots may be dropped off at Town Hall from 7:00 a.m. – 7:00 p.m.
April 17, 2020 Friday	<ul style="list-style-type: none"> Last day to request a recount of election results. <i>10 days 31-10-1207(2)</i>
April 22, 2020 Wednesday	<ul style="list-style-type: none"> Mandatory and optional recounts must be completed by this day. <i>15 days 31-10-1207 (1)</i>
April 28, 2020 Tuesday	<ul style="list-style-type: none"> Newly elected Council Members take Oath of Office.
May 7, 2020 Thursday	<ul style="list-style-type: none"> Final contribution reports form from candidates due in the Town Clerk’s office. <i>30 days 1-45-108(2)(a)(ii)</i>

*** PLEASE NOTE***

All candidates must file their initial Candidate Declaration form within ten days of returning their completed nomination petition announcing their candidacy to the Town Clerk’s office. CRS 1-45-110(1) and 1-45-110(2)

**TOWN OF FRISCO
REGULAR MUNICIPAL ELECTION
APRIL 7, 2020
CANDIDATE INFORMATION**

Positions Available:

Mayor – four year term currently held by Gary Wilkinson
Council Member – four year term currently held by Jessica Burley
Council Member – four year term currently held by Rick Ihnken
Council Member – four year term currently held by Deborah Shaner

Qualifications for Office:

Persons wishing to run for municipal office must meet the following criteria:

- a. must be a United States citizen
- b. must be at least eighteen years of age
- c. must be a resident of Frisco (*excluding unincorporated areas: Bill's Ranch, Evergreen, Frisco Heights, Frisco Terrace, Giberson Tract, Ophir Mountain, and Wiborg Park*) for twelve consecutive months preceding the date of the election
- d. must be a registered voter
- e. have not been convicted of embezzlement, bribery, perjury, solicitation of bribery, or subornation of perjury

Precincts and Election Information:

Frisco has one election precinct for all regular and special elections of the Town, the boundary being the same as the corporate limits of the Town. The Town of Frisco will conduct its regular elections by mail ballot. In a mail ballot election, ballots are mailed to all active, registered electors within the Frisco town limits who appear in the County's voter registration records as of 29 days prior to the election. There are no polling places in a mail ballot election other than an on-site polling place in the Town Hall.

Campaigning:

Campaigning at the Town Hall, Post Office or on public land is prohibited.

Nomination Petitions:

Nomination petitions may be circulated beginning January 7th, and must be returned to the Town Clerk's office no later than 5 p.m. on Monday, January 27th. Nomination petitions must be signed by at least twenty-five registered voters residing in the Town of Frisco, excluding unincorporated areas: Bill's Ranch, Evergreen, Frisco Heights, Frisco Terrace, Giberson Tract, Ophir Mountain, and Wiborg Park. It is recommended that more than twenty-five signatures are obtained in the event some are held invalid. Checking the validity of individual signatures is the responsibility of the Town Clerk. Rules and regulations governing election procedures provided by the Secretary of State will be used to determine if the signatures are rejected or accepted.

Each registered voter signing a petition shall provide a printed name, signature and place of residence. The circulator of each nomination petition shall make an affidavit that each signature thereon is the signature of the person whose name it purports to be and that each signer has stated to the circulator that he is a registered voter of the Town of Frisco.

No registered voter shall sign more than one nomination petition for each separate office to be filled in his municipality. A registered voter may only sign one petition for Mayor and three petitions for Council seats in the 2020 Municipal Election.

Fair Campaign Practices Act:

The reporting requirements of the Fair Campaign Practices Act apply to all candidates. All forms are filed with the Town Clerk. It is the responsibility of the candidate to become familiar with and follow the provisions of this Act. The Colorado Fair Campaign Practices Act as well as reporting forms are included in this packet for your reference.

Ballot Order:

So far as the order in which the candidates' names shall appear on a ballot, Colorado Revised Statutes have been amended to provide that "The names shall be arranged by lot as prescribed by the municipal clerk under the designation of the office."

Therefore, at 5:00 p.m., on January 27th, after the nomination petition deadline, the candidates will appear before the Town Clerk and roll the die. Upon rolling the die, the sum of the numbers face up on the one toss will be recorded by the candidate's signature on the petition. A copy will be given to the candidate for their records. After every candidate has an opportunity to roll the die and all numbers have been recorded, the clerk shall arrange the names of candidates with the highest number listed first on the ballot, the second highest number second, and so on.

Voter Registration Lists:

Voter registration lists and mailing labels are available from the Summit County Clerk's office in Breckenridge. Registration lists are \$25.00 and mailing labels are \$25.00 set up fee and \$.05 per name. There are approximately 2068 active registered voters in Frisco. For more information, call 970-453-3479.

Signage:

Any campaign signs or posters attached, affixed or applied to any piece of public land including but not limited to stop signs, telephone poles or guardrails will be promptly removed and disposed of. Per the Code of the Town of Frisco, Chapter 180, Zoning, Section 180-22, General Regulations, political signs may not exceed six (6) square feet and may not be erected more than forty-five days prior to the Election. All signs must be removed no later than three days following the election (Friday, April 10th). These signs are considered exempt from the sign code and do not need a permit. For more information on sign regulations please contact the Community Development Department at (970) 668-5276 x 3041.

Withdrawal From Nomination:

A candidate whose nomination petition has been properly completed and certified may withdraw from nomination by filing a sworn statement with the Town Clerk's Office prior to February 3rd.

**TOWN OF FRISCO
MUNICIPAL ELECTION NOMINATION PETITION
INSTRUCTIONS AND GENERAL INFORMATION**

This petition is for the purpose of nominating a candidate for the regular municipal election to be held Tuesday, April 7, 2020.

Candidates for the office of Mayor or Town Council for the Town of Frisco, Colorado must:

- Be a United States Citizen
- Be at least eighteen years of age
- Be a qualified voter in the Town of Frisco (excluding unincorporated areas: Bill's Ranch, Evergreen, Frisco Heights, Frisco Terrace, Giberson Tract, Ophir Mountain, and Wiborg Park) for at least one year prior to the election date
- Have not been convicted of embezzlement, bribery, perjury, solicitation of bribery, or subornation of perjury

In order to be valid, the petition must contain a minimum of twenty-five signatures from registered voters residing in Frisco, excluding unincorporated areas: Bill's Ranch, Evergreen, Frisco Heights, Frisco Terrace, Giberson Tract, Ophir Mountain, and Wiborg Park. No registered voter shall sign more than one nomination petition for each separate office to be filled in his municipality.

The deadline for filing petitions is 5:00 p.m. January 27, 2020.

This petition is not considered complete unless all of the following components are submitted and completed.

- Petition for Nomination
- Affidavit of Circulator
- Acceptance of Nomination

Return the completed petition to: Deborah Wohlmuth, Town Clerk
Frisco Town Hall
1 Main Street / Post Office Box 4100
Frisco, CO 80443-4100



Memorandum

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: TOWN COUNCIL CANDIDATES
FROM: DEBORAH WOHLMUTH, TOWN CLERK
RE: CANDIDATE BIOGRAPHIES
DATE: DECEMBER 19, 2019

The Town of Frisco will post Town Council candidate biographies at www.frisco.gov. January 28th – April 8th. Please include the following information when submitting your candidate petitions to Town Clerk Deborah Wohlmuth, due no later than January 27th.

Candidate Profile – Please complete the following questions:

Name: _____

How long have you lived in Frisco: _____

Prior Experience - Career Information: _____

Civic Engagement: _____

Educational Background: _____

Narrative:

Present 250 words regarding why you want to serve on Frisco's Town Council; what you believe the top issues facing the Town are; or any relevant information you wish to share with the citizens. You may attach a separate sheet for your narrative.

Color Photo:

Please include a color digital photograph of yourself – head shots only. Photos will be sized equally for placement on the candidates' page of our website, and may be used in media press releases. E-mail the digital image as a jpg file at 300 dpi to deborahw@townoffrisco.com by Monday, January 27th at 5:00 p.m. Contact me if you prefer that staff takes your photograph.

CANDIDATE INFORMATION REGARDING THE FAIR CAMPAIGN PRACTICES ACT

This is intended as a summary of key points for municipal candidates, and does not replace qualified legal advice. Please refer to the Fair Campaign Practices Act (FCPA) in its entirety for detailed information. Forms and general information are available through the Secretary of State web site www.sos.state.co.us. All candidates for municipal office must comply with the requirements of the Fair Campaign Practices Act. All documents required to be filed by municipal candidates by this Act must be filed with the Frisco Town Clerk's Office (1-45-109).

Candidate Affidavit:

A "Candidate" for purposes of the FCPA is a person who seeks nomination or election to public office C.R.S. 145-103 (1.5). If you meet this definition, you must file the Candidate Affidavit form within ten (10) days of becoming a "Candidate". 1-45110 (1). Failure to file this form will result in the disqualification of the person as a candidate 145-110 (3). It is best to file this form with the candidate petition.

Candidate Statement of Non-Receipt of Contributions or Non-Expenditure of Funds:

Use this form if you did not receive contributions *and* did not spend any of your own money on your campaign.

Statement of Personal Expenditures by a Candidate:

Use this form if you spent your own money on your campaign, but did not receive any contributions.

Committee Registration Forms:

Means a person, including the candidate or person with the common purpose of receiving contributions or making expenditures under the authority of a candidate. A contribution to a candidate shall be deemed a contribution to the candidate's committee. A candidate shall have only one candidate committee.

Penalties:

House Bill 01-1390 amended the penalty for late filing to \$50 per day. Failure to file any reports required by this Act will be fined per day and may be considered a class two misdemeanor. C.R.S. 145-113 as amended by HB 01-1390.

ALL REPORTS ARE DUE ON THESE DATES

March 17, 2020 – 21 days before from the election

April 3, 2020 - Friday before the election

May 7, 2020 – 30 days after the election

All FCPA forms can be found in the back pocket of this packet.

**TOWN OF FRISCO
REGULAR MUNICIPAL ELECTION
APRIL 7, 2020
GENERAL COUNCIL INFORMATION**

Membership:

The legislative affairs of the Town shall be vested in a Town Council consisting of six (6) Council members and the Mayor, all of whom shall be nominated and elected at large from the Town.

Powers of the Council:

The Council shall be the governing body of the Town and have all legislative powers and all other powers possessed by the Town and not conferred by this Charter on others.

Term Limits:

No person may serve as Mayor or Councilmember, or any combination thereof, for more than three (3) consecutive terms. Any person appointed or elected to fill a vacancy on the Town Council and who serves one-half or more of the term of office shall be considered to have served a term. Terms are considered consecutive unless they are at least two years apart.

Meeting Schedule:

The Frisco Town Council holds their regular meetings in the Town Council Chambers on the second and fourth Tuesday of each month beginning at 7:00 p.m. Work sessions are held on the same days as the regularly scheduled meetings generally beginning at 4:00 p.m. with a dinner break scheduled from 6:00 to 7:00 p.m.

If any member of Council shall miss four (4) consecutive regular meetings of the Council or twenty-five (25%) percent of such meetings in any fiscal year of the Town, unless such absences shall be excused by the Council and the reason therefore entered in the proceedings of the Council at the time of such absence, such absenteeism shall constitute misconduct in office.

Other Time Commitments:

Town Council Members are appointed to various boards, commissions, and committees, which meet outside of the regularly scheduled Town Council meetings. Time commitments vary greatly with the specific needs of each group. The spreadsheet showing committees which require Council participation and/or Council appointed positions is included in this packet for your reference.

Salary:

The Mayor shall receive a monthly salary of \$950.00 and each Town Council member will receive a monthly salary of \$500.00.

Council Packets:

Town Council meeting agenda packets will generally be available by 5pm the Friday prior to the regularly scheduled Town Council meetings.



FRISCO TOWN COUNCIL MISSION STATEMENT

To preserve a family-oriented and economically vibrant mountain community that encourages citizen involvement, respects our community character and natural environment, and enhances our quality of life.










2019 - 2020

TOWN OF FRISCO STRATEGIC PLAN



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Frisko Town Council



Mayor Gary Wilkinson



Mayor Pro-tem
Hunter Mortensen



Jessica Burley



Dan Fallon



Rick Ihnken



Deborah Shaner



Melissa Sherburne



INCLUSIVE COMMUNITY

Description: An inclusive community includes families of all backgrounds and income levels, where diverse interests and ideas are welcomed; a community striving to ensure there are a variety of housing options, childcare, and educational opportunities for its residents; a community where vibrancy abounds and its leaders consider the impact of their decisions from social equity, environmental, and economic perspectives.

Actions/Goals	Dept.	Milestones
<u>Town Council High Priority Goal: Implement Housing Solutions</u> <ul style="list-style-type: none">➤ Adopt 5-Year “2019-2025 Frisco Strategic Housing Plan (FSHP)”<ul style="list-style-type: none">○ Utilize Housing Task Force Final Report and Recommendations○ Identify 1, 3, 5- year Implementation Plan, with funding sources➤ Implement Colorado Department of Transportation (CDOT) partnership to develop housing project<ul style="list-style-type: none">○ Adopt Town of Frisco (TOF)/CDOT Memorandum of Understanding○ Design and cost analysis phase○ Adopt development agreement identifying funding/development partners○ Entitlement and construction phase➤ Pre-planning for next project➤ Assign critical milestones to next project identified in FSHP	CDD	Aug, 2019 July, 2019 Sept-Jan,2020 Feb, 2020 2020-2021 Oct, 2019
<u>Goal: Strengthen Affordable Housing Deed Restrictions Covenants</u> <ul style="list-style-type: none">➤ Present options to Town Council considering alternatives and impacts➤ Adopt optional program for residents in deed restricted housing	TM	June, 2019 Sept, 2019

Strategic Priority: Inclusive Community

Actions/Goals	Dept.	Milestones
<u>Goal: Conduct Community Survey</u> <ul style="list-style-type: none"> ➤ Conduct statistically valid community survey to gather community input ➤ Provide findings and recommendations to Town Council 	TM	Nov, 2019 Feb, 2020
<u>Goal: Improve Community Engagement</u> <ul style="list-style-type: none"> ➤ Implement Town Council recap "Catch up on Council" newsletter biweekly ➤ Establish a Citizen Academy ➤ Increase social media subscribers by 15% 	Comm Comm/ TM	✓ Complete Jan, 2020 April, 2020
<u>Goal: Adopt Unified Development Code Amendments</u> <ul style="list-style-type: none"> ➤ Amend Historic Overlay <ul style="list-style-type: none"> ○ Inventory complete - Aug, 2019; Town Council Draft - Nov, 2019; Planning Commission - Jan, 2020; Town Council - March, 2020 ➤ Amend Central Core District land uses ➤ Amend parking regulations for TOD (Transit-Oriented Development) best practices ➤ Amend workforce housing regulations (incentives and code) ➤ Amend sustainability regulations <ul style="list-style-type: none"> ○ Implementation of the SolSmart zoning analysis, Climate Action Plan, and other code topics 	CDD	March, 2020 March, 2020 March, 2020 March, 2020 March, 2020
<u>Goal: Complete Granite Street Redesign Plan</u> <ul style="list-style-type: none"> ➤ Obtain visionary direction from Town Council ➤ Issue Request for Proposals for design consultants ➤ Host public outreach meetings, gather Town Council and community input, present conceptual designs for construction options in 2020 	CDD/ PW	June, 2019 Dec, 2019 / Jan, 2020



THRIVING ECONOMY

Description: The Town of Frisco strives to create a thriving and sustainable economy for our community by encouraging a variety of businesses, improving Summit Boulevard showcasing our exceptional mountain community, beautiful Dillon Reservoir, outstanding recreation, and drawing locals and visitors to Frisco's iconic and bustling Main Street where dining, shopping, exploring history, and meeting friends is where our community comes together.

