CITY OF CENTRAL, COLORADO
NOTICE OF A REGULAR MEETING of the CITY COUNCIL to be held on
Tuesday, March 5, 2019 @ 7:00 p.m.
141 Nevada Street, Central City, Colorado
AGENDA

The City Council meeting packets are prepared several days prior to the meetings and available for public inspection at City Hall during normal business hours the Monday prior to the meeting. This information is reviewed and studied by the City Council members, eliminating lengthy discussions to gain basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis. Agendas are posted on the City’s website, the City Hall bulletin board and at the Post Office the Friday prior to the Council meeting.

7:00pm Council Meeting

1. Call to Order.

2. Roll Call. Mayor Jeremy Fey
   Mayor Pro-Tem Judy Laratta
   Council members Jeff Aiken
   Jackie Mitchell
   Jack Hidahl

3. Pledge of Allegiance

4. Additions and/or Amendments to the Agenda.

5. Conflict of Interest.

6. Consent Agenda: The Consent Agenda contains items that can be decided without discussion. Any Council member may request removal of any item they do not want to consider without discussion or wish to vote no on, without jeopardizing the approval of other items on the consent agenda. Items removed will be placed under Action items in the order they appear on the agenda (this should be done prior to the motion to approve the consent agenda).

   Regular Bill lists through February 25; and
   City Council minutes: February 19, 2019

PUBLIC FORUM/AUDIENCE PARTICIPATION – (public comment on items on the agenda not including Public Hearing items): the City Council welcomes you here and thanks you for your time and concerns. If you wish to address the City Council, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the City Council. Your comments should be limited to three (3) minutes per speaker. The City Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and your questions may be directed to the City Manager for follow-up. Thank you.

PUBLIC HEARING –


8. Ordinance No. 19-03: An ordinance of the City Council of the City of Central, Colorado, amending Section 2-4-10 and 2-4-60 of the Municipal Code. (McAskin)

ACTION ITEMS: NEW BUSINESS –

9. Historic Preservation Commission Appointments – Chuck Webster

10. Planning Commission Appointment – Allyson Shellhorn
11. **Main Street Commission Appointment** – Jeff Hentschel

**REPORTS** –

12. Staff updates –

**COUNCIL COMMENTS** - limited to 5 minutes each member.

**PUBLIC FORUM/AUDIENCE PARTICIPATION** – for non-action items not Action or Public Hearing items on this agenda (same rules apply as outlined in the earlier Public Forum section).

**ADJOURN.** Next Council meeting March 5, 2019.

Please call Reba Bechtel, City Clerk at 303-582-5251 at least 48 hours prior to the Council meeting if you believe you will need special assistance or any reasonable accommodation in order to be in attendance at or participate in any such meeting.

Posted 3/28/2019
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Grand Totals: 64,295.29
CALL TO ORDER
A regular meeting of the City Council for the City of Central was called to order by Mayor Fey at 6:00 p.m., in City Hall on February 19, 2019.

ROLL CALL
Present: Mayor Fey
Mayor pro tem Laratta
Alderman Aiken
Alderman Mitchell (arrived at 6:03p.m.)
Alderman Hidahl

Absent: None

Staff Present: City Manager Miera
Attorney McAskin
City Clerk Bechtel
Finance Director Robbins
Community Development Director Rears
Public Works Director Hoover
Utilities Director Nelson
GCSO Captain Ilme
Fire Chief Allen.

EXECUTIVE SESSION
Mayor pro tem Laratta moved to go into executive session pursuant to C.R.S. 24-6-402(4)(b) and -402(4)(e) to discuss specific legal questions and to instruct negotiators regarding proposed changes to existing 1999 Growth IGA (Intergovernmental Agreement dated September 29, 1999) and pursuant to C.R.S. 24-6-402(4)(b) to discuss specific legal questions related to process for collecting delinquent sales and use taxes and to discuss specific legal questions related to Article VII of the Home Rule Charter, and further moved to reconvene the February 19, 2019 regular City Council meeting at the conclusion of the executive session for the purpose of taking any action deemed necessary. Alderman Aiken seconded, and without discussion, the motion carried unanimously by a vote of 5-0.

At approximately 7:03 p.m., the executive session was concluded and Mayor Fey announced that the participants in the executive session had been: Mayor Jeremy Fey, Mayor pro tem Laratta, Alderman Jeff Aiken, Alderman Jackie Mitchell, Alderman Jack Hidahl, City Manager Daniel Miera, City Attorney Marcus McAskin, Abigail Robbins, Finance Director, and Community Development Director Ray Rears.

Mayor Fey proceeded to make the following announcement:
For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings law, I ask that you state your concerns for the record. No objections were noted.

Pledge of Allegiance was recited by all present.

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA
Mayor pro tem Laratta moved to approve the agenda with adding a continuation of the executive session to the end of the meeting. Alderman Mitchell seconded, and without discussion, the motion carried unanimously.

CONFLICTS OF INTEREST
No Council Member disclosed a conflict regarding any item on the agenda.

CONSENT AGENDA
Mayor pro tem Laratta moved to approve the consent agenda containing the regular bill lists through February 12 and the City Council minutes for the meeting on February 5, 2019. Alderman Aiken seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION
No one requested time to address the Council.

PUBLIC HEARING
Ordinance No. 19-02: An ordinance of the City Council of the City of Central, Colorado, amending the City of Central Municipal Code to establish an administrative citation procedure for addressing specified violations of the Municipal Code, specifically adding a new Article X to Chapter 2 titled Administrative Penalty Citations for Code Violations.
Attorney McAskin explained that due to the timing of publication for the public hearing, City Council cannot consider this ordinance for final approval until the March 5th meeting.

Alderman Aiken moved to open and continue the public hearing on Ordinance No. 19-02: An ordinance of the City Council of the City of Central, Colorado, amending the City of Central Municipal Code to establish an administrative citation procedure for addressing specified violations of the Municipal Code, specifically adding a new Article X to Chapter 2 titled Administrative Penalty Citations for Code Violations in March 5, 2019 at 7:00 p.m. to be held in these Council Chambers. Mayor pro tem Laratta seconded, and without discussion, the motion carried unanimously.

ACTION ITEMS: NEW BUSINESS
Resolution No. 19-06: A resolution of the City Council of the City of Central, Colorado accepting Completion of construction for the Source Water Diversion Structures Improvements Project and authorizing final payment.
Utilities Director Nelson explained that this resolution memorializes the City’s preliminary
acceptance of the work performed on the City’s water diversion structures, including Miner’s Gulch, Peck’s Gulch, and Broomfield Gulch and will permit the City Manager to: (1) arrange for final payment to the Contractor; (2) close out the CWRPDA Loan; and (3) arrange for annual payments to CWRPDA in 2019 and thereafter, in accordance with all applicable terms and conditions of the CWRPDA Loan Agreement.

