



REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, August 18, 2026 - 6:00 PM
City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

The Montrose City Council is pleased to have residents of the community take time to attend City Council meetings. We encourage your attendance and participation. Individuals wishing to be heard during public hearing proceedings are encouraged to be prepared and will generally be limited to three minutes to allow everyone the opportunity to be heard. Additional written comments are welcome and will be received at any time. The 11:00 p.m. rule will be enforced in accordance with City of Montrose Regulations (Sec. 7-15-2).

Public participation for this meeting will be in person in the City Council Chambers. The meeting can be viewed online via livestream and video recordings of the meetings can be viewed on our YouTube page.

Hearing assistance devices are available for public use. Please let us know if you need accommodation. Spanish interpretation may be provided upon request, subject to availability. Please email the City at least three days in advance to coordinate this service.

- 1) City Council meeting called to order by Mayor Michael J. Badagliacco
- 2) The Pledge of Allegiance
- 3) Roll call by the City Clerk
- 4) Changes to the agenda including additions and deletions
- 5) You Make a Difference Award Presentation - Nikki Zwaschka, Visitor Center Volunteer
- 6) **CALL FOR PUBLIC COMMENT FOR NON-AGENDA ITEMS**

The "Call for Public Comment" agenda item is a time when concerned members of the community may publicly voice their concerns and discuss items of interest. Please note that no formal action will be taken on the matters raised during this time.



Comments made during this time should be addressed to the Council and pertain to matters of at least general importance to the City and its operations. Please be aware that neither City Council nor City staff are expected to respond or engage in discussion or debate.

Please refrain from any personal attacks and disagreements, personnel and employment matters, the use of profanity or ethnic, racial, or gender-oriented slurs as they may be considered “disorderly conduct” which violates state or local law.

7) **CONSENT AGENDA** (5 minutes)

- A) City Council consideration of the minutes of the July 29, 2026, special City Council meeting and the August 4, 2026, regular City Council meeting. *Staff: City Clerk Lisa DelPiccolo*
- B) City Council consideration of the rescheduling of the November 3, 2026, regular City Council meeting to Monday, November 2, 2026, at 6:00 p.m. in the City Council Chambers. *Staff: City Clerk Lisa DelPiccolo*

8) **QUASI-JUDICIAL ITEMS**

A) **NEW HOTEL AND RESTAURANT LIQUOR LICENSE APPLICATION**

City Council consideration of an application for a new Hotel and Restaurant liquor license application at 512 E. Main Street for Pruf Concepts Inc., doing business as Pruf, for consumption on the licensed premises. *Staff: City Attorney Chris Dowsey*

Action: Hold a hearing. Consider making a motion to approve a new Hotel and Restaurant liquor license at 512 E. Main Street for Pruf Concepts Inc., doing business as Pruf, for consumption on the licensed premises.

B) **NEW HOTEL AND RESTAURANT LIQUOR LICENSE APPLICATION**

City Council consideration of an application for a new Hotel and Restaurant liquor license application at 1245 E. Main Street for Claudia's Kitchen & Bakery, doing business as Claudia's Kitchen & Bakery, for consumption on the licensed premises. *Staff: City Attorney Chris Dowsey*

Action: Hold a hearing. Consider making a motion to approve a new Hotel and Restaurant liquor license at 1245 E. Main Street for Claudia's Kitchen & Bakery, doing business as Claudia's Kitchen & Bakery, for consumption on the licensed premises.



9) **FIRE SUPPRESSION SYSTEM PROJECT AUTHORIZATION AND SOLE SOURCE WAIVER** (10 minutes)

City Council consideration of the authorization of \$75,000.00 for the installation of a fire suppression system in the Network Operation Center, including a contract with Pye Barker in the amount of \$69,987.00. *Staff: Facilities Manager Brayden Reeder*

Action: Accept public comment. Consider making a motion to authorize \$75,000.00 for the installation of a fire suppression system in the Network Operation Center including a contract with Pye Barker in the amount of \$69,987.00 as presented.

10) **ORDINANCE 2723 - FIRST READING** (10 minutes)

City Council consideration of Ordinance 2723 on first reading, an ordinance of the City of Montrose, Colorado, vacating portions of a drainage easement within the City of Montrose. *Staff: City Engineer Scott Murphy*

Action: Hold a hearing. Consider making a motion to pass Ordinance 2723 on first reading as presented.