Actions/Goals	Dept.	Milestones
<u>Goal: Adopt and Implement Community Plan</u> <ul style="list-style-type: none">➤ Adopt Community Plan➤ Prioritize critical milestone achievements to ensure implementation➤ Integrate action steps into Strategic Plan goals, 2020 Budget	CDD	Aug, 2019 Summer, 2019 Summer, 2019
<u>Goal: Develop Main Street Master Plan</u> <ul style="list-style-type: none">➤ Confirm Town Council goals and project scope➤ Select consultant➤ Host community meetings➤ Adoption of final plan by Town Council	CDD	Fall, 2019 Winter, 19/20 March, 2020
<u>Goal: Implement Short-term Rental Regulations</u> <ul style="list-style-type: none">➤ Evaluate compliance➤ Evaluate regulations	Finance / PD	July 2019 Jan, 2020

Strategic Priority: Thriving Economy

Actions/Goals	Dept.	Milestones
<u>Goal: Complete Landscape Design for CDOT Gap Project</u> <ul style="list-style-type: none"> ➤ Consultant selected, design team in place ➤ Present conceptual designs & cost options to Town Council ➤ Identify funding options and present final design to Town Council ➤ Establish critical milestones for implementation coincide with Gap Project 	Public Works	✓ Complete June, 2019 Aug, 2019 Fall, 2019
<u>Goal: Evaluate Visitor Economic and Community Impact</u> <ul style="list-style-type: none"> ➤ Propose budget for visitor economic and community impact study for 2020 ➤ Identify outcome expectations, select consultant, launch study ➤ Present preliminary findings 	Comm	Aug, 2019 Jan-Feb, 2020 Summer, 2020
<u>Goal: Evaluate Public Parking Needs and Enforcement Efficacy</u> <ul style="list-style-type: none"> ➤ Conduct inventory on Main Street and surrounding streets ➤ Outreach to businesses and employees ➤ Identify areas for possible improvements (red/yellow curbs, signage) ➤ Identify possible employee parking options ➤ Obtain business' feedback of increased enforcement ➤ Present findings to Town Council 	CDD PD/ Comm	✓ Complete July, 2019 Summer, 2019 “ “ “ “ Oct, 2019



SUSTAINABLE ENVIRONMENT

Description: The Town of Frisco will take action to collaboratively protect and sustain our treasured environment, by ensuring new development achieves a balance between the natural and built environment and implementing initiatives to address climate change. In furtherance of a holistic approach, the Frisco Town Council supports a sustainable human ecosystem comprised of our inspiring natural environment, our history and culture, the integration of arts, promoting a thriving economy, and engaging our community.

Actions/Goals	Dept.	Milestones
<u>Town Council High Priority Goal: Adopt & Implement Climate Action Plan</u> <ul style="list-style-type: none">➤ Adopt the Summit Climate Action Plan➤ Adopt a 100% Renewable Electricity Goal➤ Complete energy audit of all Town facilities➤ Include Climate Action implementation actions/goals in 2020 budget➤ Identify and implement key 'milestones to achieve measurable results➤ Adopt Summit Sustainable Building Code	All Depts	✓ Complete ✓ Complete July, 2019 Oct, 2019 Fall, 2019 Dec, 2019
<u>Goal: Obtain SolSmart Silver Designation</u> <ul style="list-style-type: none">➤ Identify barriers and opportunities to solar installations in Unified Development Code, processes and fees➤ Streamline solar permit process and fees➤ Promote new SolSmart process➤ Identify and propose policies/code amendments needed for implementation	CDD	✓ Complete July, 2019 Sept, 2019 March, 2020

Strategic Priority: Sustainable Environment

Actions/Goals	Dept.	Milestones
<u>Goal: Reduce Waste</u> <ul style="list-style-type: none"> ➤ Present consideration of Bag Ban to Town Council <ul style="list-style-type: none"> ○ Present options, business impacts, and resolution for consideration ○ Promote Town Council decision to educate the public and businesses ➤ Adopt Zero Waste Event Requirements <ul style="list-style-type: none"> ○ Present options to Town Council, cost and event impacts ○ Adoption of resolution by Town Council for implementation at 2020 events ➤ Promote Reusable Water Bottle Use <ul style="list-style-type: none"> ○ Distribute 2,500 reusable water bottles with pledges ○ Install three new water stations throughout town ○ Create video promos, outreach campaign for bottle reduction ➤ Identify other opportunities to reduce waste and develop a plan of action ➤ Finalize Town Hall dumpster enclosure to reduce waste and wildlife incursion ➤ Increase trash pick-up by adding two mini clean-up days to event schedule targeting business participation ➤ Increase use of electronic sales tax filing, water payment system by 10% 	TM/ Comm Green T/ Comm Comm Finance	July, 2019 Aug, 2019 Oct, 2019 Summer, 2019 Dec, 2019 Apr, 2020 Summer, Fall Dec, 2020
<u>Goal: Implement Water Efficiency Plan: (1) Water Conservation</u> <ul style="list-style-type: none"> ➤ Adoption by Town Council of new water rates with baseline/ usage rate changes ➤ Authorization by Town Council for new conservation program incentives ➤ Implement and promote participation in water conservation ➤ Evaluate usage and effectiveness (reduction in water usage) 	Finance Finance Comm PW	June, 2019 June, 2019 Summer, 2019 June, 2021

Strategic Priority: Sustainable Environment

Actions/Goals	Dept.	Milestones
<u>Goal: Implement Water Efficiency Plan: (2) Improve Water Infrastructure</u> <ul style="list-style-type: none"> ➤ Authorization of new water rates by Town Council to fund infrastructure improvements ➤ Establish five-year prioritized capital investment and investment program ➤ Include in 2020 CIP and fiscal operating budget ➤ Construct priority projects to improve water infrastructure 	Finance /PW	June, 2019 Sept, 2019 Oct, 2019 Summer, 2019
<u>Goal: Develop Frisco Historic Park and Museum Long-Range Plan</u> <ul style="list-style-type: none"> ➤ Review current and future uses of park and recommendations <ul style="list-style-type: none"> ○ Evaluate options for additional park amenities ○ Consider uses for 1st and Main building ○ Prepare and present options for Town Council consideration & funding 	CDD/ Rec	Aug, 2019 Nov, 2019
<u>Goal: Establish a Plan for the Excelsior and Lund Houses</u> <ul style="list-style-type: none"> ➤ Identify all options for relocation of Excelsior and Lund Houses ➤ Prepare a robust option list for Town Council consideration ➤ Present options to Town Council 	CDD/ Rec	Summer, 2019 Sept, 2019



VIBRANT RECREATION

Description: The Town of Frisco recognizes the importance of its recreational opportunities as essential to the Town's vibrancy, providing unique opportunities for visitors and locals to explore, play, experience, and share with the broader community; the Town of Frisco's Peninsula Recreation Area/Adventure Park, Waterfront Marina, along with hiking, biking, Nordic skiing, and snow tubing are central to the community's economic vitality and therefore a high priority for the Town Council to maintain, sustain, and protect for future generations.

Actions/Goals	Dept.	Milestones
<u>Goal: Improve Frisco Bay Marina</u> <ul style="list-style-type: none"> ➤ Issue revenue bonds to fund improvements ➤ Complete Big Dig project – currently underway ➤ Complete Phase 1 construction – currently underway ➤ Complete Wetlands Mitigation project ➤ Install new docks and fuel dock ➤ Prioritize future projects and funding ➤ Measure cost/benefit 	Finance Rec and PW	✓ Complete June, 2019 June, 2019 Sept, 2019 Aug, 2019 Aug, 2019 Annually
<u>Goal: Evaluate Current / Future Uses of Peninsula Recreation Area</u> <ul style="list-style-type: none"> ➤ Conduct full-site evaluation utilities and as-builts ➤ Identify and describe all current uses; and capacity ➤ Select consultant team: park planning, conceptualls, cost estimates ➤ Evaluate opportunities for new revenue streams ➤ Consider potential future uses (programming and buildings) ➤ Propose recommendations for priority based budgeting ➤ Present to Town Council for short and long-term prioritization and budgeting 	Rec and PW	Summer/Fall Summer/Fall Summer/Fall Summer/Fall Jan, 2020

Strategic Priority: Vibrant Recreation

Actions/Goals	Dept.	Milestones
<u>Goal: Conduct Parks Master Planning</u> <ul style="list-style-type: none"> ➤ Complete conceptual design for four community parks ➤ Present findings to Town Council ➤ Prioritize and fund project in 2020 Budget ➤ Construct park improvements aligned with Town Council priorities 	CDD/ Rec	June, 2019 June, 2019 Oct, 2019 Summer, 2020
<u>Goal: Implement Trails Master Plan</u> <ul style="list-style-type: none"> ➤ Anticipated USFS approval for 4.4 mi Nordic trail, 10.25 mi multi-use trail, 5.9 mi perimeter trail ➤ Construct trail improvements ➤ Funding and prioritization for next steps and phases 	Rec/ PW	June, 2019 Summer, 2019 July, 2019
<u>Goal: Construct 2nd and Belford Connector Trail</u> <ul style="list-style-type: none"> ➤ Complete connector path to expand trails and increase ped/bike safety 	PW	Aug, 2019
<u>Goal: Construct Wal-Mart Pedestrian Path</u> <ul style="list-style-type: none"> ➤ Survey/procure easement if needed ➤ Design and construct 	PW	July, 2019 Oct, 2019
<u>Goal: Evaluation Potential Fieldhouse Feasibility</u> <ul style="list-style-type: none"> ➤ Present draft feasibility to Mayors, Managers, Commissioners ➤ Present study and cost analysis to Town Council ➤ Implement Town Council direction for next steps 	Rec	✓ Complete June, 2019 2019 – 2020

Strategic Priority: Vibrant Recreation

Actions/Goals	Dept.	Milestones
<u>Goal: Increase Awareness of Frisco's Amenities</u> <ul style="list-style-type: none"> ➤ Complete full redesign and relaunch of TownofFrisco.com ➤ Increase time spent on website, decrease bounce rate and increase page views ➤ Identify alternative methods to promote full range of Frisco's recreational opportunities ➤ Establish participations goals with Recreation Department 	Comm	Nov, 2019 Nov, 2020 Nov, 2019



QUALITY CORE SERVICES

Description: Providing quality core services are the heart of the Town of Frisco. The Town Council places a high priority on a balanced and fiscally sustainable budget considering long and short-term economic indicators to prudently maintain our critical infrastructure, sustain general services, support and improve our recreation and visitor economy, communicate effectively to actively engage residents, attract and retain high-performing personnel to deliver exceptional service to the public, provide essential public safety services, maintain the Town's public resources, and protect and preserve the Town's historic community.

Actions/Goals	Dept.	Milestones
<u>Town Council High Priority Goal: Identify New Revenue Streams</u> <ul style="list-style-type: none">➤ Analyze a variety of options to produce new on-going revenue stream(s) (e.g. Summer tubing, ice rink, additional recreational rentals/uses)➤ Conduct a thorough cost-of-service study to collect appropriate fees for the provision of services➤ Present options and recommendations to Town Council for consideration	Finance	Fall, 2019 Through Spring 2020 Feb, 2020
<u>Town Council High Priority Goal: Strengthen Infrastructure Resiliency</u> <ul style="list-style-type: none">➤ Complete full scope life cycle assessment of all Town infrastructure to develop 5 to 10-year Asset Management and Replacement Plan➤ Present to Town Council for adoption of funding plan	Public Works	2019-2020 Mid-2020

Strategic Priority: Quality Core Services

Actions/Goals	Dept.	Milestones
<u>Goal: Develop Five-Year Financial Forecasting Model</u> <ul style="list-style-type: none"> ➤ Create five-year financial forecasting model for long-range financial planning ➤ Include with annual budgeting process each year 	TM / Finance	Oct, 2019
<u>Goal: Strengthen Public Engagement with Town Council</u> <ul style="list-style-type: none"> ➤ Launch "Catch-Up with Council" after-action Council newsflash ➤ Hire professional team to improve audio-visual technology in Chambers ➤ Upgrade Council Chambers to accommodate new AV ➤ Increase opportunities for public engagement with Town Council by promoting Council discussions on social media and elsewhere 	TM / Clerk	✓ Complete June, 2019 July, 2019 Summer, 2019
<u>Goal: Improve Accessibility of Town Code for Residents</u> <ul style="list-style-type: none"> ➤ Re-Codification of Town Code ➤ Implement cloud-based hosting of Town Code ➤ Promote and measure usage of new searchable online features 	Comm / Clerk	April, 2020
<u>Goal: Improve Housing Administration</u> <ul style="list-style-type: none"> ➤ Evaluate administration of housing programs ➤ Obtain Town Council approval to consolidate administration into one department (CDD) to align priorities, foster coordination among departments and neighboring agencies, reduce inefficiencies, enhance administration of program and expand probability of increasing supply of affordable and workforce housing projects ➤ Evaluate cost/benefit to outsource routine maintenance of employee housing 	TM	✓ Complete Aug, 2019 Summer, 2019