Other background is as follows:

- City entered into a Loan Agreement with the Colorado Water Resources & Power Development Authority (30 years / 0% interest) to finance the Project (the “CWRPDA Loan”).

- City retains W2E Engineers, LLC (“W2E”) as the City/Owner representative for the Project.

- City issued an Invitation for Bids for the Project.

- Project awarded to Dietzler Construction Corporation on June 5, 2018.

- The Construction Contract was executed on June 27, 2018.

- Contractor has completed the Project and has submitted a final pay application to the City.

- W2E has confirmed that Project has been completed satisfactorily and is recommending final payment.

- Notice of final payment has been published in accordance with applicable statutory requirements, specifically C.R.S. § 38-26-107.

The BID from Dietzler Construction was for $610,000 and the project came in $107,000 under BID. The project has been inspected by the state and is subject to warranty provisions. Final acceptance will occur following additional inspections after that 1 year date.

Mayor pro tem Laratta moved to approve Resolution No. 19-06: A resolution of the City Council of the City of Central, Colorado accepting Completion of construction for the Source Water Diversion Structures Improvements Project and authorizing final payment. Alderman Aiken seconded. and without discussion, the motion carried unanimously.

Ordinance No. 19-03: An ordinance of the City Council of the City of Central, Colorado, amending Section 2-4-10 and 2-4-60 of the Municipal Code.

Attorney McAskin explained that this ordinance amends the Municipal Code to make explicit that the City is not subject to the jurisdiction of the Independent Ethics Commission or the ethics provisions of Article XXIX of the Colorado Constitution pursuant to an exemption for home rule municipalities set forth in Article XXIX.

Central’s Home Rule Charter, at Section 5.12, requires that the City Council set rules for the governance of its meetings and the conduct of its members by ordinance and that the City Council adopt an ordinance which defines misconduct in office and which sets penalties for
violation of the ordinance. To fulfill the directive of Section 5.12, the City adopted Article IV of Chapter 2 of the Municipal Code ("Code of Ethics").

Following the City’s adoption of its Code of Ethics, Colorado voters passed Amendment 41, which was a constitutional citizen initiative on the ballot of the November 2006 election. Amendment 41 was codified into Article XXIX. It establishes the Independent Ethics Commission ("IEC"), which is an entity that provides ethics oversight for government officials in Colorado. The IEC hears complaints, issues findings, and assesses penalties in connection with ethics issues arising under Article XXIX and other standards of conduct as provided by law.

However, Article XXIX allows home rule municipalities with their own ethics codes that address the matters in Article XXIX to be exempt from the IEC's jurisdiction and the ethics provisions in Article XXIX.

A recent Denver District Court order in Dunafon v. Jones et al., in which Glendale (home rule) was challenging the IEC's jurisdiction over it, interpreted Article XXIX to mean that the IEC has no jurisdiction over home rule municipalities that have adopted their own ethics codes and procedures, which do not have to be exactly the same as the standards in the Colorado Constitution.

Because Central is such a home rule municipality, the City Attorney’s office recommends making it explicit in the City’s Code of Ethics that the City falls under this exemption and clarifying that Article XXIX does not apply to the City.

Therefore, Ordinance 19-03 includes the following amendments to Sections 2-4-10(b) and 2-4-60(5), with additions shown in bold and deletions shown in strikethrough:

Sec. 2-4-10. Authority, purposes and general policies.

(b) Purposes. The purposes of this Article are to:

(1) State principles of conduct and ethics which are to be applied in public service;

(2) Help motivate City officers and employees to pursue productive conduct and ethical ideals which exceed minimum standards;

(3) Provide a process by which City officers and employees may identify and resolve conduct and ethical issues;

(4) Identify minimum standards of ethical conduct for City officers and employees;

(5) Inform the public of the minimum standards to which their City officers are expected to adhere;

(6) Promote public confidence in the integrity of City officers;

(7) Establish penalties, when appropriate, for City officers who violate the public trust; and
(8) Protect to the fullest extent possible the rights of all individuals who are subject in any way to the provisions of this Article; and

(9) Address the matters covered by Article XXIX of the Colorado Constitution. As a home rule municipality, the City of Central intends that this Article supersede Article XXIX of the Colorado Constitution.

Sec. 2-4-60. Prohibited conduct; City officer.
(5) Engage in any conduct which would constitute a conflict of interest as defined by this Article or under the laws of the State of Colorado.

Alderman Aiken moved to adopt Ordinance No. 19-03: An ordinance of the City Council of the City of Central, Colorado, amending Section 2-4-10 and 2-4-60 of the Municipal Code. and further moved that second reading and public hearing be scheduled for Tuesday, March 5, 2019 at 7:00 p.m. to be held in these Council Chambers. Alderman Mitchell seconded. and without discussion, the motion carried unanimously.

REPORTS
CDD Rears provided information on the LiveWell Grant of $3500 with $1500 to each consultant and $500 to the City for administering the program. The consultants will provide a presentation at the March 5th work session.

COUNCIL COMMENTS
Mayor pro tem Laratta thanked everyone for their help and support while she was on medical leave.

Alderman Mitchell is looking forward to the LiveWell presentation.

Alderman Hidahl commented on his appreciation for the encouraging tone of the snow shoveling flyer; nuisenses listed in the code; schedule for another Council retreat; date for the Belvidere charette; and difficulty in finding contractors to work locally.

Mayor Fey noted that more development will bring more contractors.

PUBLIC FORUM/AUDIENCE PARTICIPATION
Dave Josselyn, 344 # 1st High, encouraged Council to speak clearly into the microphones and thanked Public Works for the good conditions on the Parkway during the recent snow events.

EXECUTIVE SESSION
At 7:47 p.m., Mayor pro tem Laratta moved to go into and reconvene the executive session pursuant to C.R.S. 24-5-402(4)(b) to discuss specific legal questions related to Article VII of the Home Rule Charter, and further moved to adjourn the February 19th regular meeting at the conclusion of the execution session. Alderman Aiken seconded, and without discussion, the motion carried unanimously by a vote of 5-0.
At approximately 8:30 p.m., the reconvened executive session was concluded. Alderman Aiken moved to adjourn the February 19th regular City Council meeting, the motion was seconded by Alderman Mitchell, and the motion to adjourn was approved unanimously by City Council by a vote of 5-0 at 8:31 p.m., with no discussion.

The next Council meeting is scheduled for March 5, 2019 at 7:00 p.m.

Jeremy Fey, Mayor

Reba Bechtel, City Clerk
AGENDA ITEM # 7

CITY COUNCIL COMMUNICATION FORM

TO: Mayor Fey and Members of City Council

FROM: Marcus McAskin, City Attorney

DATE: February 27, 2019 (Meeting Date March 5, 2019)

ITEM: Ordinance 19-02 (Second Reading)

____ X ____ ORDINANCE
____ _____ MOTION / RESOLUTION
____ _____ INFORMATION

1. **REQUEST OR ISSUE:** Ordinance No. 19-02 ("Ordinance") establishes an administrative citation procedure for addressing specific violations of the Municipal Code. Specifically, the Ordinance adds a new Article X to Chapter 2 of the Code, titled "Administrative Penalty Citations for Code Violations."