11) **ORDINANCE 2724 - FIRST READING** (10 minutes)

City Council consideration of Ordinance 2724 on first reading, an ordinance of the City of Montrose, Colorado, vacating portions of right of way within the City of Montrose. *Staff: City Engineer Scott Murphy*

Action: Hold a hearing. Consider making a motion to pass Ordinance 2724 on first reading as presented.

12) **NORTH PARK AVENUE RECONSTRUCTION DESIGN CONTRACT** (10 minutes)

City Council consideration of a contract award to Del-Mont Consultants in the amount of \$76,400 for completion of civil design associated with the North Park Avenue Reconstruction Project. *Staff: City Engineer Scott Murphy*

Action: Accept public comment. Consider making a motion to award a contract to Del-Mont Consultants in the amount of \$76,400 for completion of civil design associated with the North Park Avenue Reconstruction Project as presented.



13) **ORDINANCE 2726 - SECOND READING** (15 minutes)

City Council consideration of Ordinance 2726 on second reading, an Ordinance of the City of Montrose, Colorado, adding Title 9 Chapter 10 Section 3 (9-10-3), regarding Park speed limits, off trail riding prohibited, amending Title 10, Chapter 1, Section 4 (10-1-4) additions or modifications in adopted Model Traffic Code, and adding Title 10, Chapter 1, Section 15.5 (10-1-15.5), Electrical-assisted bicycles and classless electrical-assisted vehicles. *Staff: Assistant City Attorney Matt Magliaro*

Action: Accept public comment. Consider making a motion to adopt ordinance 2726 on second reading as presented.

14) **MONTROSE COUNTY ELECTIONS INTERGOVERNMENTAL AGREEMENT** (15 minutes)

City Council consideration of a Montrose County Elections Intergovernmental Agreement between the Montrose County Clerk and Recorder and the City of Montrose for City Charter amendment questions on the November 3, 2026, ballot. *Staff: City Attorney Chris Dowsey*

Action: Accept public comment. Consider making a motion to approve the Montrose County Elections Intergovernmental Agreement between the Montrose County Clerk and the City of Montrose as presented.

15) **ORDINANCE 2727 - FIRST READING**

City Council consideration of Ordinance 2727 on first reading, an Ordinance of the City of Montrose, Colorado, Submitting to a vote of the Registered Electors of the City of Montrose Proposed Amendments to the Charter of the City of Montrose, Article I Section 8 and Article III Sections 1 and 2 to change the dates of general municipal elections from April of even-numbered years to November of even-numbered years; and setting the ballot question for the November 3, 2026, Coordinated Election. *Staff: City Attorney Chris Dowsey*

Action: Hold a hearing. Consider making a motion to pass Ordinance 2727 on first reading as presented.



16) **ORDINANCE 2728 - FIRST READING**

City Council consideration of Ordinance 2728 on first reading, an Ordinance of the City of Montrose, Colorado, Submitting to a vote of the Registered Electors of the City of Montrose Proposed Amendments to the Charter of the City of Montrose, Article I Sections 7, 8 and 11 and Article III Section 1 to amend term limits of the at-large council member; setting a lifetime eight-year limit for elected service for all members of Council; and setting the ballot question for the November 3, 2026, Coordinated Election. *Staff: City Attorney Chris Dowsey*

Action: Hold a hearing. Consider making a motion to pass Ordinance 2728 on first reading as presented.

17) **ORDINANCE 2729 - FIRST READING**

City Council consideration of Ordinance 2729 on first reading, An Ordinance of the City of Montrose, Colorado, Submitting to a vote of the Registered Electors of the City of Montrose Proposed Amendments to the Charter of the City of Montrose, Article VIII Section 8 to allow for the City Council to approve the City Manager's decision to appoint or discharge the Police Chief of the Montrose Police Department; and setting the ballot question for the November 3, 2026, Coordinated Election. *Staff: City Attorney Chris Dowsey*

Action: Hold a hearing. Consider making a motion to pass Ordinance 2729 on first reading as presented.

18) **ORDINANCE 2730 - FIRST READING**

City Council consideration of Ordinance 2730 on first reading, an Ordinance of the City of Montrose, Colorado, Submitting to a vote of the Registered Electors of the City of Montrose Proposed Amendments to the Charter of the City of Montrose, Article VIII Section 6 to allow for the City Council to approve the City Manager's decision to appoint or discharge the City Clerk; and setting the ballot question for the November 3, 2026, Coordinated Election. *Staff: City Attorney Chris Dowsey*

Action: Hold a hearing. Consider making a motion to pass Ordinance 2730 on first reading as presented.