Strategic Priority: Quality Core Services

Actions/Goals	Dept.	Milestones
<u>Goal: Retain Fully Staffed Police Department</u> <ul style="list-style-type: none"> ➤ Propose new salary schedule to address retention ➤ Identify alternative recruitment streams ➤ Promote Frisco PD through recruiting video and new outreach ➤ Identify housing opportunities 	PD	July, 2019
<u>Goal: Improve Police Department Core Services</u> <ul style="list-style-type: none"> ➤ Evaluate parking and code enforcement prioritizing key areas of concern ➤ Design and propose remodel of Squad Room ➤ Promote Frisco PD's outstanding service 	PD	Summer, 2019 Sept, 2019 On-going
<u>Goal: Increase Police Officer Training</u> <ul style="list-style-type: none"> ➤ Create robust training program to include: CIT training, active shooter, negative Bias training, Krav maga, and as-needed ➤ Recognize training achievements 		In-process As completed
<u>Goal: Evaluate and Improve Town Employee Safety</u> <ul style="list-style-type: none"> ➤ Identify all target hardening locations ➤ Propose solutions ➤ Conduct employee all-hands training exercise 		In-process Summer, 2019

Strategic Priority: Quality Core Services

Actions/Goals	Dept.	Milestones
<u>Goal: Preserve Finance Department Core Services</u> <ul style="list-style-type: none"> ➤ Produce balanced budget annually implementing Town Council priorities ➤ Increase usage of paperless billing and reporting to increase department efficiencies (sustainability goal) ➤ Implement appropriate procedures to ensure all Municipal Bond reporting requirements are completed timely and in compliance with regulations ➤ Provide quarterly revenue/expense comparisons to monitor net cash flow ➤ Produce meaningful "Community Scorecard" to inform residents of Town's actions and activities; for 2020 align with Council strategic priorities ➤ Analyze employee relations, training, recruitment and retention efforts to identify areas for improvement 	Finance	Annually Dec, 2019 On-going Quarterly Annually Fall, 2019
<u>Goal: Enhance Public Works Core Services</u> <ul style="list-style-type: none"> ➤ Complete site work at Public works shop ➤ Revamp street design criteria and ROW permits ➤ Develop 5-year vehicle/equipment replacement schedule ➤ Complete drainage improvements on Creekside Drive and Emily Lane <ul style="list-style-type: none"> ○ Construct drainage improvements at this intersection to solve storm water drainage and ponding issues and improve storm water quality ➤ Construct second phase of Teller Alley (3rd Ave. – 5th Ave.) ➤ Operate Water Treatment Plant Intake structure more efficiently year-round <ul style="list-style-type: none"> ○ Rehab intake structure and install stream measurement ➤ Improve drainage around Water Treatment Plant ➤ Evaluate snow removal operations to identify areas of improvement, including addressing staffing concerns for on-call periods 	PW	July, 2019 ✓ Complete Dec, 2019 Sept, 2019 Sept, 2019 On-going Nov, 2019 Summer, 2019

Strategic Priority: Quality Core Services

Actions/Goals	Dept.	Milestones
<u>Goal: Attract and Retain High-Performing Employees</u> <ul style="list-style-type: none"> ➤ Align employee recognition awards with Town Council strategic priorities ➤ Promote Frisco as the Best Place to Work – videos, marketing ➤ Identify retention concerns and solutions to address ➤ Provide new training opportunities for employees throughout the year ➤ Implement online benefits portal to expand employee's understanding of benefits (measured by employee surveys) ➤ Increase employee awareness and engagement opportunities ➤ Develop meaningful succession planning program (tiered performance based position advancement opportunities) ➤ Conduct employee surveys to measure progress in meeting goals ➤ Provide Total Compensation Report with job offer to all year round full time and year round 10 month new hires ➤ Increase MyFit program participation by 10% from 2018 numbers 	HR	Fall, 2019 Dec, 2019 Dec, 2019 On-going Jan, 2020 April 2020 Dec, 2020 Bi-Annually March, 2020 Dec, 2019
<u>Goal: Evaluate Recreation Department Core Services</u> <ul style="list-style-type: none"> ➤ Provide exceptional customer service for wide range of recreational programs as evaluated through user-surveys; identify areas to improve efficiencies and services ➤ Evaluate recruitment and retention methods for seasonal employees; determine cost/benefit of strategies; implement ideas to improve net results ➤ Evaluate Marina operations following completion of new improvements to gauge cost/benefit and track revenues aligned with Bond estimates ➤ Compare service charges to cost of service provided to ensure appropriate service charges are implemented (with Cost Analysis Study) ➤ Identify areas for service expansion and program improvements 	Rec	On-going; Summer survey Summer, 2019 2020 – 2021

Strategic Priority: Quality Core Services

Actions/Goals	Dept.	Milestones
<u>Goal: Enhance Community Development Department Core Services</u> <ul style="list-style-type: none"> ➤ Continue to provide courteous services to applicants; conduct customer service survey to obtain feedback; ➤ Evaluate permitting process times; identify improvements to increase efficiency and reduce processing times when feasible (tracking of permitting times this summer) ➤ Implement new building permit software to increase permitting efficiencies ➤ Complete digital archiving of large volume of historic paper files to improve community accessibility to historical plans and records and reduce response times retrieving documents (1 box scanned per week) ➤ Adopt 2018 ICC Construction Codes 	CDD	Survey: Fall, 2019 Fall, 2019 Fall, 2020 April, 2020 Dec, 2019
<u>Goal: Boost Communications Department</u> <ul style="list-style-type: none"> ➤ Align full scope of Communication's Department activities (events, marketing, communications, website / outreach, promotions, public information sharing) to Town Council priorities ➤ Identify areas of responsibility for consolidation and streamlining ➤ Propose organizational staffing solutions to address consolidation, manage events, retain high-performing employees ➤ Evaluate return-on-investment of signature events – combined with Visitor Economic and Community Impact Study (Goal: Thriving Economy) 	Comm	In-progress Summer, 2019 July, 2019 Winter, 2020

Chapter 15
CODE OF ETHICS

- § 15-1. Purpose.**
- § 15-2. Definitions.**
- § 15-3. Rules of Conduct for Board Members and Employees.**
- § 15-4. Voting Prohibited in Certain Instances.**
- § 15-5. Voting Required.**
- § 15-6. Duties of the Town Attorney.**
- § 15-7. Exemptions.**
- § 15-8. Nepotism.**
- § 15-9. Violations and Penalties.**

[HISTORY: Adopted by the Mayor and Town Council of the Town of Frisco 5-1-01, Ord. 01-09. This ordinance also repealed former Ch. 15, Code of Ethics, Adopted 4-4-89, Ord. 89-12; 11-20-84, Ord. 84-08. Amendments noted where applicable.]

§ 15-1. Purpose. [Amended 11-28-06, Ord. 06-35]

- A. The purpose of this chapter is to promote public confidence in the town government, to maintain conformity with the provisions and intent of the Town Code and Town Charter and to provide guidance in the event of real or potential conflicts of interest to the town employees and members of the Town Council and to the boards, commissions, committees and other authorities operating on behalf of the Town of Frisco. This chapter is intended to foster public trust by defining the parameters of honest government and by prohibiting the use of public office for private gain.
- B. While it is critical that board members and employees follow both the letter and spirit of this chapter, it is equally important that they strive to avoid situations that may create public perceptions of violations of this chapter. Perceptions of such violations can have the same negative impact on public trust as actual violations.

§ 15-2. Definitions.

The following terms and words, for purposes of this chapter, shall have the meanings indicated:

APPEAR ON BEHALF OF - To act as a witness, advocate, or expert or otherwise to support the position of another person.

BOARD - The Town Council, the Planning Commission, the Board of Appeals and such other boards, commissions, committees or other authorities operating on behalf of the Town of Frisco as the Town Council may from time to time determine.

BOARD MEMBER - A member of any board, including regular and alternate members and the mayor and council members, but does not include any full-time or part-time town employee, unless the employee is also a board member.

BUSINESS - Any corporation, limited liability corporation, partnership, sole proprietorship, trust or foundation, or other individual or organization carrying on a business, whether or not operated for profit.

CONFLICT OF INTEREST - A personal or financial interest of a board member or employee that interferes with or influences or may interfere with or influence the performance of his or her duties on behalf of the town;

CONTRACT - Any arrangement or agreement pursuant to which any land, material, service or other thing of value is to be furnished to the town for a valuable consideration to be paid by the town or sold or transferred by the town. (See Charter Section 2-6.)

COUNCIL or TOWN COUNCIL - The Town Council of the Town of Frisco.

EMPLOYEE - Any temporary or permanent employee of the Town of Frisco, including the town attorney and the municipal judge, but does not include the mayor or council members.

FAMILY B - Any employee's or board member's parents, siblings, spouse or domestic partner and children and the spouse of any of them. "Children" shall include minor children for whom the employee or the employee's spouse or domestic partner provides day-to-day care and financial support. (See Charter Section 2-6c).

FINANCIAL INTEREST B - A substantial interest held by an employee or board member that is:

1. An ownership of securities of a corporation, or of any beneficial interest in a partnership or firm, the aggregate amount of which securities or interest owned by the employee or board member and the employee's or board member's family is ten percent (10%) or more of any class of securities of such corporation or ten percent (10%) or greater ownership in such partnership or firm.
2. A creditor interest in an insolvent business;
3. An employment or a prospective employment for which negotiations have begun, or a contractual relationship that directly relates to a matter under consideration;
4. An ownership interest in real or personal property;
5. A loan or any other debtor interest; or
6. A directorship or officership in a business. (See Charter Section 2-6b.)

OFFICIAL ACTION - Any vote, decision, recommendation, approval, disapproval, or other action, including inaction, that involves the use of discretionary authority.

PERSONAL INTEREST - A direct or indirect interest having value peculiar to a particular employee or board member, whether the value is pecuniary or non-pecuniary, which value may accrue to such employee or board member or result in such employee or board member deriving or potentially deriving a personal benefit as a result of the approval or denial of any ordinance, resolution, order or other official action, or the performance or nonperformance thereof, by a public servant, and which interest is not shared by the general public.

§ 15-3. Rules of Conduct for Board Members and Employees.

A. The following shall apply to all board members and employees:

1. If any board member other than a member of the Town Council, or any employee, shall have any direct or indirect financial interest in any contract with the town, then the following procedure must be followed:
 - a. Such contract must be approved by the Town Council, with the affirmative vote of at least five (5) members of the Town Council.
 - b. The subject matter of the contract must be unrelated to the board member's or employee's official duties.
 - c. The financial interest must be disclosed in the contract.
 - d. The Town Council must find that, notwithstanding the disclosed financial interest, it is in the best interest of the town to enter into such contract.
 - e. For purposes of this subsection (1) only, "financial interest" means ownership of securities of a corporation, or of any beneficial interest in a partnership or firm, with which a contract is made, the aggregate amount of which securities or interest owned by the employee or board member and the employee's or board member's family is ten (10%) percent or more of any class of securities of such corporation or ten (10%) percent or greater ownership in such partnership or firm.
 - f. For purposes of this subsection (1) only, "related subject matter" means any contract that requires the direct review and approval of the interested board member or employee.
 - g. Any such contract entered into in violation of the prohibition of this section shall be void.
 - h. The prohibitions of this section shall not apply to any contract determined by the Council to be an incidental transaction. Transactions of two thousand five hundred dollars (\$2,500) or less shall be considered to be of an incidental nature. Transactions of greater value shall be handled on a case-by-case basis as they occur. (See Charter Section 2-6f.)
2. No board member or employee may use any information obtained by virtue of his or her public position in furtherance of any personal or financial interest or the personal or financial interest of any other person. Confidential or privileged information shall not be disclosed unless required by law.
3. No board member or employee, in his or her official capacity, may solicit or accept from any one donor a present or future gift, favor, loan, service or thing of value, whose cumulative value is more than four hundred dollars (\$400.00) per annum, or under circumstances that would lead a reasonably prudent person to believe that such gift, favor, loan, service or thing of value was made or given primarily for the purpose of influencing or attempting to influence such board member or employee in connection

with an official act, or as a reward of official action he or she has previously taken. This prohibition shall not apply to:

- a. Acceptance of food and refreshment at conferences, seminars, training sessions, luncheon and dinner meetings, special occasions and other instances in conjunction with city business.
 - b. Campaign contributions reported under the Fair Campaign Practices Act.
 4. No board member or employee shall engage in a substantial financial transaction for his or her private business purposes with a person whom he or she inspects or supervises in the course of his or her official duties.
 5. No board member or employee shall perform an official act that directly and substantially affects to its economic benefit a business or other undertaking in which such board member or employee has a substantial personal or financial interest or that directly and substantially affects to its economic detriment any business or other undertaking when such board member or employee has a substantial personal or financial interest in a competing business or undertaking.
 6. No board member or employee shall perform any official act under circumstances that give rise to an appearance of impropriety on the part of the board member or employee.
 7. No board member or employee, during his or her term with the Town, may appear before any board, except under the following circumstances:
 - a. An employee or board member may appear on his or her own behalf, or on behalf of any other person, before any board of which he or she is not a member. A board member, other than a member of Town Council, may appear on his or her own behalf, or on behalf of any other person, before the body of which he or she is a member, if the board member follows the procedure prescribed by section 15-4 below.
 - b. Nothing in this subsection (7) is intended to prohibit any employee or board member to be affiliated with a firm appearing before any board; provided, however, that such employee or board member, if a member of the board before which the matter is being heard, shall follow the procedure prescribed by section 15-4 below.
 8. No board member or employee appointed or elected after the effective date of this ordinance shall, at any time within six (6) months after termination from the Town of Frisco, appear on behalf of another person before any board in relation to any matter concerning which the board member or employee performed an official act.
 9. During his or her term of office, no member of the Council, including the mayor, shall be a salaried employee of the town.
- B. The mayor and all council members shall regularly attend meetings of the Town Council. Neither the mayor nor any councilmember shall be absent for three (3) consecutive regularly scheduled meetings of the Council or twenty-five (25%) percent of such meetings in any fiscal year of the town, unless such absences shall be excused by the Council and the reason therefore entered in the proceedings of the Council at the time of such absence.

- C. If a newly elected or appointed member of the Council, including the mayor, finds himself or herself in violation of any portion of this Code, he or she shall have forty-five (45) days after his or her election or appointment to either divest himself or herself from the personal or financial conflict or to resign from the Council.

§ 15-4. Voting Prohibited in Certain Instances.