The Ordinance was approved on first reading on February 5th, at which time City Council set February 19th as the date for second reading and public hearing on the Ordinance. Due to a publication error, the notice required by Sec.5.10(4) of the Home Rule Charter was not published until February 21st. For that reason, City Council did not act on the Ordinance at its February 19th regular meeting, but instead continued the public hearing on the Ordinance to the March 5th regular meeting. The notice published on February 21st correctly identifies March 5th as the date of the public hearing on the Ordinance.

Staff is recommending that City Council approve the Ordinance on second reading following public hearing.
II. **BACKGROUND:**

City Staff has determined that ongoing compliance of the requirements of the City of Central Municipal Code ("Code") regarding property maintenance and other Code requirements, including but not limited to keeping sidewalks within the City free from snow and ice and other obstructions, and complying with applicable building codes, is vital to maintaining a positive community atmosphere and preserving and enhancing property values.

A failure of property owners to adhere to the Code requirements may result in the impairment of taxable values upon which taxable values upon which the continued fiscal health of the City depends.

Developing a procedure for issuing administrative citations will assist community development staff and enforcement officers in gaining timely compliance by residents.

The Ordinance authorizes administrative enforcement of Code violations as an alternative to prosecution in municipal court, and will assist with promoting and protecting the public’s health, safety and welfare.

III. **RECOMMENDED ACTION / NEXT STEP:** Approve the Ordinance on second reading, following public hearing.

IV. **FISCAL IMPACTS:** N/A - The Ordinance provides for the imposition of administrative fines and costs to defray enforcement costs.

V. **LEGAL ISSUES:** N/A

VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** N/A

VII. **SUMMARY AND ALTERNATIVES:** City Council has the following options:

1. Adopt Ordinance No. 19-02 on second reading following public hearing; or

2. Direct staff to revise the Ordinance and schedule consideration of the Ordinance on a future City Council agenda for second reading.

**PROPOSED MOTION:** "I MOVE TO APPROVE ORDINANCE NO. 19-02, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO, AMENDING THE CITY OF CENTRAL MUNICIPAL CODE TO ESTABLISH AN ADMINISTRATIVE CITATION PROCEDURE FOR ADDRESSING SPECIFIED VIOLATIONS OF THE MUNICIPAL CODE, SPECIFICALLY ADDING A NEW ARTICLE X TO CHAPTER 2 TITLED "ADMINISTRATIVE PENALTY CITATIONS FOR CODE VIOLATIONS" ON SECOND READING."

**Attachments:**

1. Ordinance No. 19-02
CITY OF CENTRAL, COLORADO
ORDINANCE NO. 19-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO, AMENDING THE CITY OF CENTRAL MUNICIPAL CODE TO ESTABLISH AN ADMINISTRATIVE CITATION PROCEDURE FOR ADDRESSING SPECIFIED VIOLATIONS OF THE MUNICIPAL CODE, SPECIFICALLY ADDING A NEW ARTICLE X TO CHAPTER 2 TITLED ADMINISTRATIVE PENALTY CITATIONS FOR CODE VIOLATIONS

WHEREAS, the City of Central ("City") is authorized under its home rule charter and Title 31 of the Colorado Revised Statutes to adopt and amend ordinances in furtherance of governmental administration and the City’s police powers; and

WHEREAS, the City Council finds that ongoing compliance of the requirements of the City of Central Municipal Code ("Code") regarding property maintenance and other Code requirements, including but not limited to keeping sidewalks within the City free from snow and ice and other obstructions, or complying with applicable building codes, is vital to maintaining a positive community atmosphere and preserving and enhancing property values, and that failure by property owners and others who are responsible for the upkeep of property within the City does or may result in impairment of taxable values upon which, in part, municipal revenues depend; and

WHEREAS, the City Council further finds that a procedure for issuing administrative citations will assist community development staff and enforcement officers in gaining timely compliance by residents, and that providing the combination of judicial and administrative remedies set forth herein will promote and protect the public’s health, safety and welfare.

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF CENTRAL, COLORADO THAT:

Section 1. Chapter 2 of the City of Central Municipal Code, Administration and Personnel, is hereby amended by the addition of a new Article X titled “Administrative Penalty Citations for Code Violations” to read in full as follows:

CHAPTER 2
Administration and Personnel

Article X Administrative Penalty Citations for Code Violations
Sec. 2-10-10 General intent
Sec. 2-10-20 Definitions
Sec. 2-10-30 Authority
Sec. 2-10-40  Procedures for issuance of administrative citation
Sec. 2-10-50  Contents of administrative citation
Sec. 2-10-60  Penalties assessed
Sec. 2-10-70  Appeal of administrative citation
Sec. 2-10-80  Procedures and standards at administrative citation appeal hearings
Sec. 2-10-90  Duties and powers of the administrative hearing officer
Sec. 2-10-100 False information or refusal prohibited
Sec. 2-10-110 Failure to obey subpoena
Sec. 2-10-120 Failure to attend administrative citation appeal hearing
Sec. 2-10-130 Failure to comply with administrative enforcement order
Sec. 2-10-140 Failure to pay penalties

Sec. 2-10-10  General intent.

(a) The City Council finds that enforcement of the City of Central Municipal Code is an important public service, and that code enforcement is vital to the protection of the public’s health, safety, welfare, and quality of life. The City Council further finds that a comprehensive code enforcement system that uses a combination of judicial and administrative remedies is critical to gain compliance with the ordinances set forth in subsection (b) of this Section.

(b) This Article authorizes administrative penalties be imposed for violation of the following sections of the City of Central Municipal Code:

(1) Chapter 7, Article I (Administration and Abatement of Nuisances);

(2) Chapter 7, Article II (Nuisances);

(3) Chapter 7, Article III (Garbage and Refuse);

(4) Chapter 7, Article IV (Weed Regulation and Control);

(5) Chapter 11, Article I (Sidewalks);
(6) Chapter 11, Article VI (Snow Removal in Downtown Commercial Core), except that only Sections 2-10-20 and 2-10-60 through 2-10-130 of this Article shall apply;

(7) Chapter 14 (Sign Code);

(8) Chapter 16 (Land Development Code); and

(9) Chapter 18 (Building Regulations)

(c) The purpose of this Article is to encourage prompt compliance with the Code and prompt payment of penalties for noncompliance.

Sec. 2-10-20 Definitions.

The following words, terms and phrases, when used in this Article, shall have the following meanings, unless the context clearly indicates otherwise:

Administrative Hearing Officer means a person appointed by the City Manager to hear and determine administrative citation appeals. The City Manager may appoint an employee of the City or another person possessing qualifications acceptable to the City Manager as a hearing officer to hear and receive evidence and render a decision on the law and facts. The hearing officer may not have personally determined, in the first instance, the factual issues in controversy and may have no personal or financial interest in the outcome of the hearing.