19) **STAFF REPORTS**

- A) **Sales, Use, and Excise Tax Report** (5 minutes)
Staff: Sales Tax Manager Leeanne Whittaker
- B) **Second Quarter Budget Review** (5 minutes)
Staff: Finance Director Heather MacDougall

20) **CITY COUNCIL COMMENTS**

21) **MOTION TO ADJOURN**



MONTROSE CITY COUNCIL

July 29, 2026

A special meeting of the Montrose City Council was held on Wednesday, July 29, 2026, at 6:00 p.m. in the City Council Chambers of the Elks Civic Building at 107 S. Cascade Avenue. Said meeting was posted in accordance with the Sunshine Law.

PRESENT

Michael Badagliacco, Ed Ulibarri, Dave Frank, J. David Reed, Adam Woodden, Bill Bell, Ann Morgenthaler, Chris Dowsey, Greg Story, Lisa DelPiccolo, Blaine Hall, Larry Witte, Tim Cox, Matt Magliaro, Greg Stunder, Jonathan Roberts

GUESTS

Jan Edwards, Doug Glaspell, Dave Stockton, Janet Eckerdt, Beth McCorkle, Kim Spangrude, Greg Cairns, Jim Haugsness, Dave Bowman, Alice Murphy, John Brown, Jodi Woodden, Bob Nicholson, Ryan Sedgeley, Neonila Martyniuk, Holly Speaks, Anne Janik, Lesley Hallenborg, Karen Vaca, Don Vacca, Gerald Spangrude, Jacqueline Huff, Jo Clugg, Deb Kelly, Dana Kelly, Clara Carrasco, Cliff Faurer, Hayden Janssen, Karen Sherman-Perez, John Broadbooks, Katrina Davis

CALL TO ORDER

Mayor Michael Badagliacco called the special meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DISCUSSION OF PROPOSED CHARTER AMENDMENTS

Mayor Michael Badagliacco stated that public comment would be limited to the two topics on the special meeting agenda, with each speaker allotted three minutes. City Councilors discussed procedures for City Council comments and limited comments to the two proposed charter amendments on the agenda.

City Councilor J. David Reed requested that a statement he prepared be made part of the public record and available to the public.

Moving general municipal elections from April to November of even-numbered years

City councilors discussed an amendment to the City Charter to move general municipal elections to the November coordinated election ballot on even-numbered years. Potential benefits include cost reductions, increased voter participation, the availability of voters to track ballot status, availability of in-person and same-day voting, and decreased voter fatigue. Concerns raised included differing statutory requirements, the potential for municipal elections to become partisan in nature, voter focus on state and national aspects as opposed to local issues, and the extension of current City Council terms by seven months. It was pointed out that in 1994, elections were moved to April from November to avoid diluting the importance of city elections and to keep the focus solely on municipal issues.

Public comment was accepted.

Jim Haugsness questioned whether the amendments would be one combined ballot question or multiple individual ballot questions. Mr. Haugsness spoke in favor of individual questions.

Dave Stockton, John Broadbooks, Cliff Faurer, Bob Nicholson, Holly Speaks, Doug Glaspell, Ryan Sedgeley, Beth McCorkle, Hayden Janssen, Katrina Davis, Dave Bowman, and Karen Sherman-Perez spoke in opposition to the proposed charter amendment.

John Brown spoke in favor of the proposed amendment to increase voter participation and in favor of voters deciding the issue.

Clara Carrasco questioned why municipal elections were moved from November to April in 1994 and spoke in support of knowing candidates' values as opposed to party affiliation.

Kim Spangrude questioned whether the transition of City Council member terms has been discussed and whether this proposed amendment was discussed with county elections staff.

Council discussed the terms of the current elected officials if the measure passes. It was suggested that the structure of the ordinance would include provisions for those who currently hold office. Other unintended consequences would also be researched and addressed in the ordinance language.

City Councilors discussed the timeline for placing the charter amendments on the November 3 ballot. City Attorney Chris Dowsey said that in order to meet legal notice publication deadlines, ordinance titles must be set by August 6. The agendas must be finalized for the September 1 meeting packet by Thursday, August 13.