- A. No board member may vote on any matter before the board if the board member has a conflict of interest as defined above. On such a question, the member shall disclose the nature of the conflict of interest to the board prior to abstaining from voting. If the member fails to disclose a conflict of interest or requests the remaining members to determine whether the member has a conflict of interest, the remaining members shall determine, by motion adopted by the affirmative vote of a majority of the remaining members, whether a conflict of interest exists. Such motion shall state the basis of the determination and shall be conclusive of the question of whether a conflict of interest exists. (See Charter Section 3-6c.)
- B. When a board member declares a conflict of interest or a board by majority vote determines that a board member has a conflict of interest, then the board member shall physically remove himself or herself from the board and shall refrain from attempting to influence the decisions of the other members of the board of which the person is a member. After the board has completed consideration of the matter, the board member may return and resume his or her duties as a member of the board.
- C. No board member shall vote on any question concerning the member's own conduct.

§ 15-5. Voting Required.

Except as provided in the Town of Frisco Home Rule Charter, each board member who is present at a meeting shall vote when the question is called. Any board member who refuses to vote, except when required to abstain, shall be deemed derelict in the board member's duties, and an affirmative vote shall be cast and recorded in the board member's name. (See Charter Section 3-6d.)

§ 15-6. Duties of the Town Attorney.

- A. Any employee or board member may request the town attorney for an advisory opinion whenever a question arises as to the applicability of this chapter to a particular situation.
- B. Any person alleging that a board member has violated any provision of this chapter may file a written complaint of such alleged violation with the town attorney. The town attorney shall make appropriate investigation and shall, within a reasonable time after receiving a written complaint, make a written finding as to whether there is probable cause to believe that this chapter has been violated. The town attorney shall provide a copy thereof to the Council, the complainant, and the board member in question. If the town attorney determines that probable cause exists, then the matter shall be referred to the Council or town manager, as appropriate, for further proceedings. Nothing in this subsection B shall limit the authority of the town manager to investigate the conduct of and discipline employees.

- C. Should the town attorney at any time determine that he or she has a conflict of interest in carrying out the duties of this section, the town attorney may, in his or her sole discretion, appoint special counsel to undertake such duties, and such appointment is hereby deemed to comply with ' 6-1(d) of the Charter, otherwise requiring approval of the Council for the appointment of special legal counsel.

§ 15-7. Exemptions.

Nothing in this chapter shall be deemed to apply to an employee or board member, other than a member of Town Council, who appears before a board to urge action on a policy or issue of a general civic nature.

§ 15-8. Nepotism.

- A. No member of a board member's or employee's family shall be denied employment with the town, provided such person is deemed to be, in the town manager's sole discretion, the best qualified applicant for the position and no current town employee shall be denied a promotion, demotion or transfer because a member of such employee's family is a board member or employee, except in those instances as described in the following:
1. A board member or employee directly or indirectly exercises supervisory, appointment, disciplinary or dismissal authority over a member of that board member's or employee's family;
 2. A board member or employee audits, verifies, receives or is trusted with moneys received or handled by a member of that board member's or employee's family;
 3. A board member or employee has access to the town's confidential information, including payroll and personnel records relating to a member of that board member's or employee's family.
- B. If, in the event two (2) employees are in positions of direct or indirect supervision through any departmental chain of command and establish a relationship by marriage, other operation of law, or through life style accommodations being the substantial equivalent of a family relationship, then the town manager may transfer one of the employees to a position removed from the supervisory control of the other if the town manager determines in his or her sole discretion that such action will serve the town's best interest. If a transfer is not available, one of the employees may be required to resign from his or her employment with the town.

§ 15-9. Violations and Penalties.

Any board member or employee who violates any provisions of this chapter shall be subject to the following:

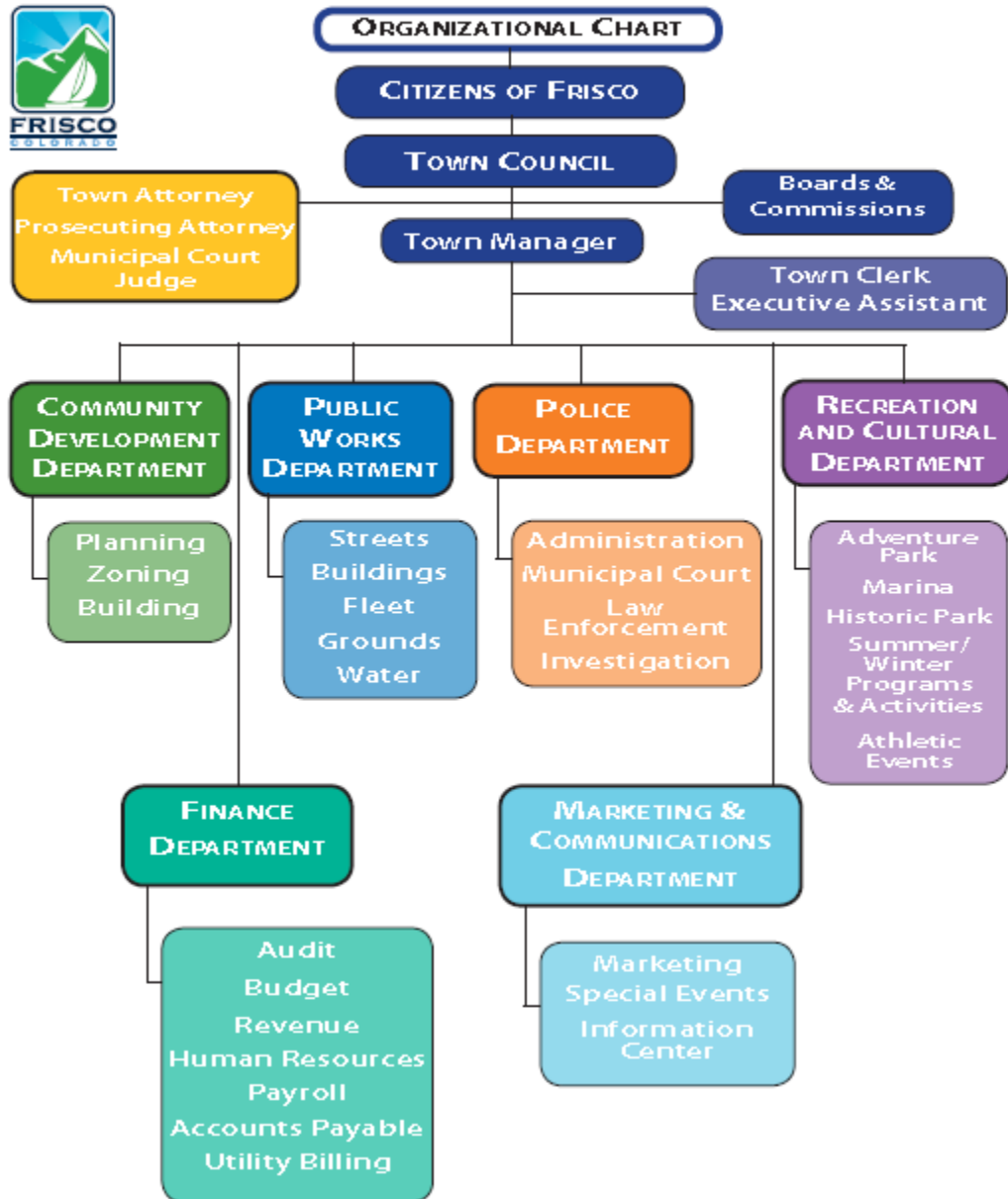
- A. If a violation by any member of Town Council is established to the satisfaction of a majority of the Town Council, the violation shall be grounds for an official reprimand by the Town Council.
- B. If a violation by any board member other than a Town Council member is established to the satisfaction of five (5) members of the Town Council, the violation shall be grounds for

removal of the board member from the board of which he is a member. If the Town Council votes to remove a board member from a board, the Town Council may appoint another person to fulfill the term of the removed board member.

- C. If a violation by any employee is established by the town manager, the violation shall be grounds for discipline up to and including termination.

COMMITTEE	DESCRIPTION	MEETINGS	REPS (ALTERNATE)
Required attendance:			
Cemetery Board	Supervises cemetery operations and Superintendent	As needed	Wilkinson / Wohlmuth
Summit County Combined Housing Authority	Affordable housing management organization	Monthly – 4 th Wednesday	Kerry/Fallon
Summit Stage Board	Oversees Summit Stage operations	Monthly - 4th Wednesday	Willis
Summit Wildfire Council	Oversees development and implementation of the SC Wildfire Protection Plan	Quarterly	Ihnken / Shaner
Business Advisory Committee	Recommends economic incentives and ideas	As needed	Fallon / Mortensen
Compact of Colorado Communities	Advance climate action planning	Quarterly	Mortensen / Sherburne / CDD
Active attendance requested:			
Colorado Association of Ski Towns (CAST)	Discusses issues affecting mountain-resort communities		Wilkinson / Kerry
High Country Conservation Center	Non-profit arm of the Summit County Recycling program	Monthly - 3rd Tuesday 8-9am	Sherburne
I-70 Coalition	Participation in the I-70 Coalition	Monthly	Wilkinson / Kerry
Northwest Colorado Council of Governments (NWCCOG)	Governing board of Council of Governments from Western Slope municipalities and counties	Alternate Months (4th Thursday)	Shaner
NWCCOG QQ	Dues-paying committee discusses water quality and quantity issues affecting West Slope of Colorado	Quarterly	Burley / Wilkinson
Vountary attendance:			
CML Policy Board		3 times a year	Shaner / Kerry
Summit County Chamber of Commerce	Legislative subcommittee	Monthly – last Thursday	Shaner
Friends of Dillon Ranger District			Burley

COMMITTEE	DESCRIPTION	NUMBER OF MEMBERS AND MEMBERSHIP CRITERIA	MEMBERSHIP TERMS	APPOINTEE(S)	TERM EXPIRES	MEETING DATES
Board of Appeals	Hear appeals of and review Uniform Code decisions of the Building Official	Three residents or business owners with construction backgrounds appointed by Council	Three years	Pete Campbell Dan McCreery Ken O'Bryan		As needed
Cemetery Board	Supervises Town Cemetery Operations and Cemetery Superintendent	Three members: Mayor, Town Clerk and citizen appointed by Council	Three years	Deb Helton		As needed
Ten Mile Planning Commission	Citizen planning body for unincorporated Ten Mile Basin	Council recommends appointment of one resident to County Commissioners (Council Member also appointed)	Three years	Donna Skupien		Monthly
Frisco Planning Commission	Reviews development applications; oversees Master Plan revision; reviews development and construction plans affecting historic structures	Council appoints all 7 members, who must be Frisco residents	Four years	Donna Skupien Andrew Stabil Andrew Held Lina Lesmes Robert Franken Jason Lederer Kelsey Withrow	2022 2022 2022 2020 2020 2020	1 st and 3 rd Thursdays of each month
Business Ad-Hoc Advisory Committee	Review the Town's business related ordinances and policies, and evaluate business-to-business needs, and provide recommendations to Town Manager and Town Council	Council appoints up to 9 diverse members from the community	As needed	Betty Naftz Tony Pestello Chris Eby Scott Pohlman Woody Van Gundy Christy Campton Bobby Kato Dan Kibbie Stewart Voutour Andy Bradford Hunter Mortensen Nancy Kerry Vanessa Agee Brodie Boilard		Committee to determine



Charter for The Town of Frisco



August 1, 1988

Revised 11-4-08

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PREFATORY SYNOPSIS

The members of the Home Rule Charter Commission of the Town of Frisco, Colorado, hereby submit to the Board of Trustees and to the voters a proposed Home Rule Charter which has been framed in conformity with Article XX of the Colorado Constitution and the Municipal Home Rule Act of 1971, as amended.

The Commission members have sought to prepare a Charter which provides a structure for the effective and efficient conduct of the Town government, and which also provides for the fullest possible participation in the affairs of the Town by every member of the community.

In keeping with these goals, the Charter vests all legislative powers in a Town Council composed of a Mayor and six Councilmembers elected at large for four-year overlapping terms. To enhance opportunities for service on the Council and to encourage fresh leadership, limitations are placed on the number of consecutive terms that may be served. The Council is required to maintain and update a comprehensive Master Plan of the Town, and to review all ordinances of a general and permanent nature at least once every five (5) years. Financial interest prohibitions and conflict of interest provisions are included.

The form of government provided by the Charter is a "Council-Mayor-Manager" form. Executive and administrative responsibilities are to be exercised by the Town Manager, who is appointed by and serves at the pleasure of the Council.

The Commission members recognize that the Charter is a document of limitation on the home rule powers available to the Town and its citizens, and so have sought to include in the Charter important protections for the citizens. Provisions guaranteeing the citizen rights of initiative, referendum, and recall are included. Other protections include a mandatory public hearing on the proposed budget and on the recommended five-year capital program each year, the publication of ordinances, an annual independent audit, limitations on annual property tax revenue increases, voter approval for increases in sales and use tax rates, and limitations on and disclosure concerning the incurring of debt.

Other matters covered in the Charter include Council procedures, powers, and duties; legal and judiciary; methods of Council action by ordinance, resolution, and motion; elections; finance and budget; taxation; borrowing; improvement districts; utilities; franchises; and transitional provisions.

The Commission believes that this Charter provides a structure for a responsible government for the Town of Frisco, now and in the future, that will maintain and enhance the quality of life of the citizens, continue the growth and progress of the Town, and continue to be responsive to the needs and concerns of the citizens.

ARTICLE I

GENERAL PROVISIONS

Section 1-1. Name, Boundaries. The municipal corporation now existing as the "Town of Frisco" in the County of Summit, State of Colorado, shall remain and continue to be a body politic and corporate under the same name and with the same boundaries until lawfully changed.

Section 1-2. Purpose of Charter. It is the purpose of this Charter to establish a basic governmental structure that will provide for the effective and efficient conduct of the business of the Town. It is intended that the Charter shall provide for the fullest possible participation in the affairs of the Town by every member of the community in the manner provided for herein.

Section 1-3. Form of Government. The municipal government provided by this Charter shall be known as a Council-Mayor-Manager government.

Section 1-4. Powers of the Town. The Town shall have power of local self-government and home rule and all power possible for the Town under the Constitution of the State of Colorado. The Town shall also have all powers granted to cities, towns, and municipalities by the laws of the State of Colorado. The enumeration of specific powers in this Charter shall not be considered as limiting or excluding any other power. All powers shall be exercised in the manner set forth in this Charter or, if not provided for in this Charter, in such manner as shall be provided by ordinance or resolution.