City means the City of Central.

City Manager means the City Manager or the City Manager’s designee.

Code means those provisions of the City of Central Municipal Code enumerated in Section 2-10-10 above.

Enforcement official means an employee or agent of the City authorized to enforce the ordinances of the City, including but not limited to the Community Development Director or designee, or authorized code enforcement personnel.

Responsible party means a person or entity who has violated the Code or, in the case of property violations, the responsible party may also be the property owner, the occupant, or an individual or an entity who has a possessory interest in any building, structure or real property in the City subject to an administrative citation under this Article.
Sec. 2-10-30 Authority.

(a) Any responsible party violating any provision of the Code may be issued an administrative citation by an enforcement official as provided in this Article.

(h) Notwithstanding any other provision of the Code, responsible parties cited under the provisions of this Article shall have only the appeal rights granted herein.

(c) Each day a violation exists or continues shall constitute a separate and distinct violation for which a separate administrative citation may be issued.

(d) A civil penalty assessed by means of an administrative citation may be collected by any means allowed by law.

(e) Enforcement actions are intended to be cumulative in nature. The City may pursue one or more civil, criminal, and administrative actions, fees, fines, sentences, penalties, judgments, and remedies, and may do so simultaneously or in succession. The enactment of this administrative remedy shall in no way interfere with the City's right to prosecute violations in the municipal court.

Sec. 2-10-40 Procedures for issuance of administrative citation.

(a) Whenever the enforcement official determines that a violation of the Code exists, the enforcement official shall give a notice of violation and order to correct ("Notice of Violation") to the responsible party. The Notice of Violation shall be in writing and shall describe with reasonable detail the violation so that the responsible party may properly correct it. The Notice of Violation shall provide a reasonable time for correction given the circumstances of the violation, but in no case more than thirty (30) days.

(b) The Notice of Violation shall be served as follows:

(I) The enforcement official should attempt to issue the Notice of Violation to the responsible party at the site of the violation. If the responsible party is not located, a copy of the Notice of Violation shall be left with any adult person residing or working at the site, or if no adult person is found at the site and the violation occurred on private property or on property for which the responsible party has responsibility, then a copy of the Notice of Violation shall be posted in
a conspicuous place on the property of the responsible party.

(2) If the Notice of Violation is not personally served on the responsible party, then a copy of the Notice of Violation shall also be sent by first class mail to the responsible party. In the case of violations occurring on private property where the owner of such property is a responsible party, the Notice of Violation shall be sent to the address shown in the Gilpin County Assessor records. In the case of violations occurring on property for which the responsible party is not the owner, the Notice of Violation shall be sent to the most recent mailing address available to the City for the responsible party.

(3) The Notice of Violation shall be deemed served on the date of receipt by the responsible party, if personally served, or upon the third (3rd) business day after mailing of the Notice of Violation.

(4) If after service of the Notice of Violation, the Code violation is not timely corrected, an enforcement official may issue an administrative citation to a responsible party.

(5) Service of an administrative citation on a responsible party shall be made in the same manner as the Notice of Violation as described herein, except that the enforcement official should attempt to obtain the signature of the person receiving the administrative citation on the administrative citation. If that person refuses or fails to sign the administrative citation, or the enforcement official otherwise does not obtain the responsible party’s signature, such absence of the responsible party’s signature shall not affect the validity of the administrative citation and subsequent proceedings.

(c) If a responsible party has been issued an administrative citation or Notice of Violation within the previous twelve (12) months for the same violation, service of a Notice of Violation is not required, and the enforcement official may immediately issue an administrative citation upon determining a violation of the Code exists.

Sec. 2-10-50. Contents of administrative citation.

(a) If the violation is not corrected as required by the Notice of Violation, or if issuance of a Notice of Violation is not required pursuant to subsection (c) of Section 2-10-40, an administrative citation may be issued to the responsible party. The administrative citation shall state the date and location of the violation or violations, and the approximate time the violations were observed. Where applicable, the administrative citation shall identify the property in violation by address or legal description.
(b) The administrative citation shall state the Code sections violated and describe the violations.

(c) The administrative citation shall describe the action required to correct the violations.

(d) The administrative citation shall require the responsible party to correct the violations within a reasonable time given the circumstances, and shall explain the consequences of failure to correct said violations.

(e) The administrative citation shall state the amount of penalty imposed for the violations.

(f) The administrative citation shall explain how the penalty shall be paid, the date by which it must be paid, and the consequences of failure to pay the penalty.

(g) The administrative citation shall identify the right and procedures for appealing the administrative citation.

(h) The administrative citation shall contain the signature of the enforcement official and the signature of the responsible party, if it can be obtained.

Sec. 2-10-60. Penalties assessed.

(a) If the responsible party fails to correct the violation, subsequent administrative citations may be issued for violations of the same Code section. The penalties assessed for each administrative citation issued for violations of the same Code section or sections shall be established by the City Council by ordinance or resolution. Nothing in this Section shall prohibit the City Council from delegating authority to the City Manager to establish the penalties assessed for each administrative citation, but shall not exceed the following amounts, regardless of the number of violations per citation.

(1) First administrative citation: One hundred fifty dollars ($150.00).

(2) Second administrative citation: Five hundred dollars ($500.00).

(3) Third or subsequent administrative citation: Nine hundred and ninety-nine dollars ($999.00).
(b) Payment of the penalty shall not excuse the failure to correct the violations nor shall it bar further enforcement action by the City.

(c) All penalties assessed shall be payable to the City. Payment of the full amount of the penalty must be paid in person at the Office of the City Clerk within ten (10) calendar days, or postmarked within ten (10) calendar days, of the date of issuance of the administrative citation or Administrative Enforcement Order, or within the time specified on the Administrative Enforcement Order.

Sec. 2-10-70 Appeal of administrative citation.

(a) A person served with an administrative citation may file a notice of appeal in person or postmarked within ten (10) calendar days from the service of the administrative citation. Compliance with this time limit shall be a jurisdictional prerequisite to any appeal brought under this Article. Failure to comply with such time limit shall be deemed a waiver of the right to a hearing and the adjudication of the issues related to the hearing, provided that proper notice of the administrative citation has been provided.

(b) The notice of appeal shall be made in writing, filed with the City Clerk, and contain the following information:

(1) The reasons the appellant believes the administrative citation is objectionable, incorrect or illegal;

(2) The amount and type of claim or dispute involved, and the time during which it accrued or occurred;

(3) The name, address, telephone number and email address of the appellant;

(4) If the appellant is to be represented by another person, the name, address and telephone number of the representative; and

(5) The signature of the appellant, legal representative, or corporate agent.