Implementing a lifetime 8-year term limit for all City Council seats; removing the 6-year consecutive limit for the at-large seat to align with the 8-year total limit

City Councilors discussed the necessity of the amendment. It was pointed out that in the City's 144 year history, only four elected representatives had terms that exceeded eight years, and only two in the past 40 years. The potential benefits include encouraging leadership opportunities for new candidates, promoting periodic turnover of elected officials, and providing a consistent term-limit standard.

BRIEF RECESS

A brief recess was taken at 7:38 p.m. The meeting reconvened at 7:46 p.m.

Public comment was accepted.

Kim Spangrude raised concerns and suggested consulting county officials.

Beth McCorkle spoke in opposition to an eight-year lifetime limit and in support of an eight-year consecutive limit with required time away before running again.

Dave Stockton spoke in support of retaining a six-year limit for the at-large seat in line with the state constitution. Mr. Stockton also spoke in support of a term limit for serving as mayor.

Clara Carrasco questioned whether retaining institutional knowledge and addressing continuity of projects in process has been considered as part of the proposed amendment.

Cliff Faurer, Ryan Sedgeley, Bob Nicholson, and Greg Cairns spoke in opposition to the proposed amendment.

John Brown spoke in favor of the proposed amendment.

Holly Speaks spoke in favor of leaving the at-large term limit at six years.

Jim Haugsness spoke in opposition to disallowing Councilor J. David Reed's statement at the beginning of the meeting.

Dave Bowman spoke in opposition to the amendment and in favor of a term limit for serving as mayor.

Hayden Janssen spoke in favor of citizens showing up to provide comment and questioned whether a transition plan for consistency and loss of institutional knowledge has been discussed.

Karen Sherman-Perez requested more preparation for future discussions and more information available to community members.

City Council discussed whether appointments to unexpired terms would count against the eight-year maximum. Wording was suggested for the ordinance that would state that appointment to unexpired terms would not count. The short timeframe for drafting ordinances for each proposed amendment was discussed. City Attorney Chris Dowsey requested clear direction on moving forward due to the time constraints.

City Councilors were asked to indicate their support or opposition for directing Mr. Dowsey to draft ordinances for the two proposed amendments discussed this evening. J. David Reed and Dave Frank said no to both. Ed Ulibarri, Adam Woodden and Michael Badagliacco said yes to both.

ADJOURNMENT

The meeting adjourned at 8:30 p.m. with no further action taken.

ATTEST:

Michael J. Badagliacco, Mayor

Lisa DelPiccolo, City Clerk



MONTROSE CITY COUNCIL

August 4, 2026

A regular meeting of the Montrose City Council was held on Tuesday, August 4, 2026, at 6:00 p.m. in the City Council Chambers of the Elks Civic Building at 107 S. Cascade Avenue. Said meeting was posted in accordance with the Sunshine Law.

PRESENT

Michael Badagliacco, Ed Ulibarri, Dave Frank, J. David Reed, Adam Woodden, Bill Bell, Ann Morgenthaler, Chris Dowsey, Greg Story, Lisa DelPiccolo, Blaine Hall, Larry Witte, Tim Cox, Jace Hochwalt, William Reis, Matt Magliaro, Greg Stunder, Mike Steffes, Chantelle Bainbridge

GUESTS

Janet Eckerdt, Bob Nicholson, Ellen Angeles, Judy Ann Files, Ralph Files, Neonila Martyniuk, Jan Edwards, Valerie Hudson, Melissa Hall, Cliff Faurer, Jim Haugsness, Debbie Reed, Jodi Woodden, Dave Stockton, Greg Cairns, Hayden Janssen, Phoebe Benziger, Beth McCorkle, Sue Frank, Bill Patterson, Richard Rogers, John Brown, Kim Spangrude, Holly Speaks, Ryan Sedgeley, Ron Henderson, Janine Reed, Julie Arnell, Shelly Robillard, Carol Howe, Lorrie Martin, Luann Bennett, Katrina Davis, Karen Sherman-Perez, Clara Carrasco, Alida Soileau, Kendra Stucki, Diane Rollins, Alice Murphy, Carol McBride, LuAnne Tyrrell, Cindy Robertson, Kevin Dawson

CALL TO ORDER

Mayor Michael Badagliacco called the meeting to order at 6:01 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CHANGES TO THE AGENDA

Mayor Pro Tem Ed Ulibarri reported that Item 14A, Wastewater Treatment Plant Project Update, was removed from the agenda. A report is available on the City website.