ARTICLE II

TOWN COUNCIL

Section 2-1. Council Membership. The legislative affairs of the Town shall be vested in a Town Council consisting of six (6) Councilmembers and the Mayor, all of whom shall be nominated and elected at large from the Town.

Section 2-2. Powers of the Council. The Council shall be the governing body of the Town and have all legislative powers and all other powers possessed by the Town and not conferred by this Charter on others.

Section 2-3. Qualifications. **[This section amended by a vote of the people held 4-2-96 and 11-4-08]**

(a) Each member of the Council shall be a registered elector at the time of nomination and election, or at the time of appointment to fill a vacancy, and shall have been a resident of the Town or any territory annexed to the Town for at least twelve (12) consecutive months immediately preceding such election or appointment.

(b) No person who has been convicted of embezzlement, bribery, perjury, solicitation of bribery, or subornation of perjury, shall serve as a member of the Council.

(c) No person may serve as Mayor or Councilmember, or any combination thereof, for more than three (3) consecutive terms. Any person appointed or elected to fill a vacancy on the Town Council and who serves one-half or more of the term of office shall be considered to have served a term in that office for purposes of this subsection (c). Terms are considered

consecutive unless they are at least two years apart. This limitation on the number of terms shall apply to terms of office beginning on or after April 1, 2010. With respect to terms of office beginning prior to such date, the limitation on terms of office set forth in the Charter as it existed prior to November 4, 2008 shall continue to apply.

(d) Subsection (c) of this section shall not prevent any person who is a member of the Council on the effective date of this Charter from completing the term for which the person was elected or appointed.

Section 2-4. Term. Members of the Council shall be elected for four (4) year overlapping terms, with four (4) members elected at one (1) regular election, and three (3) members elected at the subsequent regular election. The members shall take office at the first meeting, regular or special, following their election and shall continue in office until their successors have been elected and have complied with Section 2-8, or a vacancy is earlier established.

Section 2-5. Compensation. The Councilmembers shall receive such compensation, and the Mayor shall receive such additional compensation, as the Council may prescribe by ordinance. The Council shall neither increase nor decrease such compensation during the member's term of office. Members, upon order of the Council, may be paid their actual and necessary expenses incurred in the performance of their duties of office.

Section 2-6. Financial Interest Prohibited.

(a) For purposes of this section only, "contract" means any arrangement or agreement pursuant to which any land, material, service, or other thing of value, is to be furnished to the Town for a valuable consideration to be paid by the Town or sold or transferred by the Town.

(b) For purposes of this section only, "financial interest" means ownership of securities of a corporation, or of any beneficial interest in a partnership or firm, with which a contract is made, the aggregate amount of which securities or interest owned by the member and the member's family is ten (10) percent or more of any class of securities of such corporation or ten (10) percent or greater ownership in such partnership or firm.

(c) For purposes of this section only, "family" means the member's parents, siblings, spouse, and children, and the spouse of any of them.

(d) During the term of office, no member of the Council shall be a salaried employee of the Town, nor shall the member have any direct or indirect financial interest in any contract with the Town.

(e) Any contract entered into in violation of the prohibitions of this section shall be void.

(f) The prohibitions of this section shall not apply to any contract determined by the Council to be an incidental transaction of minor value.

(g) The Council shall adopt, by ordinance, procedures for implementing the prohibitions of this section, including procedures for prompt compliance with the prohibitions of this section by newly elected or appointed members of the Council. Such an ordinance shall not conflict with this section, but may contain provisions which are more restrictive than the prohibitions of this section or which extend the prohibitions of this section to other persons or classes of persons.

Section 2-7 Vacancies. [This section amended by a vote of the people held 4-2-02 and 11-4-08]

(a) A member of the Council shall continue to hold office until a successor has been elected or appointed and has complied with Section 2-8, or until a vacancy is earlier established. A vacancy shall exist whenever any member is recalled, dies, is judicially declared incompetent, resigns, ceases to be a resident of the Town, is convicted of any offense specified in Subsection (b) of Section 2-3 or is removed from office for cause pursuant to Section 2-11.

(b) At a regular meeting held not more than forty-five (45) days after a vacancy occurs in the Council, the remaining members shall:

(1) Appoint a person to fill the vacancy, by affirmative vote of a majority of the remaining members, until the next regular election at which time there shall be elected a person to fill the remainder of the term of the vacant seat; or

(2) Order a special election to be held as soon as practicable to fill the vacancy for the remainder of the term.

(c) If three (3) or more vacancies occur during a regular meeting or between two (2) consecutive regular meetings, the remaining members shall not fill the vacancies by appointment, but, at the next regular meeting, shall order a special election, in the manner provided in Section 4-3 of this Charter, to be held as soon as practicable to fill the vacancies for the remainder of the terms.

(d) If, at the time the Council orders a special election pursuant to Subsections (b) or (c) of this section, the Council is aware of any other election to be held in the Town by the Town or any other governmental entity within forty-five (45) days, the Council shall schedule the special election to be held on the same day as such other election if practicable.

(e) If any vacancy in the Council occurs because of the election of a Councilmember to the office of Mayor, the vacancy shall be filled for the remainder of the term by the Councilmember candidate who, at that election, received the highest number of votes following the Councilmember candidates who were elected to office.

Section 2-8. Oath of Office. Before assuming office, every member of the Council shall take and file with the Town Clerk an oath or affirmation to support the Constitution of the United States, the Constitution of the State of Colorado, and the Charter and ordinances of the Town, and to faithfully perform the duties of the office.

Section 2-9. Mayor. The Mayor shall preside at meetings of the Council and shall exercise such powers and perform such other duties as conferred by this Charter or by ordinances not inconsistent with this Charter. The Mayor shall be considered a member of the Council and shall have the same powers, rights, and duties as a Councilmember, including the right to vote. The Mayor shall be recognized as the head of the Town government for all ceremonial and legal purposes and shall execute and authenticate legal instruments requiring the Mayor's signature. The Mayor, acting on behalf of the Council, shall oversee the efficient administration of Town affairs by the Town Manager.

Section 2-10. Mayor Pro-Tem. At the first meeting, regular or special, following each regular election, the Council, by a majority vote of the entire Council, shall appoint a Councilmember as

Mayor Pro-Tem for a two (2) year term. The Mayor Pro-Tem shall have the Mayor's powers and perform the Mayor's duties whenever the Mayor is not available.

Section 2-11. Removal of Members of the Council. **[This section added by a vote of the people held 4-2-02]** Removals by the Council of members of the Council may be made for either of the following reasons:

- (a) For any lawful ground for removal of Town officers; or
- (b) For any act declared by this Charter to constitute misconduct in office. Such removals by the Council shall be made by a majority vote of all members of the Council after a hearing, of which the member has been given notice in writing, which notice shall include the charges against the member.

ARTICLE III

COUNCIL PROCEDURE

Section 3-1. Meetings. **[This section amended by a vote of the people held 4-2-02 and 11-4-08]**

- (a) The Council shall meet regularly at least twice each month if there are items to be discussed or acted upon. The Council shall prescribe by rules of the Council the day and hour of its regular meetings and the procedures governing meetings. The first meeting, regular or special, following each regular municipal election shall be the organizational meeting. The Council shall cause written minutes of its regular and special meetings to be taken and retained in the records of the Town.
- (b) If any member of Council shall miss four (4) consecutive regular meetings of the Council or twenty-five (25%) percent of such meetings in any fiscal year of the Town, unless such absences shall be excused by the Council and the reason therefore entered in the proceedings of the Council at the time of such absence, such absenteeism shall constitute misconduct in office.

Section 3-2. Special Meetings and Business at Special Meetings. **[This section amended by a vote of the people held 11-4-08]**

- (a) Special meetings shall be called by the Town Clerk on the written request of the Mayor, the Town Manager, or any two (2) Councilmembers. A special meeting shall be held on at least twenty four (24) hours written notice to each member of the Council, served personally or left at the member's usual place of residence, or electronically mailed to such address as may be provided by a Councilmember from time to time, except that a special meeting may be held without written notice if all members of the Council are present or those who are absent have waived notice thereof in writing. Notice of a special meeting shall be posted in at least two (2) public places, at least one (1) of which is open to the public during evening hours, no less than twenty four (24) hours prior to the holding of the meeting. For purposes of this section, a "special meeting" shall mean only a meeting of council at which any action may be taken.
- (b) No business shall be transacted at any special meeting of the Council unless it has been stated in the notice of the meeting. Except where a greater number of affirmative votes is

specified in the Charter, at least four (4) affirmative votes shall be required for the adoption of any motion, resolution, or ordinance at a special meeting.

Section 3-3. Quorum. A majority of the members of the Council in office at the time shall be a quorum for the transaction of business at all Council meetings.

Section 3-4. Meetings to be Public.

(a) All regular and special meetings of the Council shall be open to the public and persons shall have a reasonable opportunity to be heard under such rules as the Council may prescribe. Any meeting may be recessed by the affirmative vote of a majority of the members present and closed to the public for the following purposes only:

(1) To determine a position relative to issues subject to negotiation, to receive reports on negotiation progress and status, to develop strategy, and to instruct negotiators;

(2) To consider the acquisition or disposal of property if, in the judgment of the Council, premature disclosure of information might give any person an unfair competitive or bargaining advantage;

(3) For matters of attorney-client privilege;

(4) For matters required by federal law or non-superseded state law to be kept confidential;

(5) For matters critical to the personal safety of members of the Council and for matters involving the protection and security of Town property;

(6) Personnel matters; and

(7) To consider additional matters which, by state statute or by court decision, can be excluded from the open meeting requirements of those state statutes, which would apply to the Town but for the adoption of this Charter.

(b) The general subject matter of any closed session shall be stated in the motion calling for closure. Except to the extent specifically permitted in this section, no formal action, no final policy decision, no rule, regulation, resolution, or ordinance, and no action approving a contract or calling for the payment of money, shall be adopted or approved at any session closed to the public.

Section 3-5. Council Acts. The Council shall act only by ordinance, resolution, or motion. The Council may select the appropriate form for its action, except where a particular form is required by the Charter. A true copy of every ordinance and resolution as adopted shall be numbered and retained in the records of the Town.

Section 3-6. Voting; Voting Prohibited When.

(a) The vote by "Yes" and "No" shall be taken by roll call upon the adoption of each ordinance and resolution, and entered in the minutes of the meeting. Except as otherwise provided in this Charter, the final adoption of any ordinance shall require the affirmative vote of a majority of the entire Council, and resolutions and motions shall require the affirmative vote of a majority of the members present.

(b) No member shall vote on any question concerning the member's own conduct.

(c) No member shall vote on any question on which the member has a conflict of interest, as shall be defined by ordinance, other than the common public interest. On such a question, the member shall disclose the nature of the conflict of interest to the Council prior to abstaining from voting. If the member fails to disclose a conflict of interest, or requests the remaining members to determine whether the member has a conflict of interest, the remaining members shall determine, by motion adopted by the affirmative vote of a majority of the remaining members, whether a conflict of interest exists. Such motion shall state the basis of the determination and shall be conclusive of the question of whether a conflict of interest exists.

(d) Except as provided in Subsections (b) and (c) of this section, each member who is present shall vote when the member's name is called. Any member who refuses to vote, except when required to abstain by Subsections (b) or (c) of this section, shall be deemed derelict in the member's duties, and an affirmative vote shall be cast and recorded in the member's name.

Section 3-7. Action by Ordinance Required. In addition to such acts of the Council as are required by the Charter to be by ordinance, every act making an appropriation, authorizing the borrowing of money, imposing a tax, fixing rates charged by any municipal utility system, establishing any regulation for violation of which a fine or jail sentence penalty may be imposed, or placing any direct burden upon or direct limitation on the use of private property, shall be by ordinance.

Section 3-8. Form of Ordinance.

(a) Every ordinance shall be introduced in written or printed form. The enacting clause of all ordinances shall be: BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO. Except as otherwise provided in this Article, all ordinances shall take effect five (5) days after publication following final adoption. Unless otherwise specifically provided in the ordinance, every ordinance shall be deemed to contain a severability clause whether stated therein or not.

(b) No ordinance shall contain more than one (1) subject except an ordinance repealing one (1) or more other ordinances. However, the failure of an ordinance to contain only one (1) subject shall not affect the validity or enforceability of the ordinance.

Section 3-9. Procedure. **[This section amended by a vote of the people held 4-2-02 and 11-4-08]** Except for emergency ordinances, the following procedure shall be followed in adopting any ordinance:

(a) The ordinance shall be introduced by a member at a regular or special meeting of the Council.

(b) The ordinance shall be read in full or, if copies of the ordinance are available to the Council and to persons in attendance at the meeting, the ordinance may be read by title only.

(c) As part of the first reading, the Council shall conduct a public hearing, notice of which shall be published as part of the agenda, and, after the public hearing, shall vote to amend, adopt, or reject the ordinance, or take such other action as it deems appropriate.

(d) If the ordinance is adopted on first reading, it shall be published in full in an official publication and shall be posted by title in at least two (2) public places, at least one (1) of which is open to the public during evening hours.

(e) The ordinance shall be introduced by a member a second time, at a regular or special meeting of the Council held not earlier than four (4) days after the first publication. The Council shall vote to amend, finally adopt, or reject the ordinance, or take such other action as it deems appropriate.

(f) Upon final adoption, the ordinance shall be published in an official publication either in full or by title, as the Council may direct, except that if the ordinance is amended prior to final adoption, any amendment shall be published in full, and except that any penalty clause contained in the ordinance shall be published in full.

(g) The ordinance shall be signed by the Mayor and attested by the Town Clerk, and affidavits of publication shall be retained with the ordinance in the Town's records.

(h) Every ordinance published by title shall contain a notice that copies of the ordinance are available at the office of the Town Clerk.

Section 3-10. Emergency Ordinances. [This section amended by a vote of the people held 4-2-02]

(a) An emergency ordinance necessary for the immediate preservation of public property, health, welfare, peace, or safety, or the financial well-being of the Town, shall require at least five (5) affirmative votes. The facts showing the emergency shall be specifically stated in the ordinance. The Council's determination as to the existence of an emergency shall be final and conclusive on the question. No ordinance granting, renewing, or amending any franchise, initially imposing a tax, or fixing rates charged by any municipal utility system, shall be adopted as an emergency ordinance.

(b) An ordinance authorizing a municipal borrowing or a payment obligation in accordance with Article X or Article XI of this Charter, which provides for the imposition of a tax or which makes covenants with respect to the imposition of a tax to secure the repayment of such a borrowing, shall not be deemed an ordinance imposing a tax within the meaning of Subsection (a) of this section.