(c) A processing fee of seventy-five dollars ($75.00) shall be paid simultaneously with the filing of the notice of appeal. The processing fee is not refundable, except as provided in Section 2-10-90(I).

(d) If, in the opinion of the City Manager, the appeal meets all of the requirements of subsections (a) through (c) of this Section, the City Manager shall appoint an Administrative Hearing Officer and forward the notice of appeal to that person.
(e) If, in the opinion of the City Manager, the appeal does not meet all of the requirements of subsections (a) through (c) of this Section, the City Manager shall promptly return the appeal and notify the appellant of what requirements the appeal fails to meet. The appellant may correct and resubmit the appeal without paying an additional processing fee, provided the timeframe for filing an appeal set forth in subsection (a) of this Section has not expired.

(f) As soon as practicable after receiving the written notice of appeal, the Administrative Hearing Officer appointed for the appeal shall schedule a date, time and location for the hearing, unless, if requested by the appellant and in the sole discretion of the Administrative Hearing Officer, it is submitted on written brief and supporting material.

(g) Written notice of the date, time and location of the hearing shall be personally served upon or sent by first class mail to the responsible party at least ten (10) calendar days prior to the date of the hearing.

Sec. 2-10-80 Procedures and standards at administrative citation appeal hearings.

(a) The administrative citation appeal hearing shall follow procedures as set forth herein.

(b) Formal rules of evidence and discovery do not apply; however, an exchange of discovery may be required by the Administrative Hearing Officer or requested by a party. The request must be in writing. Failure to request discovery shall not be a basis for a continuance of the hearing.

(c) The parties to an administrative citation appeal hearing shall be the responsible party and the City.

(d) The Administrative Hearing Officer, at the request of any party to the hearing, may subpoena witnesses, documents and other evidence where the attendance of the witness or the admission of evidence is deemed necessary to decide the issues at the hearing. All costs related to the subpoena, including witness fees in the amount of five dollars ($5.00) per witness, and mileage fees at the rate provided for witnesses by statute, shall be borne by the party requesting the subpoena. The party requesting a subpoena shall also be responsible for service of the subpoena.

(e) The City bears the burden of proof at an administrative citation appeal hearing to establish the existence of a violation of the Code.

(f) The standard of proof to be used by the Administrative Hearing
Officer in deciding the issues at an administrative citation appeal hearing is by a preponderance of the evidence.

(g) The Administrative Hearing Officer shall cause to be made a record of the hearing, by sound recording, and shall make available a transcript of the hearing to any person upon request and payment in advance of the estimated cost of the production of the transcript.

(h) The Administrative Hearing Officer shall render a written decision, accompanied by findings of fact and conclusions based thereon.

(i) All witnesses shall be sworn or shall affirm their testimony in the manner required in courts of record.

Sec. 2-10-90 Duties and powers of the Administrative Hearing Officer.

(a) The Administrative Hearing Officer shall determine whether appeals of administrative citations are valid. In so doing, the Administrative Hearing Officer shall determine whether the administrative citation under appeal was issued in compliance with the requirements of the City’s ordinances. In each case, the Administrative Hearing Officer shall be charged with performing all functions relating to the final determination and order, and entertaining petitions or motions made in writing. The Administrative Hearing Officer shall perform those duties and functions necessary and incidental to determining the matter, issuing subpoenas, authorizing depositions, administering oaths, hearing all evidence, examining all documents, ruling on evidentiary questions, and generally conducting the hearing as a quasi-judicial proceeding.

(b) In the discretion of the Administrative Hearing Officer, parties to the hearing may be required to file a pre-hearing statement before the appeal is set for hearing. The pre-hearing statement may include: the issues raised by the appeal; agreed and disputed facts; copies of exhibits not previously included in the record; names of witnesses with a brief statement summarizing their testimony; an estimate of the time necessary to present a party’s evidence; and other matters as requested by the Administrative Hearing Officer.

(c) All hearings or, when an appeal is submitted for determination based on written argument and written facts and figures, all examination of such written petitions and papers shall be conducted by the Administrative Hearing Officer assigned to conduct the hearing or to examine the written material submitted.

(d) The admissibility of evidence shall be encouraged, and the Administrative Hearing Officer shall consider all evidence of probative value.
The Administrative Hearing Officer may utilize his or her experience, technical competence, and specialized knowledge in the evaluation of evidence presented.

(c) Copies, photographs and photocopies may be admitted into evidence or substituted in evidence in place of originals.

(f) Witnesses needed to give opinion testimony as experts must be qualified as such, and their qualifications should be submitted in advance to the Administrative Hearing Officer.

(g) Whenever it appears that an appeal is not properly before the Administrative Hearing Officer, or that the appellant for some other reason lacks jurisdiction or standing, the case may be dismissed on the motion of any party or the Administrative Hearing Officer.

(h) Mailings, notices, computations of time, time limitations, service and filings shall conform to the requirements of the particular law or ordinance involved.

(i) The written decision of the Administrative Hearing Officer shall be known as the Administrative Enforcement Order. The Administrative Hearing Officer shall service copies of the Administrative Enforcement Order on the City and responsible party by first class mail, and the Administrative Enforcement Order shall be deemed served on the third (3rd) business day after mailing.

(j) The parties may enter into a stipulated agreement, which must be signed by both parties. Upon approval and acceptance by the Administrative Hearing Officer, this agreement shall be entered as the Administrative Enforcement Order. Entry of this agreement shall constitute a waiver of the right to a hearing and the right to appeal.

(k) The Administrative Hearing Officer may uphold the administrative citation and all penalties, dismiss the administrative citation and all penalties, or may uphold the administrative citation and waive or conditionally reduce the penalties assessed by the administrative citation. The Administrative Hearing Officer may also impose conditions and deadlines to correct the violation or require payment of any outstanding penalties.

(l) If the Administrative Hearing Officer dismisses the administrative citation and all penalties due to the City’s failure to satisfy its obligations under this Article, the appellant’s seventy-five dollar ($75.00) processing fee shall be promptly refunded.
(m) The Administrative Hearing Officer has continuing jurisdiction over the subject matter of an administrative citation appeal hearing for the purposes of granting a continuance, ordering compliance by issuing an Administrative Enforcement Order, ensuring compliance of that Order, modifying an Administrative Enforcement Order, or, where extraordinary circumstances exist, granting a new hearing. The Administrative Hearing Officer may schedule subsequent review hearings as may be necessary or as requested by a party to the hearing to ensure compliance with the Administrative Enforcement Order.

Sec. 2-10-100 False information or refusal prohibited.

It is unlawful for any person to willfully make a false statement or refuse to give his or her name or address with intent to deceive or interfere with the enforcement official when in the performance of official duties in the provisions of this Article. Any person who willfully makes a false statement or refuses to give his or her name or address with intent to deceive or interfere with the enforcement official shall be guilty of a misdemeanor and upon conviction thereof shall be punished as set forth in Chapter 1, Article IV of the Code.