Mayor Michael Badagliacco announced that at yesterday's work session, three proposed amendments to the City Charter were removed from consideration for placement on the November ballot. Those amendments were related to he/she language updates, ranked choice voting, and municipal court judge residency requirements.

CALL FOR PUBLIC COMMENT

Janine Reid introduced herself as a member of the League of Women Voters of the Uncompahgre Valley and expressed concerns regarding transparency, violations of the Sunshine Law, the decision against a charter commission, unintended consequences of the proposed charter amendments, and the limited timeframe to add the amendments to the November ballot.

Cliff Faurer spoke regarding roles vs. labels in local government and in the Montrose community and questioned why citizens who provide public comment face retribution in an online publication.

Dave Stockton read a statement written by his wife, Lynn Stockton, regarding the need for authentic transparency.

Julie Arnell spoke in support of integrity, honesty, and transparency, and clear detailed answers from elected officials.

Shelly Robillard spoke in favor of the proposed charter amendments and in support of City Council oversight of the Police Department.

Valerie Hudson spoke regarding tools for working toward achieving a common goal. Ms. Hudson also spoke in favor of ensuring that any changes to the City Charter are for the good of everyone in the community.

Holly Speaks spoke in opposition to the City Council having oversight of the police chief.

Kim Spangrude spoke regarding the obligation of elected officials to serve all community members within the city limits.

John Brown spoke in support of change, in support of the proposed charter changes, and in support of the voters deciding.

Ellen Angeles spoke in support of building up the community as opposed to tearing it down and asked City Council to do what is best for the community.

LuAnne Tyrrell spoke regarding the mayor's column in an online publication and encouraged the mayor to incorporate a welcoming tone.

Carol Howe spoke in support of ranked choice voting and against charter changes related to the police chief and city clerk.

Beth McCorkle spoke in support of City Councilors listening to the youth within the community.

Bob Nicholson questioned whether municipal elections would need to move to odd-numbered years if moved to November as recommended by Colorado Municipal League and ICMA. Mr. Nicholson spoke in favor of keeping the City non-partisan and moving slowly on charter changes.

Lorrie Martin questioned why City Councilors are proposing changes to the police chief and city clerk positions and what problem the changes address.

Luann Bennett spoke in support of horns and lights on new bicycles for police officers.

Katrina Davis spoke in support of preventing ICE involvement in Montrose.

APPROVAL OF MINUTES

City Council considered the minutes of the July 21, 2026, regular City Council meeting.

A motion was made by J. David Reed, seconded by Dave Frank, to approve the minutes of the July 21, 2026, regular City Council meeting as presented. All voted yes. Motion passed.

RESOLUTION 2026-10

City Council considered Resolution 2026-10, authorizing the City of Montrose Police Department to file an application for a Victim Assistance Law Enforcement (VALE) Grant through the 7th Judicial District Victims Assistance Board for the total of \$61,104.00 to cover a portion of both the current Victim Advocate's Salary and a new Victim Advocate's salary; ratifying the City Manager's signature on the grant application; authorizing the Chief of Police to act in connection with the

application and to provide such additional information as required; and authorizing the City Manager, Chief of Police and Finance Director to sign the reporting documents.

Deputy Police Chief Larry Witte reported that the City has applied for VALE grants for over 20 years and has successfully received funding for victim advocate positions within the Montrose Police Department. Victim Services Coordinator Chantelle Bainbridge stated that ratification of the City Manager's signature is requested because the grant application deadline was earlier in the day today. Staffing issues at the state level caused a delay in the Police Department receiving the grant application letter.

Public comment was accepted.

Kim Spangrude spoke in support of the resolution.

Holly Speaks spoke in support of Ms. Bainbridge and victim advocates.

A motion was made by Dave Frank, seconded by J. David Reed, to adopt Resolution 2026-10 and ratify the City Manager's signature on the grant application as presented. All voted yes. Motion passed.

RESOLUTION 2026-11

City Council considered Resolution 2026-11, setting September 15, 2026, as the hearing date for the Locust Road Addition annexation.