(c) An emergency ordinance may be introduced and finally adopted at any regular or special meeting, shall require only one (1) reading, and shall not require a public hearing or publication prior to final adoption. An emergency ordinance shall take effect upon final adoption or on such later date as specified in the ordinance. Following final adoption, an emergency ordinance shall be published in full in an official publication and posted in at least two (2) public places, at least one (1) of which is open to the public during evening hours.

Section 3-11. Codification. The Council shall cause ordinances of a general and permanent nature to be codified. Revisions to the codification may be adopted by reference as provided in Section 3-12.

Section 3-12. Adoption of Codes by Reference. The Council may adopt, by ordinance, any code by reference. The procedure for adoption of a code by reference shall be as provided in the state statutes applicable to the adoption of codes by reference or such other procedure as the

Council may provide by ordinance. Every ordinance adopting a code by reference shall contain a notice that copies of the code are available at the office of the Town Clerk. Any penalty clause in such a code may be adopted only if set forth in full in the adopting ordinance and published as provided in Section 3-9.

Section 3-13. Public Records. Subject to the state statutes concerning public records, public records of the Town shall be open for inspection by any person at reasonable times.

Section 3-14. Ordinance Review. **[This section amended by a vote of the people held 4-2-02]**

(a) The Council shall review ordinances of a general and permanent nature adopted on or after the effective date of this Charter at least once every five (5) years after adoption for possible amendment or repeal.

(b) The Council shall establish a schedule for reviewing all ordinances of a general and permanent nature which were adopted prior to the effective date of this Charter.

(c) The failure to review any ordinance pursuant to this section shall not affect the validity or enforceability of the ordinance.

ARTICLE IV

ELECTIONS

Section 4-1. Colorado Municipal Election Laws Adopted. **[This section amended by a vote of the people held 4-2-02]**

(a) Town elections shall be governed by the state statutes contained in the Colorado Municipal Election Code, except as otherwise provided in this Charter or by ordinances not inconsistent with this Charter. All regular and special elections shall be nonpartisan.

(b) All municipal elections that are conducted as part of a coordinated election, as defined in Section 1-1-104(6.5) of the state statutes, shall be governed by the state statutes contained in the Uniform Election Code of 1992.

Section 4-2. Regular Elections. A regular election shall be held in each even-numbered year on the first Tuesday in April.

Section 4-3. Special Elections. A special election shall be called by a resolution adopted at least thirty (30) days prior to the election. The resolution calling a special election shall set forth the purpose of the election.

Section 4-4. Conduct of Elections. **[This section amended by a vote of the people held 4-2-02]**

(a) The Town Clerk shall have charge of all activities and duties required pursuant to this Charter relating to the conduct of elections in the Town. In any case where election procedure is in doubt, the Town Clerk shall prescribe the procedure to be followed.

(b) The Town Clerk shall provide for ballots and sample ballots, voting machines or electronic voting equipment, for determination of the winner by lot in the event of a tie vote, for canvass of returns, and for issuance of appropriate certificates.

(c) Notwithstanding the foregoing, the Town Clerk may contract with the Summit County Clerk to supervise any municipal election that is conducted as part of a coordinated election.

Section 4-5. Nominating Petitions. Each nominating petition for a candidate for Mayor or Councilmember shall be signed by at least twenty-five (25) registered electors.

ARTICLE V

INITIATIVE, REFERENDUM. AND RECALL

Section 5-1. Initiative.

(a) The initiative power, reserved by Article V, Section 1(9) of the Constitution, is here-by extended to the Town's registered electors as to that Town legislation which is subject to the initiative power reserved in the Constitution. Any initiated measure shall be in the form of an ordinance. The measure shall be initiated pursuant to the state statutes, which establish procedures for a municipal initiative, except as otherwise provided in this Charter and in ordinances not inconsistent with this Charter.

(b) An initiative petition shall be signed by registered electors of the Town equal in number to at least fifteen (15) percent of the total number of electors of the Town registered to vote at the last regular election. No signature on an initiative petition shall be valid if signed on a date prior to the date the form of the petition is approved by the Town Clerk or if signed on a date more than ninety (90) days prior to the date the signed petition is filed with the Town Clerk.

Section 5-2. Referendum. **[This section amended by a vote of the people held 4-2-02]**

(a) The referendum power, reserved by Article V, Section 1(9) of the Constitution, is hereby extended to the Town's registered electors as to those ordinances which are subject to the referendum power reserved in the Constitution. Such ordinances shall be referred pursuant to the state statutes which establish procedures for a municipal referendum, except as otherwise provided in this Charter and in ordinances not inconsistent with this Charter. The referendum power shall not apply to an emergency ordinance, nor shall it apply to any appropriation adopted by ordinance for the support and maintenance of the Town government.

(b) As a prerequisite to the filing of a referendum petition, a notice of intent to file a referendum petition shall be submitted to the Town Clerk prior to the date the ordinance is scheduled to take effect, which shall automatically suspend the operation of the ordinance in question pending expiration of the referendum period or, if a referendum petition is timely filed, repeal by the Council or final determination by the electors.

(c) A referendum petition shall be signed by registered electors of the Town equal in number to at least ten (10) percent of the total number of electors of the Town registered to vote at the last regular election.

Section 5-3. Recall.

(a) Any person holding elective office, including the office of Mayor or Councilmember, may be recalled at any time after six (6) months in office, pursuant to the state statutes which establish procedures for the recall of municipal elective officers, except as otherwise provided in this Charter and in ordinances not inconsistent with this Charter.

(b) A recall petition shall be signed by registered electors of the Town. The signers shall number at least twenty-five (25) percent of the ballots cast at the last preceding election. For the purpose of this section, the "last preceding election" shall be the last preceding election at which the person sought to be recalled was elected to office, unless the person sought to be recalled was appointed to fill a vacancy, in which event it shall be the last preceding election at which the person who created the vacancy was elected to office.

(c) No signature on a recall petition shall be valid if signed on a date more than thirty (30) days prior to the date the signed petition is filed with the Town Clerk.

(d) No recall election shall be held if the office held by the person sought to be recalled will be filled at a regular election scheduled to be held within ninety (90) days after the submission of the recall petition.

(e) After one (1) recall petition and election, no further petition shall be filed against the same person during the term for which such person was elected or appointed, unless the signers number at least fifty (50) percent of the ballots cast at the last preceding election.

(f) Except as to requirements contained in this Charter, in the state statutes which are applicable to the recall of municipal elective officers, and in the ordinances of the Town, the form, content, approval, and other petition requirements in the state statutes applicable to municipal initiatives shall apply as nearly as practicable to recall petitions.

Section 5-4. Council Referendum. The Council shall have the power to submit to a vote of the registered electors, without receipt of any petition, any proposed or adopted ordinance or any question.

Section 5-5. Prohibited Action by Council.

(a) No initiated ordinance adopted by the voters may be substantively amended or repealed by the Council during a period of one (1) year after the date of the election on the initiated ordinance, unless the amendment or repeal is approved by a majority of the registered electors voting thereon.

(b) No referred ordinance repealed by the voters may be readopted by the Council during a period of one (1) year after the date of the election on the referred ordinance, unless the readoption is approved by a majority of the registered electors voting thereon.

Section 5-6. Withdrawal of Petition. An initiative referendum, or recall petition may be withdrawn at any time prior to thirty (30) days preceding the day scheduled for a vote by filing with the Town Clerk a written request for withdrawal, signed by all persons who are designated in the petition as representing the signers on matters affecting the petition. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

ARTICLE VI

LEGAL AND JUDICIARY

Section 6-1. Town Attorney.

(a) The Council shall appoint a Town Attorney to serve at the pleasure of the Council. The appointment or removal of the Town Attorney shall require the affirmative vote of a majority of the entire Council. The Town Attorney shall be at all times while serving as Town Attorney an attorney at law admitted to practice in Colorado.

(b) The Town Attorney shall serve as the general counsel of the Town, shall advise the Council, the Town Manager, and other Town officials in matters relating to their official powers and duties, and shall perform such other duties as may be designated by the Council. The Council shall determine whether the position is full time or part time.

(c) The Council shall establish compensation for the Town Attorney.

(d) The Council may employ such special counsel as may be recommended by the Town Attorney or the Council.

Section 6-2. Municipal Court.

(a) There shall be a municipal court vested with exclusive original jurisdiction over all matters arising under this Charter, the ordinances, and other enactments of the Town.

(b) The municipal court existing on the effective date of this Charter shall continue as the municipal court for the Town until changed as provided by this Charter.

(c) The municipal court shall be a court of record.

(d) The appointment, removal, term of office, and powers and duties of municipal judges, and all other matters relating to municipal judges and the municipal court, shall be as set forth in those state statutes which apply to municipal judges and municipal courts, except as otherwise provided in ordinances not inconsistent with this Charter.

(e) Each municipal judge shall be at the time of appointment and throughout the term of office an attorney at law admitted to practice in Colorado, and shall have at least five (5) years experience in the active practice of law at the time of appointment.

ARTICLE VII

TOWN ADMINISTRATION

Section 7-1. Town Manager.

(a) The Council shall appoint a Town Manager within six (6) months after a vacancy exists. The appointment shall be at the pleasure of the Council and shall be at a salary to be fixed from time to time by the Council. The appointment or removal of the Manager shall require the affirmative vote of a majority of the entire Council.

(b) The Town Manager shall be appointed without regard to any consideration other than fitness, competency, training, and experience in professional urban administration. Within a reasonable time following appointment, the Manager shall reside within the limits of the Town or within a reasonable distance from the limits of the Town as the Council may designate by ordinance.

(c) No member of the Council shall be appointed Town Manager during the term for which the member was elected or appointed nor within one (1) year after the term.

Section 7-2. Acting Town Manager. During the Town Manager's temporary absence or disability, or during any period of vacancy prior to the Council's appointment of a Town Manager pursuant to Section 7-1, the Mayor shall appoint, by letter filed with the Town Clerk, a Town employee to serve as acting Town Manager. If the Mayor fails to make such an appointment, the Council shall make the appointment. The provisions of this Charter applicable to the Town Manager shall apply to the acting Town Manager during the period of the appointment.

Section 7-3. Powers and Duties of Manager. The Town Manager shall be the chief executive and administrative officer of the Town. The Manager shall be responsible to the Council for the proper administration of all affairs of the Town placed in the Manager's charge. Except as otherwise provided by this Charter or by ordinances not inconsistent with this Charter, the Manager shall:

(a) Provide for the enforcement of the ordinances and other enactments of the Town:

(b) Provide for the hiring, suspension, transfer, and removal of Town employees;

(c) Make appointments on the basis of executive and administrative ability, training, and experience;

(d) Cause a proposed budget to be prepared and submitted to the Council annually, and be responsible for the administration of the budget after its adoption;

(e) Cause to be prepared and submitted to the Council, as of the end of each fiscal year, a complete report on finances and administrative activities of the Town for that year and, upon request of the Council, make written or verbal reports at any time concerning the affairs of the Town under the Manager's supervision;

(f) Provide to the Council advice and recommendations concerning the financial condition and future needs of the Town;

(g) Exercise supervision and control over all Town departments, and make recommendations to the Council concerning the establishment, consolidation, or abolition of such departments;

(h) Be responsible for the enforcement of all terms and conditions imposed in favor of the Town in any contract or franchise, and upon knowledge of any violation thereof, report the same to the Council for such action and proceedings as may be necessary to enforce the same;

(i) Attend Council meetings and participate in discussions with the Council in an advisory capacity;

(j) Cause to be established a system of accounting and auditing for the Town which shall reflect, in accordance with generally accepted accounting principles, the financial condition and financial operation of the Town;

(k) Be responsible for obtaining engineering, architectural, maintenance, construction, and other services required by the Town; and

(l) Perform other such duties as prescribed by this Charter or as required by the Council and not inconsistent with this Charter.

Section 7-4. Relationship of Council to Administrative Service. Neither the Council, nor any Councilmember, the Mayor, or any Council committee, shall dictate the appointment of any person to or removal of any person from employment by the Town Manager except as otherwise provided in this Charter, or in any way interfere with the judgment of the Town Manager in the appointment, hiring, suspension, transfer, or removal of employees in the administrative service of the Town. Except for the purpose of inquiry, the Council, each Councilmember, the Mayor, and each Council committee, shall deal with the administrative service solely through the Town Manager and neither the Council, nor any Councilmember, the Mayor, or any Council committee, shall give orders to any employee of the Town. Except for the purpose of inquiry, the Council, each Councilmember, and each Council committee, shall deal with the Town Manager solely through the Mayor.

Section 7-5. Clerk, Treasurer, and Police Chief. The Town Manager shall appoint and may remove, a Town Clerk, Treasurer, and Police Chief.

Section 7-6. Bonding of Employees. All Town officers and employees dealing directly with municipal funds shall post bond or furnish other security in an amount and under such conditions as required by the Council, and at the expense of the Town.

ARTICLE VIII

FINANCE AND BUDGET

Section 8-1. Fiscal Year. Unless otherwise provided by ordinance, the fiscal year of the Town shall begin on the first day of January and end on the last day of December of each year.

Section 8-2. Proposed Budget and Message. By the Council's first regular meeting in September, or such other time as the Council may provide by ordinance, the Town Manager shall cause to be prepared and submitted to the Council a proposed budget and accompanying message. The proposed budget shall provide a financial plan for all Town funds and activities for at least the next fiscal year and, except as required by this Charter, shall be in such form as the Manager deems desirable or the Council may require. The proposed budget shall contain a general summary of its contents and shall include comparative figures for revenues and expenditures for the current fiscal year.

Section 8-3. Contents of Proposed Budget. The proposed budget shall include, in separate sections, at least the following information:

(a) An estimate of anticipated revenues classified by source;

(b) An estimate of cash available, if any, as of December 31 of the present fiscal year;

- (c) Proposed expenditures for the operation of the Town, by department, office, and agency, and the methods of financing such expenditures;
- (d) Provisions for contingencies;
- (e) Proposed capital expenditures, by department, office, and agency when practicable, and the proposed methods of financing such expenditures;
- (f) Anticipated net surplus or deficit for each municipal utility system and the proposed method of its disposition;
- (g) Subsidiary budgets showing revenue and expenditure information for each municipal utility system, attached as appendices to the budget;
- (h) An estimate of the amount required to be raised from an ad valorem property tax levy;
- (i) A statement of the outstanding securities and other payment obligations of the Town, showing the debt redemption and interest requirements, the debt authorized and outstanding, and the condition of sinking funds, if any; and
- (j) Such other information as the Council may require.