Sec. 2-10-110 Failure to obey subpoena.

It is unlawful for any person to refuse to obey a subpoena issued by the Administrative Hearing Officer. Any person who fails to obey a subpoena shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine or confinement in jail or by both such fine and imprisonment as set forth in Chapter 1, Article IV of the Code.

Sec. 2-10-120 Failure to attend administrative citation appeal hearing.

Any responsible party who fails to appear at an administrative citation appeal hearing shall be deemed to have waived the right to a hearing and the adjudication of the issues related to the hearing, provided that proper notice of the hearing has been provided.

Sec. 2-10-130 Failure to comply with Administrative Enforcement Order.

It is unlawful for a responsible party who has been served with a copy of an Administrative Enforcement Order to fail to comply with such Order. Any person who fails to comply with an Administrative Enforcement Order shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine or confinement in jail or by both such fine and imprisonment as set forth in Chapter 1, Article IV of the Code. Prosecution for failure to comply
with an Administrative Enforcement Order shall not commence until the time to appeal such Order has lapsed.

Sec. 2-10-140 Failure to pay penalties.

(a) The failure of any responsible party to pay the civil penalties assessed by an administrative citation or Administrative Enforcement Order within the time specified on the citation or Order, respectively, may result in the imposition of a late fee of twenty-five dollars ($25.00) and interest at a rate of ten percent (10%) per annum.

(b) In the event of failure to pay all penalties assessed, the City Manager may refer the matter for collection by whatever means are available to the City.

(c) In the case of violations associated with specific real property, the City shall have as security for the collection of such penalties, late fees, interest, and administrative costs a lien upon such real property. The assessment shall be a lien against the property until paid and shall have priority over all other liens except general taxes and special assessments. If such assessment is not paid when due, the City Manager may certify the amounts outstanding to the Gilpin County Treasurer for collection in the manner specified in Sec. 1-7-30 of the Municipal Code.

(d) Any action or other process provided by law may be maintained by the City to recover or collect any amounts, including late fees, penalties, interest and administrative costs under this Article.

Section 2. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 3. Effective Date. This Ordinance shall become effective immediately following publication, public hearing and the approval of City Council following second reading in accordance with Sections 5.9 and 5.10 of the City Charter.

INTRODUCED AND READ by title only on first reading at the regular meeting of the City Council of the City of Central on the 5th day of February, 2019, at Central City, Colorado.
CITY OF CENTRAL, COLORADO

Jeremy Fey, Mayor

Approved as to form:

Marcus McAskin, City Attorney

ATTEST:

Reba Bechtel, City Clerk

PASSED AND ADOPTED on second reading, at the regular meeting of the City Council of the City of Central on the 5th day of March, 2019.

CITY OF CENTRAL, COLORADO

Jeremy Fey, Mayor

ATTEST:

Reba Bechtel, City Clerk
POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on February 21, 2019.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on March 7, 2019.
AGENDA ITEM # 8
CITY COUNCIL COMMUNICATION FORM

TO: Mayor Fey and Members of City Council
FROM: Marcus McAskin, City Attorney
DATE: February 27, 2019 (Meeting Date March 5, 2019)
ITEM: Ordinance 19-03 (Second Reading)

_ X ORDINANCE
_____ MOTION
_____ INFORMATION

I. REQUEST OR ISSUE: Ordinance No. 19-03 (the “Ordinance”) amends the Municipal Code to make explicit that the City is not subject to the jurisdiction of the Independent Ethics Commission or the ethics provisions of Article XXIX of the Colorado Constitution (“Article XXIX”), pursuant to an exemption for home rule municipalities set forth in Article XXIX.

II. RECOMMENDED ACTION / NEXT STEP: Consider and approve Ordinance No. 19-03 on second reading, following a public hearing. The Ordinance was approved on first reading on February 19, 2019.

III. BACKGROUND INFORMATION:

Central’s Home Rule Charter, at Section 5.12, requires that the City Council set rules for the governance of its meetings and the conduct of its members by ordinance and that the City Council adopt an ordinance which defines misconduct in office and which sets penalties for violation of the ordinance. To fulfill the directive of Section 5.12, the City adopted Article IV of Chapter 2 of the Municipal Code (“Code of Ethics”).

Following the City’s adoption of its Code of Ethics, Colorado voters passed Amendment 41, which was a constitutional citizen initiative on the ballot of the November 2006 election. Amendment 41 was codified into Article XXIX. It establishes the Independent Ethics Commission (“IEC”), which is an entity that provides ethics oversight for government officials in Colorado. The IEC hears complaints, issues findings, and assesses penalties
in connection with ethics issues arising under Article XXIX and other standards of conduct as provided by law.

However, Article XXIX allows home rule municipalities with their own ethics codes that address the matters in Article XXIX to be exempt from the IEC’s jurisdiction and the ethics provisions in Article XXIX.

A recent Denver District Court order in *Dunafon v. Jones et al.*, in which Glendale (home rule) was challenging the IEC’s jurisdiction over it, interpreted Article XXIX to mean that the IEC has no jurisdiction over home rule municipalities that have adopted their own ethics codes and procedures, which do not have to be exactly the same as the standards in the Colorado Constitution.

Because Central is such a home rule municipality, the City Attorney’s office recommends making it explicit in the City’s Code of Ethics that the City falls under this exemption and clarifying that Article XXIX does not apply to the City.

Therefore, Ordinance 19-03 includes the following amendments to Sections 2-4-10(b) and 2-4-60(5), with additions shown in bold and deletions shown in strikethrough:

Sec. 2-4-10. Authority, purposes and general policies.

(b) Purposes. The purposes of this Article are to:

1. State principles of conduct and ethics which are to be applied in public service;
2. Help motivate City officers and employees to pursue productive conduct and ethical ideals which exceed minimum standards;
3. Provide a process by which City officers and employees may identify and resolve conduct and ethical issues;
4. Identify minimum standards of ethical conduct for City officers and employees;
5. Inform the public of the minimum standards to which their City officers are expected to adhere;
6. Promote public confidence in the integrity of City officers;
7. Establish penalties, when appropriate, for City officers who violate the public trust; and
8. Protect to the fullest extent possible the rights of all individuals who are subject in any way to the provisions of this Article; and

9. Address the matters covered by Article XXIX of the Colorado Constitution. As a home rule municipality, the City of Central intends that this Article supersedes Article XXIX of the Colorado Constitution.
Sec. 2-4-60. Prohibited conduct; City officer.

(5) Engage in any conduct which would constitute a conflict of interest as defined by this Article or under the laws of the State of Colorado.

IV. **FISCAL IMPACTS:** None.

V. **LEGAL ISSUES:** None.

VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** None.

VII. **SUMMARY AND ALTERNATIVES:** City Council has the following options:

1. Adopt Ordinance No. 19-03 on second reading following public hearing; or

2. Direct staff to revise the Ordinance and schedule consideration of the Ordinance on a future City Council agenda for second reading.