Senior Planner William Reis reviewed the annexation schedule and the location of the 4.2 acres at 1815 Locust Road. Mr. Reis said the property is within City of Montrose water and sewer service areas and meets contiguity requirements. Mr. Reis reviewed the requested zoning designation of "R-2," Low Density District, as well as the zoning of the surrounding area.

Mr. Reis recommended adoption of Resolution 2026-11 stating that the proposal is consistent with public health, safety, and welfare, City annexation policies, and the Comprehensive Plan. An annexation agreement has been signed by the applicant and an annexation impact report is not required.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to adopt Resolution 2026-11 as presented. All voted yes. Motion passed.

ORDINANCE 2725 – SECOND READING

City Council considered Ordinance 2725 on second reading, an Ordinance of the City of Montrose, Colorado, amending Title XI Chapter 7, Zoning Regulations; Title XI Chapter 11, Supplementary Uses; and Title XI Chapter 15, Definitions, to allow for Temporary Workforce Housing within the City of Montrose, Colorado.

Community Development Director Jace Hochwalt reported no changes since the first reading of the Ordinance on July 20. The proposed ordinance amends Title XI of the Municipal Code to establish a use category and regulations for temporary work force housing and to provide a clear framework for this use. Mr. Hochwalt said adoption of Ordinance 2725 would define the use, establish use-specific standards and procedural requirements, and allow temporary workforce housing within the “I-1,” Light Industrial, zoning designation.

City Councilors discussed concerns about the possible community impacts.

Public comment was accepted.

Cliff Faurer spoke in support of Ordinance 2725.

Kim Spangrude spoke in support of providing resources for residents of the work force housing.

A motion was made by Dave Frank, seconded by J. David Reed, to adopt Ordinance 2725 on second reading as presented. Ed Ulibarri voted no. All others voted yes. Motion passed.

RESOLUTION 2026-12

City Council considered Resolution 2026-12 authorizing assignment to the Colorado Housing and Finance Authority of a private activity bond allocation of the City of Montrose pursuant to the Colorado Private Activity Bond Ceiling Allocation Act.

Community Development Director Jace Hochwalt reported that each year, the federal government provides tax exempt bond authority to states based on population. The state then distributes the allocations to local governments. Mr. Hochwalt said the City’s 2026 allocation is

just under \$1.5 million, a 5.6 % increase from 2025. The allocations are commonly used to finance affordable housing and first time home buyer programs. Mr. Hochwalt stated that the City has historically assigned its allocation authority to CHFA which allows the City to benefit without the responsibilities of serving as a bond issuer.

Mr. Hochwalt recommended approval of the allocation to CHFA for local use and said there is no fiscal impact to the City.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Ed Ulibarri, to adopt Resolution 2026-12 as presented. All voted yes. Motion passed.

ORDINANCE 2726 – FIRST READING

City Council considered Ordinance 2726 on first reading, an Ordinance of the City of Montrose, Colorado, adding Title 9 Chapter 10 Section 3 (9-10-3), regarding Park speed limits, off trail riding prohibited, amending Title 10, Chapter 1, Section 4 (10-1-4) additions or modifications in adopted Model Traffic Code, and adding Title 10, Chapter 1, Section 15.5 (10-1-15.5), Electrical-assisted bicycles and classless electrical-assisted vehicles. A hearing was held.

Assistant City Attorney Matt Magliaro reviewed the proposed changes to the Municipal Code. Mr. Magliaro stated that Ordinances of six other Colorado municipalities and state statutes were reviewed to generate Ordinance 2726, and a redline version of the revisions is included in the meeting packet. The Ordinance addresses three areas of concern: high speeds on city surface streets; use within parks on paved paths, sidewalks and trails; and the high impact on park infrastructure and green space areas.

Mr. Magliaro said that new language to the parks portion of the code adds a 15 mile per hour speed limit and prohibits use off of designated trails and paths within parks. The penalty is a fine from \$15.00 to \$100.00, and subsequent violations can be deemed as nuisance.

Mr. Magliaro reviewed the classes and speeds of electric assist vehicles and said that the law has not caught up with what is being sold to the public which leads to enforcement problems. The Ordinance creates a definition of a classless electric vehicle and adds mechanisms for effective

enforcement. Mr. Magliaro stated that state law mandates signage installation prior to enforcement.