Section 8-4. Capital Program.

- (a) At the same time as the time of submission of the proposed budget to the Council, or at such other time as the Council may require by ordinance, the Town Manager shall cause to be prepared and submitted to the Council a recommended five (5) year capital program.
- (b) The recommended capital program shall include at least the following information:
 - (1) A general summary of its contents;
 - (2) A list of all capital improvements, which are recommended to be undertaken, continued, or completed during the next five (5) fiscal years;
 - (3) Cost estimates and methods and timing of financing the improvements;
 - (4) The estimated annual cost of operating and maintaining the improvements; and
 - (5) Such other information as the Council may require.
- (c) The recommended capital program, following adoption, shall serve as a guide for the planning of capital improvements.

Section 8-5. Public Hearing. **[This section amended by a vote of the people held 4-2-02]** At such time and place as the Council may direct, at least one (1) public hearing shall be held on the proposed budget and the recommended capital program before adoption. Notice of each public hearing, and notice that the proposed budget is available for public inspection, shall be published at least once in an official publication and at least seven (7) days prior to the hearing.

Section 8-6. Council Action on Budget.

(a) Unless another date is provided by ordinance, the Council shall adopt the budget and the capital improvement program, by resolution, on or before the date provided by law for certification of the ad valorem property tax levy. If the Council fails to adopt the budget by the required date, the amounts appropriated for the current fiscal year, together with any additional amounts necessary for payments of principal and interest on securities and other payment obligations, shall be deemed appropriated for the next fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the Council adopts the budget for the next fiscal year.

(b) The total of the proposed expenditures and provisions for contingencies in the adopted budget shall not exceed the total of estimated revenues.

(c) Adoption of the budget shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated, and shall constitute a levy of the ad valorem property tax therein provided. The Council shall cause the ad valorem property tax levy to be certified as provided by law.

Section 8-7. Contingencies. Unless otherwise provided by ordinance, no expenditure shall be made from an appropriation for contingencies unless the amount of the expenditure has first been transferred by resolution to an appropriate account.

Section 8-8. Amendments After Adoption.

(a) If at any time during the fiscal year the existence or threat of a deficit appears probable to the Town Manager, the Manager shall report to the Council without delay the estimated amount of the deficit, and any remedial action taken or recommended to be taken. The Council shall then take any further action it deems necessary or appropriate to prevent or minimize the deficit, including the reduction of one or more appropriations, except amounts necessary for payments of principal and interest on securities and other payment obligations.

(b) The Council shall establish, by ordinance, procedures consistent with this Charter for supplemental appropriations, transfers, contingencies, and other matters pertaining to the budget.

Section 8-9. Administration-Payments and Obligations Prohibited. Except for securities issued and payment obligations incurred pursuant to Articles X and XI of this Charter, no payment shall be made or obligation incurred except in accordance with appropriations made pursuant to this Charter and unless the Town Manager first certifies that sufficient funds are or are estimated to be available to meet the payment or obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be voidable at the Council's discretion.

Section 8-10. Independent Audit. The Council shall provide for an independent annual audit of all Town accounts by a certified public accountant selected by the Council, and may provide for more frequent audits as it deems necessary. The accountant selected shall have no direct personal interest in the fiscal affairs of the Town, of any member of the Council, or of any other officer of the Town. Unless another date is provided by ordinance, the audit shall be completed within four (4) months after the close of the fiscal year. Copies of the audit shall be made available for public inspection.

ARTICLE IX

TAXATION

Section 9-1. Limitations on Future General Property Taxes. **[This section amended by a vote of the people held 4-2-02]**

(a) Those state statutes which place an annual limit on general ad valorem property tax revenue increases, and which would apply to the Town but for the adoption of this Charter, shall continue to apply to the Town; except that general ad valorem property taxes for the payment of securities issued and other payment obligations incurred pursuant to Article X or Article XI of this Charter and payable from ad valorem property taxes, and the interest on such securities and obligations, shall be exempt from the statutory limits, and such securities and obligations shall be payable pursuant to the terms of their issuance. Such statutes shall otherwise govern in all respects the amount of and method of computing the annual limit and the exclusions and exemptions therefrom, but the limit may be exceeded only in the manner permitted in Subsection (b) of this section, notwithstanding any other manner permitted by such statutes

(b) The annual limit on general ad valorem property tax revenue increases imposed pursuant to Subsection (a) of this section may be exceeded for any expenditure, including any capital expenditure, only if approved by a majority of the registered electors of the Town voting thereon at any election at which tax measures may, under Colorado law, be submitted to the registered electors of the Town.

Section 9-2. Limitations on Taxes. **[This section amended by a vote of the people held 4-2-02]**

(a) No increase or decrease in the Town's sales or use tax rate, or extension of the period for which any temporary rate increase is effective, shall take effect until approved at any election at which tax measures may, under Colorado law, be submitted to the registered electors of the Town by a majority of the registered electors voting thereon. The limitation of this section shall not be construed to otherwise limit the authority of the Town Council, without any election, to provide for the administration or applicability of, amend, revise, limit, or take any other action affecting the Town sales or use tax.

(b) Except for taxes provided for in Section 9-1 and in Subsection (a) of this section, any tax which the Town Council may impose shall be initially imposed and the rate of the tax increased or decreased, only by ordinance which shall be subject to a timely referendum, if one is filed in accordance with the procedures and requirements set forth in this Charter.

Section 9-3. Emergency Sales or Use Tax. **[This section deleted by a vote of the people held 4-2-02]**

ARTICLE X

MUNICIPAL BORROWING AND PAYMENT OBLIGATIONS

Section 10-1. Forms of Borrowing and Obligations. The Town may borrow money and issue securities or enter into other obligations to evidence such borrowing, and may otherwise incur payment obligations, consistent with this Charter and in such form and manner as the Council determines to be advantageous to the Town.

Section 10-2. Short-term Securities and Obligations. **[This section amended by a vote of the people held 4-2-02]** The Council may, by ordinance and without any election, borrow money, and may without any election otherwise incur payment obligations, in anticipation of the collection of taxes or other revenues. The Council may issue short-term securities or otherwise evidence the amount so borrowed or the payment obligation so incurred. Any such short-term securities or obligations shall mature or become payable no later than the last day of the fiscal year in which such securities or obligations are issued.

Section 10-3. General Obligation Securities and Obligations. **[This section amended by a vote of the people held 4-2-02]** Except as otherwise provided in this Charter, no securities or other payment obligations, which the Town is obligated to pay in whole or in part from the proceeds of general ad valorem property taxes, shall be issued or otherwise incurred until the question of their issuance has been approved by a majority of the registered electors voting thereon at any election at which such measures may, under Colorado law, be submitted to the registered electors of the Town.

Section 10-4. Emergency Securities. **[This section amended by a vote of the people held 4-2-02]** The Council may, by ordinance and without any election, issue emergency securities in the circumstances specified in Section 8-8(a) of this Charter. Such securities may be made payable in whole or in part from the proceeds of general ad valorem property taxes. Such securities may be renewed from time to time as the Council determines necessary, except that such securities or renewals thereof, unless effected by a borrowing transaction or payment obligation permitted under another provision of this Charter, shall mature and become payable no later than the last day of the fiscal year in which such securities or renewals thereof are issued.

Section 10-5 Revenue Securities and Obligations. **[This section amended by a vote of the people held 4-2-02]** Except as otherwise provided in this Charter, no securities or other payment obligations, issued for any public purpose and payable in whole or in part from any source of revenues other than general ad valorem property taxes, or from any combination of sources of revenues other than general ad valorem property taxes shall be issued or otherwise incurred until the question of their issuance has been approved by a majority of the registered electors voting thereon at any election at which such measures may, under Colorado law, be submitted to the registered electors of the Town.

Section 10-6. Enterprises. **[This section, Interim Securities was deleted and Enterprises added by a vote of the people held 4-2-02]** The Council may, by ordinance and without an election, create an enterprise or enterprises within the meaning given to such term in Article X, Section 20 of the Colorado Constitution. The governing body of any enterprise so created shall be the Council. The Council, acting by and through any such enterprise, may, by ordinance and without any election, issue securities, and may, without any election, otherwise incur payment obligations, for any purpose authorized for such enterprise under the ordinance creating such enterprise. Such securities and payment obligations shall be payable from the revenues of the enterprise.

Section 10-7. Refunding Securities. **[This section amended by a vote of the people held 4-2-02]**

(a) The Council may, by ordinance and without any election, issue securities for the purpose of refunding outstanding securities to accomplish any refunding purpose determined by the

Council to be advantageous to the Town, all in accordance with Colorado law. Any refunding securities which are revenue securities may be payable in whole or in part from any source of revenue other than general ad valorem property taxes or any combination of sources of revenues other than general ad valorem property taxes.

(b) Refunding securities may be issued in such principal amount and otherwise on such terms as the Council may determine to be necessary or appropriate to accomplish the refunding purpose.

Section 10-8. Limitations.

(a) Except as provided in this Charter, there shall be no limitation on the amount or other terms of securities the Town may issue or on the incurring of other payment obligations by the Town.

(b) The notice of any election to authorize the issuance of proposed general obligation securities pursuant to Section 10-3(a) shall contain at least the following information, together with any other information the Council deems relevant:

(1) The amount of the total valuation for assessment of taxable property within the Town as shown by the most recent available certified assessment;

(2) The total amount of general obligation securities outstanding as of the date of the notice of the election to authorize the issuance of the proposed securities, and the total amount of securities that would be outstanding if all of the proposed securities were issued;

(3) The percentage of the total of the proposed securities in relation to the amount of the total valuation for assessment determined pursuant to Paragraph (1) of this subsection;

(4) Current applicable bond ratings, if available; and (5) A general statement of the purpose of the proposed securities.

(c) No inaccuracy, error, or change in the information provided pursuant to Subsection (b) of this section shall affect the validity of the authorization to issue or the validity of the issuance of any security.

Section 10-9. Sale. All securities issued pursuant to this Charter shall be sold in such manner and pursuant to such terms as determined by the Council to be to the best advantage of the Town.

Section 10-10. Other Contracts and Agreements. **[This section amended by a vote of the people held 4-2-02]** The Council may without any election enter into lease-purchase and installment-purchase agreements, construction contracts, contracts for the purchase, installation, or acquisition of any real or personal property for public purposes, and any executory contracts or agreements, and may without any election commit to pay such obligations in whole or in part from the proceeds of general ad valorem property taxes, so long as such agreements and contracts are either annually renewable or annually terminable and subject to annual appropriation by the Council.

Section 10-11. Limitation of Actions.

(a) No action of whatsoever nature against any act, proceeding, or election of the Town done or had pursuant to this Article X shall be maintained unless commenced within thirty (30) days after the election or performance of the act or proceeding or effective date of any ordinance or resolution complained of to:

- (1) Question the validity or enforceability of or enjoin the performance of any act;
- (2) Question the validity or enforceability of or enjoin the issuance or payment of any securities;
- (3) Question the validity or enforceability of or enjoin the incurring of any other payment obligation;
- (4) Question the validity or enforceability of or enjoin the imposition or collection of any taxes, fees, or charges; or
- (5) Obtain any other review of or relief against any act, proceeding, or election of the Town pursuant to this Article X.

(b) Any action not commenced within the time limits provided in Subsection (a) of this section shall be thereafter perpetually barred.

(c) The limitations of this section shall be in addition to any limitations or restrictions provided by ordinance.

ARTICLE XI

IMPROVEMENT DISTRICTS

Section 11-1. Power to Create Local Improvement Districts. The Council shall have the power to create local improvement districts and to assess the cost of the construction, acquisition, or installation of local improvements of every character against property determined by the Council to be benefited within such districts, in the following manner:

(a) By order of the Council, subject to written protest by the owners of property estimated to bear a majority of the assessment burden under the method of apportioning assessments proposed by the Council; or

(b) By approval of a petition of the owners of property estimated to bear a majority of the assessment burden under the method of apportioning assessments proposed by the owners.

Section 11-2. Procedure. The Council may, by ordinances not inconsistent with this Charter, prescribe the method and manner of creating local improvement districts; acquiring, constructing, or installing the improvements; letting contracts therefor; assessing part or all of the cost thereof against the benefited property; providing for the right to protest and the scope and manner thereof; paying for or issuing special assessment securities for the costs and expenses of the organization of the district, the acquisition, construction, or installation of said improvements, and incidental costs and expenses; and all other things in relation to local

improvement districts. The following requirements shall apply to the creation of any local improvement district:

(a) The creation of any local improvement district shall be by ordinance; and

(b) Prior to the adoption of any ordinance creating a local improvement district, the Council shall hold at least one (1) public hearing at which all interested parties may appear and be heard. Notice of any such public hearing shall be published at least once. In addition, such notice shall be mailed pursuant to procedures established by ordinance.

Section 11-3. Surplus and Deficiency Fund. **[This section amended by a vote of the people held 4-2-02]** When all outstanding securities of a local improvement district have been paid and any monies remain to the credit of the district, the Council may transfer such monies to a special surplus and deficiency fund. The Council may prescribe by ordinance the manner in which the monies deposited in the surplus and deficiency fund may be applied, all in accordance with Colorado law.

Section 11-4. Additional Commitment to Pay Improvement District Securities. The Council may, without any election, covenant in connection with the issuance of improvement district securities that, if at least three-fourths of the improvement district securities issued have been paid, and if for any reason the remaining assessments are not paid in time to pay the remaining securities of the district and the interest due thereon, the Town shall pay said securities and the interest due thereon when due and reimburse itself by collecting the unpaid assessments due the district.

Section 11-5. Improvement District Securities. **[This section amended by a vote of the people held 4-2-02]**

(a) For the purpose of paying all or such portion of the cost of any improvement constructed under the provisions of this Article XI as may be assessed against the property in an improvement district that is specially benefited by improvements therein, special assessment bonds may be issued. Such bonds shall be payable out of the moneys collected on account of the assessments made for such improvements. All moneys collected from such assessments for any improvement shall be applied to the payment of the bonds issued until payment in full is made of all the bonds, both principal and interest.

(b) In connection with the issuance of bonds payable solely from special assessments, the Council may provide by ordinance or resolution for the submission of the question of issuing such bonds to the electors eligible to vote on the question. The Council may provide by ordinance or resolution that all registered electors of the Town shall be eligible to vote on the question or that only registered electors of the Town who reside within the boundaries of the improvement district for which bonds are to be issued shall be eligible to vote on the question.