**RECOMMENDED ACTION:** "I MOVE TO APPROVE ORDINANCE NO. 19-03, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO, AMENDING SECTIONS 2-4-10 AND 2-4-60 OF THE MUNICIPAL CODE ON SECOND READING."
CITY OF CENTRAL, COLORADO
ORDINANCE 19-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO, AMENDING SECTIONS 2-4-10 AND 2-4-60 OF THE MUNICIPAL CODE

WHEREAS, the City of Central ("City") is authorized under its home rule charter and Title 31 of the Colorado Revised Statutes to adopt and amend ordinances in furtherance of governmental administration and the City’s police powers; and

WHEREAS, the City Council previously adopted certain ethics provisions, codified in Article IV of Chapter 2 of the Municipal Code ("Code of Ethics") pursuant to Section 3.2 of the City’s Home Rule Charter for the purposes of implementing Section 5.12 of the Home Rule Charter; and

WHEREAS, Section 5.12 of the Home Rule Charter mandates that the City Council set rules for the governance of its meetings and the conduct of its members by ordinance; and

WHEREAS, after the codification of the Code of Ethics, Colorado voters passed Amendment 41 to the Colorado Constitution at the November 2006 election; and

WHEREAS, Amendment 41 was codified into Article XXIX of the Colorado Constitution ("Article XXIX") and allows for an independent ethics commission ("IEC") to hear complaints, issue findings, and assess penalties in connection with ethics issues arising under Article XXIX and other standards of conduct as provided by law; and

WHEREAS, Article XXIX contains an explicit exemption from the IEC’s jurisdiction and the ethics provisions of Article XXIX for home rule municipalities that have adopted their own ethics codes addressing the matters covered by Article XXIX;

WHEREAS, because the City is a home rule municipality and has its own Code of Ethics that addresses the matters covered by Article XXIX, the City desires to amend the Municipal Code to make explicit that the City is exempt from the jurisdiction of the IEC and application of Article XXIX ethics provisions; and

WHEREAS, it is in the best interest of the people of the Central City to amend Section 2-4-10 of the Municipal Code, titled "Authority, purposes and general policies", at subsection (b) and Section 2-4-60 of the Municipal Code, titled "Prohibited conduct; City officer", at subsection (5) to clarify that the City of Central is exempt from the IEC’s jurisdiction and application of Article XXIX because the Municipal Code addresses the matters set forth in Article XXIX.

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF CENTRAL, COLORADO THAT:

Section 1. Section 2-4-10(b) of the Municipal Code is hereby amended to add a subsection (9) and shall read in full as follows:

(b) Purposes. The purposes of this Article are to:
(1) State principles of conduct and ethics which are to be applied in public service;

(2) Help motivate City officers and employees to pursue productive conduct and ethical ideals which exceed minimum standards;

(3) Provide a process by which City officers and employees may identify and resolve conduct and ethical issues;

(4) Identify minimum standards of ethical conduct for City officers and employees;

(5) Inform the public of the minimum standards to which their City officers are expected to adhere;

(6) Promote public confidence in the integrity of City officers;

(7) Establish penalties, when appropriate, for City officers who violate the public trust;

(8) Protect to the fullest extent possible the rights of all individuals who are subject in any way to the provisions of this Article; and

(9) Address the matters covered by Article XXIX of the Colorado Constitution. As a home rule municipality, the City of Central intends that this Article supersede Article XXIX of the Colorado Constitution.

Section 2. Section 2-4-60(5) of the Municipal Code is hereby amended to read as follows:

(5) Engage in any conduct which would constitute a conflict of interest as defined by this Article.

Section 3. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 4. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 5. Effective Date. This Ordinance shall become effective immediately following publication, public hearing and the approval of City Council following second reading in accordance with Sections 5.9 and 5.10 of the City Charter.
INTRODUCED AND READ by title only on first reading at the regular meeting of the City Council of the City of Central on the 19th day of February, 2019, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

________________________________________________________________________
Jeremy Fey, Mayor

Approved as to form:

________________________________________________________________________
Marcus McAskin, City Attorney

ATTEST:

________________________________________________________________________
Reba Bechtel, City Clerk

PASSED AND ADOPTED on second reading, at the regular meeting of the City Council of the City of Central on the 5th day of March, 2019.

CITY OF CENTRAL, COLORADO

________________________________________________________________________
Jeremy Fey, Mayor

ATTEST:

________________________________________________________________________
Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on February 21, 2019.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on March 7, 2019.
Dear Mayor and Council,
I would like to be considered for the current vacancy on the HPC board. As a local resident and owner of a historic home I feel I could be an asset to the HPC as well as learn more about what the board does and proper preservation of our Historic District. I am free Wednesday evenings and more than willing to commit to your efforts in these matters.

Thank you for your consideration,
Chuck Webster
210 Lawrence Street
Central City Colorado 80427
720-788-5805

John C. Webster vintageskis1963@gmail.com
To whom it may concern,

The City of Central recently posted a request for an alternate position within the planning commission, of which I am interested in filling. Per the posting, I am including this letter of interest regarding the position.

I have been a resident in Central City for over a year now and have worked at the North Clear Creek Water Treatment Plant in Black Hawk during this time. I look forward to being a part of this community for years to come and it is my goal to become more involved in this bright city. My background is in environmental science and water management, something I think would be valuable within the planning commission. Additionally, I am finishing up a master’s degree in geographic information systems which I hope will further aid my ability to fill this vacancy. My current job in Black Hawk deals with administrative and technical support work, as well as water quality analysis. I believe that my educational background, combined with my current position in water treatment, would be beneficial in filling this vacancy within the planning commission.

Thank you for your time and consideration regarding this position. Please feel free to contact me regarding any questions you may have. I look forward to speaking with you soon!

Best regards,

Allyson Shellhorn
To whom it may concern,

I, Jeff Hentschel, would like to be considered for any vacancies on the Central City Main Street Commission. I am an owner and Marketing Manager of the Famous Bonanza & Easy Street Casinos as well as a member of the Central City Business Improvement District. I would be a great asset for this commission because I strive to see Central City succeed and feel I would offer this commission unique ideas and perspectives from a family owned business that has been a part of Central City since the 1950’s.

Thank you for your consideration. Please let me know if I need to provide any more information.

Sincerely,

Jeff Hentschel
Owner/Marketing Manager
Famous Bonanza & Easy Street Casinos
# Community Development Department –
Department Update – March 5, 2019

## Building

<table>
<thead>
<tr>
<th>Year</th>
<th>Permits</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>39 permits</td>
<td>$655,900</td>
</tr>
<tr>
<td>2018</td>
<td>33 permits</td>
<td>$1,008,099</td>
</tr>
<tr>
<td>2019</td>
<td>1 permit</td>
<td>$38,600</td>
</tr>
</tbody>
</table>

## Planning

- Various Initial Development/Building Inquires addressed
- Growth IGA – Direction Requested
- Denver Adventures Will be providing a revised plan by March 1, 2019
- Planning Commission Last meeting – November 2018 Topic: Comp Plan / Zone Change Request

## Economic Development

- Northwest Colorado Enterprise Zone
  - URL — Technical Assistance | November 29-30 2018 – Draft under review
- HEAL Colorado
  - Rapid Food Assessment – Report Completed – Presentation with Council on March 5th.
- CU Denver
  - Grant to support University coursework in Central City - 2019-2021 – Submitted February 15th
- Trails / Recreation
  - April 9, 2019 – 6 p.m. | Public Discussion / Input

## Historic Preservation

- Belvidere Theater
  - Owner Representative – New Contract will be pursued for next phase
  - Consultant has started their work. Public Charrette – Monday – March 18, 2019 – 6 p.m. [revised]
  - DOLA Mineral Impact Grant – Awarded – up to $179,350 Form Works Design Group Selected

## Historic Preservation Commission

<table>
<thead>
<tr>
<th>Last Meeting – December 12</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Relocation of Rickville-Williams House (yellow house)</td>
</tr>
<tr>
<td>- Proposed roof plans for 200 E. 4th High St. - Revised Design Guidelines</td>
</tr>
</tbody>
</table>

## Code Enforcement

- Respond to complaints made -
<table>
<thead>
<tr>
<th>Year</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>33</td>
</tr>
<tr>
<td>2018</td>
<td>57</td>
</tr>
<tr>
<td>2019</td>
<td>1</td>
</tr>
</tbody>
</table>

## Code Update

- Working with the City of Northglenn and our prosecutor on draft language

## Sidewalk Snow

- Feb. 8 – Annual Notice Mailed / posted – Final publishing / notice forms from printer
### Marketing/Events

<table>
<thead>
<tr>
<th>Billboard</th>
<th>2019 Billboard lottery selections made</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central City App - Mobile Town Guide developed “Mobile Town Guide Central City” – Expires In 2019</td>
<td></td>
</tr>
<tr>
<td>Editing videos for commercial and digital media content</td>
<td></td>
</tr>
<tr>
<td>Main Street Central City – Two open positions</td>
<td></td>
</tr>
<tr>
<td>Direct City Marketing / Promotion</td>
<td></td>
</tr>
<tr>
<td>New 2019 Rack Card</td>
<td>Printed and placed in various locations</td>
</tr>
<tr>
<td></td>
<td>Digital, broadcast and e-blasts</td>
</tr>
<tr>
<td></td>
<td>Focus on Ads running from May – Sep.</td>
</tr>
<tr>
<td>2019 Events</td>
<td>Finalizing various dates</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Marketing Plan</td>
<td>Created for 2019+</td>
</tr>
</tbody>
</table>

### Audio Visual / Website / Information Technology

| Website/Social Media – Currently revising the web page |
| Administration, promotion and monitoring continues |
| Livestreaming of City Council Meetings |
| PBX/ Phone Systems | Gathering quotes for new support |

### Staff

| Managing consultants |
| Training at UC Denver |
| UC Denver intern | Main Street Advisor |
| Historic Preservation & Code Enforcement Officer – Position Posted – Applications Under Review |
To: Mayor Fey, City Council, and City Manager
From: Sam Hoover, Public Works Director
Date: February 28, 2019
Re: Bi-weekly Report

Since our last council update, public works staff has performed the following activities:

- Snow removal
- Vehicle maintenance on the fleet
- Ice flow mitigation
- Pothole patching
- Tree Trimming

- Hosted the initial meeting with Xcel, the BID and their engineer, and the City to discuss the extension of power and light poles along the Central City Parkway
To: City Manager, Daniel Miera
From: Jack Beard, Water Operator
Date: February, 2019
Re: Bi-Monthly Report

- The department contracted C&L Water Solutions to perform repairs to a valve on Eureka Street. On January 11th, 2019 a main line water valve failed and caused temporary interruption of water service through most of the city. Other valves nearby were assessed for corrosion and the department had C&L Water solutions rebuild one valve near the break location to prevent further service interruptions in the future. A special material called FloFill was used to back fill the excavation site to aid in proper ground compaction. Permanent asphalt patching was performed the following week.
- The department worked with on call SCADA Engineer to assist in adjusting variable frequency drives at the Spring Street Pump station. The pump station was experiencing intermittent issues related to pump drive speed. The adjustment was successful and the pump station has been working well and staff will continue to monitor.
- Staff worked with the Public Works department and the Fire Department to shut off water service due to a frozen pipe inside a customers residence.
• Staff assisted in supplying and installing various meter parts that needed replacement due to the below freezing temperatures which resulted in frozen water meters.

• Staff worked with Public Works mechanics to perform repairs and maintenance to the departments Polaris Ranger UTV.

• Staff worked with the Human Resources Department to create a job posting for the new Water Treatment Plant Operator Position. The posting can be found on the city's website, Colorado Rural Water webpage, Rocky Mountain Water Environment Association webpage, The Weekly Register Call, and Craigslist.

• The department ordered adapters for existing fire hydrants within the city. The adapters mount onto a fire hydrant 4.5-inch steamer nozzle and replaced the threaded connection with a ¼ turn quick connect fitting. It has been a goal of the Fire Department and the Water Department to complete this project in phases. The department anticipates having the project completed in 2019 and was started in 2015.

• Staff has been a member of the Upper Clear Creek Watershed Association for some years and attended the regular monthly meeting. Multiple entities and members come from surrounding cities, counties, and other agencies to work together on protecting the clear creek water shed for future generations.

• Staff worked with city attorney Marcus McAskin and city clerk Reba Bechtel to create and present Resolution to City Council accepting completion of construction for the Source Water Diversion Structures Improvements Project.

• Department staff worked with Community Development to assess the existing infrastructure within the KOA and Gold Mountain Village Apartments Complex.

• Staff worked with the Finance Department to gather all necessary invoice and backup documentation for the repairs made to the cities water infrastructure by Jim’s Backhoe Service. Pay Application No.1 was processed in February.

• Department staff met with other department for the CIRSA Insurance audit on February 19th.

• Staff prepared and attended regular council meetings and work sessions in February.

• Staff worked with the Finance Department to process regular monthly invoices.

• Staff met with property owners to evaluate unexplained causes for excessive water usage.

• The department had Hach Company to perform quarterly service and calibration of all water plant and water testing equipment.

• The department received various chemical deliveries throughout the month in preparation for the spring runoff season.

• Staff worked together to provide necessary monthly water plant numbers and reservoir reports to Deere & Ault to be submitted to the state for monthly water accounting and dam safety.

• Department staff worked with Public works to gather all department fire extinguishers to be sent for yearly testing and certification.
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<td>0:52:03</td>
</tr>
</tbody>
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