Section 11-6. Limitation of Actions.

(a) No action of whatsoever nature against any act, proceeding, or election of the Town done or had pursuant to this Article XI shall be maintained unless commenced within thirty (30) days after the election or performance of the act or proceeding or effective date of any ordinance or resolution complained of to:

(1) Question the validity or enforceability of or enjoin the performance of any act;

(2) Question the validity or enforceability of or enjoin the issuance or payment of any securities;

(3) Question the validity or enforceability of or enjoin the incurring of any other payment obligation;

(4) Question the validity or enforceability of or enjoin the imposition or collection of any taxes, assessments, fees, or charges; or

(5) Obtain any other review of or relief against any act, proceeding, or election of the Town pursuant to this Article XI.

(b) Any action not commenced within the time limits provided in Subsection (a) of this section shall be thereafter perpetually barred.

(c) The limitations of this section shall be in addition to any limitations or restrictions provided by ordinance.

ARTICLE XII

UTILITIES; FRANCHISES AND PERMITS

Section 12-1. Acquisition of Utilities. The Town shall not acquire any municipal utility system by purchase or condemnation, nor construct any municipal utility system, unless the question of such acquisition or construction is first approved by a majority of the registered electors voting thereon at a regular or special election. The foregoing requirement shall not apply to any improvement, extension, expansion, betterment, repair, replacement, or modification of any existing municipal utility system.

Section 12-2. Utility Rates. The Council shall by ordinance establish rates for services provided by any municipal utility system.

Section 12-3. Granting of Franchises.

(a) No franchisee shall be granted or renewed for a longer period than twenty (20) years.

(b) No franchise shall be granted, renewed, or amended by the Council except by ordinance. Any ordinance granting, renewing, or amending a franchise shall be subject to a timely referendum if one is filed in accordance with the procedures and requirements set forth in this Charter. Notwithstanding the provisions of Section 5-2(b) of this Charter, such a petition shall be signed by registered electors of the Town equal in number to at least five (5) percent of the total number of electors of the Town registered to vote at the last regular election. If such an election is ordered, the grantee of such franchise shall deposit the cost of the election with the Town Clerk in an amount determined by the Town Clerk.

(c) Each franchise granted pursuant to this Charter shall include a provision for a periodic review of the franchise by the Council.

(d) The Council shall establish, by ordinances not inconsistent with this Charter, the terms, fees, compensation, conditions, record-keeping, and other matters relating to franchisees.

Section 12-4. Existing Franchises. All franchise ordinances and agreements of the Town in effect on the effective date of this Charter shall remain in force in accordance with their respective terms and conditions unless modified by another franchise.

Section 12-5. Revocable Permits or Licenses. Any permit or license granted for the temporary use or occupation of any street, alley, other public way, or Town-owned place, shall be revocable by the Town at any time and without cause, whether or not such right to revoke is expressly reserved in the permit or license.

ARTICLE XIII

BOARDS AND COMMISSIONS

Section 13-1. Intent. It is the intent of this Article to ensure the participation of citizens in the governmental process.

Section 13-2. Creation, Alteration, and Abolition. The Council may by ordinance create any Town board or commission and except for boards and commissions specifically provided for in this Charter, may by ordinance alter or abolish any Town board or commission. The Council shall prescribe by ordinance the powers and duties of any Town board or commission, the qualifications of the members thereof, the method of making appointments to, filling vacancies in, and removing members from, any Town board or commission, and other matters concerning any Town board or commission.

Section 13-3. Planning and Zoning Commission. There is hereby created a Planning and Zoning Commission to assist the Council, in such manner as provided by the Council, in planning the development of the Town. The Council shall prescribe by ordinance the powers and duties of the Planning and Zoning Commission, the qualifications of the members thereof, the method of making appointments to, filling vacancies in, and removing members from, the Planning and Zoning Commission, and other matters concerning the Planning and Zoning Commission.

ARTICLE XIV

MISCELLANEOUS PROVISIONS

Section 14-1. Interpretation.

(a) Where any question exists as to the meaning of any portion of this Charter, it shall be interpreted consistently with the Charter's purpose to reserve to the Town and its citizens the broadest possible powers of home rule and self-government available under the Constitution, as limited only by the specific language of this Charter.

(b) Except as otherwise specifically provided in or indicated by the context, all words used in this Charter indicating the present tense shall not be limited to the time of the adoption of this Charter, but shall extend to and include the time of the happening of any event or requirement for which provision is made herein. The singular number shall include the plural, the plural shall include the singular, and the word "person" may extend and be applied to bodies politic and corporate and to partnerships as well as individuals.

Section 14-2. Emergency Powers. In case of riot, insurrection, disaster, or other extraordinary emergency, the Mayor, with the assistance of the Town Manager, shall assume the authority to execute any action necessary for the protection of life and property. Such authority may include, but not be limited to, establishing regulations governing conduct and activities related to the cause of the emergency, and if the emergency continues, the Mayor, or in the Mayor's absence, the Town Manager, shall convene the Council to take such action as the Council deems necessary.

Section 14-3. Limitations on Sale or Lease of Town-Owned Park and Open Space Property. **[This section amended by a vote of the people held 4-2-02]** No park or open space property, specifically designated as such by resolution of the Council, in which fee ownership is now or hereafter vested in the Town, shall be sold or leased unless the question of such sale or lease is first approved by a majority of the registered electors voting thereon at a regular or special election. Nothing herein shall limit the Council's power to grant any licenses, permits, or easements with respect to such property.

Section 14-4. Penalties. Any willful violation of this Charter shall be a misdemeanor punishable in the municipal court by a penalty not to exceed the maximum penalty allowed in that court by ordinance. Each such violation shall constitute a separate offense.

Section 14-5. Severability of Charter Provisions. If any part of this Charter or the application thereof to any person or circumstance is found to be invalid, such invalidity shall not affect the validity of any remaining part of this Charter, and to this end this Charter is declared to be severable.

Section 14-6. Master Plan of the Town. **[This section amended by a vote of the people held 4-2-02]**

(a) The Council shall maintain a comprehensive master plan for the physical development of the Town. No land development, by any private or governmental entity, which in the judgment of the Council will significantly affect the Town, and no subdivision of land, zoning change, or annexation, shall be approved without considering the effect of such approval on the master plan.

(b) The Council shall review and revise the master plan at least once every five (5) years.

Section 14-7. Competitive Bidding. The Council shall establish, by ordinance, procedures requiring competitive bidding for contracts for the procurement of services, equipment, and supplies. Any such ordinance may provide exclusions from the competitive bidding requirements for contracts below an amount specified in the ordinance, for the types of contracts specified in the ordinance, and for the types of services, equipment, or supplies specified in the ordinance.

Section 14-8. Definitions. As used in this Charter, the following words shall have the following meanings unless the context otherwise indicates:

(a) "Constitution": Constitution of the State of Colorado, as from time to time amended.

(b) "Council" or "Town Council": Town Council of the Town of Frisco, Colorado.

(c) "Councilmember": Each member of the Council except the Mayor.

(d) "Member of the Council" or "Member": The Mayor and each Councilmember.

(e) "Municipal utility system": Any water, sanitary sewer, heat, power, light, communication, or transportation system of the Town, and any other system of the Town now or hereafter commonly classified as a utility system.

(f) "Qualified elector": A person who is qualified to register to vote pursuant to Section 4-1 of this Charter.

(g) "Registered elector": A qualified elector who has registered to vote pursuant to Section 4-1 of this Charter.

(h) "Regular election": An election held pursuant to Section 4-2.

(i) "Special election": An election held pursuant to Section 4-3.

(j) "State statutes": The statutes of the State of Colorado, as from time to time amended.

(k) "Town": Town of Frisco, Colorado.

Section 14-9. Official Publications. **[This section added by a vote of the people held 4-2-02]** Exclusive management and control of the designation of official publications to be used for the official advertising of the Town shall be vested in the Town Clerk. The manner of publication may include print, electronic, and other media as appropriate to comply with applicable law and meet the various publication needs of the Town. Such designation shall be made annually by the Town Clerk and affirmed by resolution of the Council.

ARTICLE XV

TRANSITIONAL PROVISIONS

Section 15-1. Effective Date of Charter. This Charter shall become effective immediately upon filing and recording the Charter with the Secretary of State of the State of Colorado following voter approval.

Section 15-2. Prior Town Legislation. All ordinances, resolutions, rules, and regulations of the Town which are not inconsistent with this Charter, and which are in force and effect on the effective date of this Charter, shall continue in full force and effect until repealed or amended. Any provision of any ordinance, resolution, rule or regulation which is inconsistent with this Charter is hereby repealed.

Section 15-3. Continuation of Board. The Board of Trustees of the Town in office on the effective date of this Charter shall become members of the Town Council and shall continue to serve and carry out the functions, powers and duties of their offices, and shall continue to receive the same compensation, until their successors have been elected or appointed and have complied with Section 2-8.

Section 15-4. Continuation of Officers and Employees. Except as otherwise provided in this Charter, each officer and employee of the Town shall continue in the office or employment which was held prior to the effective date of this Charter.

Section 15-5. Continuation of Boards and Commissions. All existing boards and commissions and the members thereof serving on the effective date of this Charter shall continue until changed in the manner provided in this Charter.

Section 15-6. Saving Clause. Neither the adoption of this Charter nor the repeal of any ordinance, resolution, rule, or regulation of the Town in conflict with the Charter shall be construed to destroy any property right, contract right, or right of action of any nature or kind, civil or criminal, vested in or against the Town. The adoption of the charter shall not be construed to affect any such right between the Town and any person.

TOWN OF FRISCO
HOME RULE CHARTER COMMISSION
CERTIFICATE OF FINAL ADOPTION

We, the undersigned, representing the present members of the Town of Frisco Home Rule Charter Commission, duly elected by the citizens of Frisco, at a regular election held on April 5, 1988, to frame a Home Rule Charter for the Town, do hereby certify that the foregoing is the Proposed Charter as finally approved and adopted by the members of the Commission on the 1st day of August, 1988 for submission to the Board of Trustees and to the registered electors of the Town.

Executed in triplicate at Frisco, Colorado, this 1st day of August, 1988.

(Signed)

Richard A. Backlund, Chairman

Charles L. Davis

Giles W. Poulson, Vice Chairman

Elizabeth H. Etie

Florence J. Reiss, Secretary

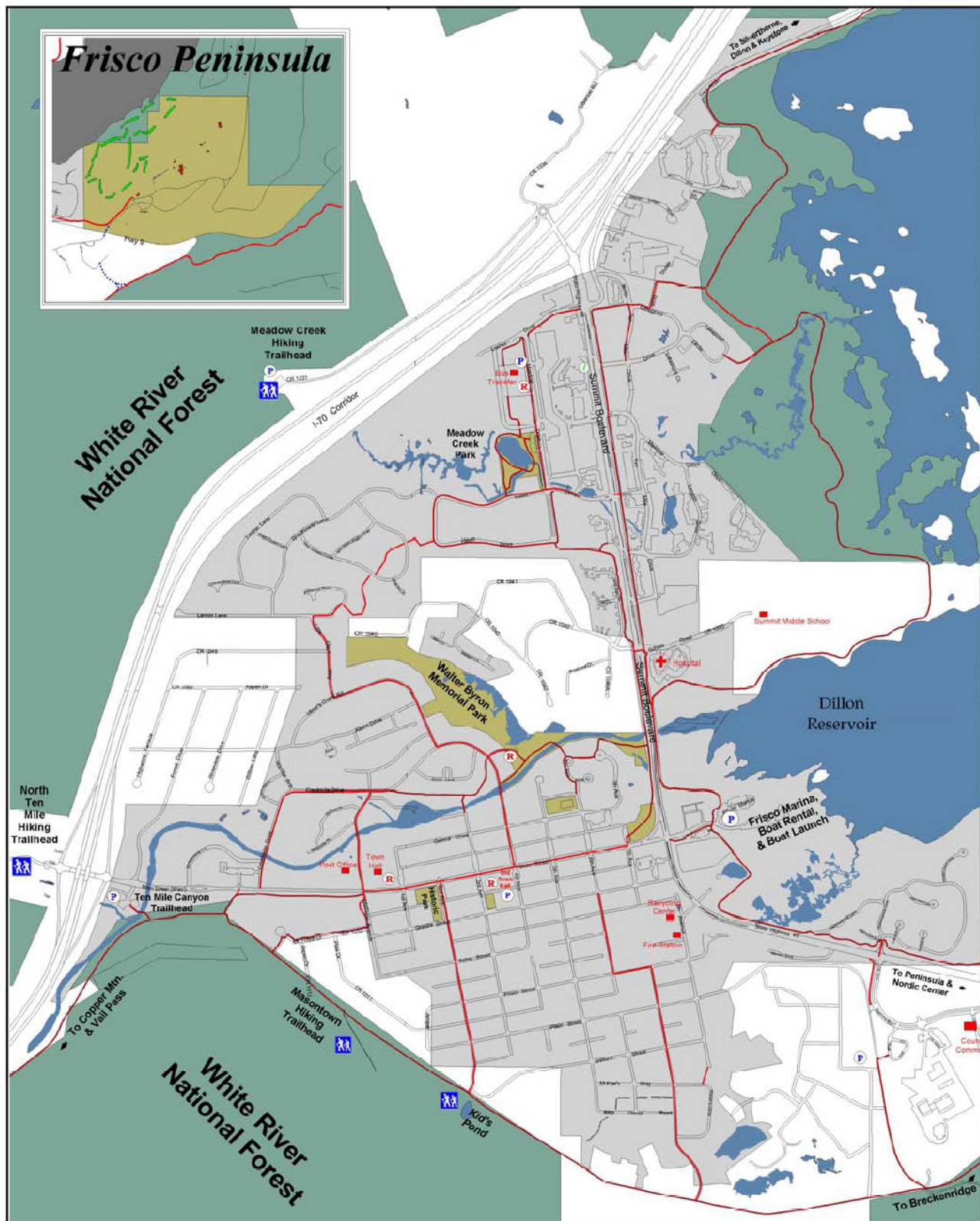
Duane L. Stromer

Dan A. Bell

Kent B. Willis

Patricia A. Butler

Counsel to the Commission
Tami A. Tanoue



Town of Frisco Paved Pathways Map

Disclaimer
The Town of Frisco and Summit County Government
are not responsible for the accuracy of this data.
This data is not intended for accurate measurements.
Data is current through 7-01-02.