Police Chief Blaine Hall stated that officers will be thoroughly trained on the ordinance. Information will be disseminated to the public via social media, website FAQs, and flyers distributed at events. Chief Hall said officers will inform the public on e-bike usage at community events including National Night Out, bike rodeos, Youth Appreciation Day, and the Colorado Outdoors Block Party. School resource officers will also lead trainings at local schools.

Mayor Michael Badagliacco opened the hearing.

Public comment was accepted.

Bob Nicholson, Ralph Files, Luann Bennett, Kevin Dawson, Ryan Sedgeley, Jim Haugsness and a citizen who did not provide a name spoke in support of Ordinance 2726.

Cliff Faurer spoke in favor of posting clear rules for use of electric-assist vehicles.

Hayden Janssen asked for clarification on the definition of classless electric assist vehicles and question whether the specified fine range is a disincentive.

Mayor Badagliacco closed the hearing.

A motion was made by Dave Frank, seconded by Ed Ulibarri, to pass Ordinance 2726 on first reading as presented. All voted yes. Motion passed.

DISCUSSION OF PROPOSED CHARTER AMENDMENTS

Police Chief appointment and removal with advice and consent of council

City Council discussed language drafted by City Councilor J. David Reed that defines the authority of the City Manager and the authority of the City Council if the amendment passes.

City Attorney Chris Dowsey received direction from City Council to incorporate the language as read by Mr. Reed into the ordinances.

Public comment was accepted.

Kim Spangrude spoke regarding logic vs. ideological thinking and cautioned against double standards.

Cliff Faurer, Dave Stockton, Bill Patterson, Ryan Sedgeley, Melissa Hall, Alida Soileau, Clara Carrasco, Hayden Janssen, and Holly Speaks spoke in opposition to this charter amendment.

Cindy Robertson questioned whether City Councilors have ever been employed in human resources positions.

Phoebe Benziger spoke in support of the ballot language clearly stating what the voters are being asked to decide.

John Brown spoke in support of placing the amendments on the November ballot.

Karen Sherman-Perez asked for clarification on the amendment wording since it has changed.

City Councilor Dave Frank requested that the two charter amendments on the agenda be removed from consideration for the November 2026 ballot. Mr. Frank and J. David Reed stated their support to remove the amendments from consideration. Adam Woodden, Ed Ulibarri, and Michael Badagliacco stated their support to place the amendments on the ballot.

City Clerk appointment and removal with advice and consent of council

City Councilors pointed out that the language and provisions for this proposed charter amendment are the same as the amendment for the police chief.

Public comment was accepted.

Bob Nicholson, Cliff Faurer, Ryan Sedgeley, Dave Stockton, Karen Sherman-Perez, Holly Speaks, and Greg Cairns spoke in opposition to this proposed amendment.

John Brown questioned the political affiliation of the citizens in attendance and questioned the purpose of public comment.

Beth McCorkle questioned whether this charter amendment could subject City Councilors to wrongful termination lawsuits.

STAFF REPORTS

Cancellation of the August 13 Special Meeting

City Attorney Chris Dowsey suggested cancelling the special meeting scheduled for Thursday, August 13, 2026. Three charter amendments that would be discussed at that meeting are no longer being brought forth. All City Councilors agreed to the meeting cancellation.

CITY COUNCIL COMMENTS

City Councilor Dave Frank reported on the success of Colorado Day events held in association with the Montrose Farmers Market.

Mayor Pro Tem Ed Ulibarri reported that the Montrose Elks Club will distribute school supplies tomorrow from 1:00 p.m. until 4:00 p.m.

Police Chief Blaine Hall reported that the Police Department is conducting a school supply drive. Supplies can be delivered to DMEA, The Association, and the Montrose Police Department. Gift cards and check donations are welcomed. The supplies will be distributed on August 12.

ADJOURNMENT

The meeting adjourned at 9:05 p.m. with no further action taken.

ATTEST:

Michael J. Badagliacco, Mayor

Lisa DelPiccolo, City Clerk

MEMO



To: Honorable Mayor and Members of the City Council
From: Lisa DelPiccolo, City Clerk
Council Work Session Date: August 3, 2026
Council Meeting Date: August 18, 2026
Re: City Council Meeting Schedule Change

Action

Consideration of rescheduling the November 3, 2026, regular City Council meeting to Monday, November 2, 2026, at 6 p.m. in the City Council Chambers.

Background

Because Election Day falls on Tuesday, November 3, the City Council was recently polled on the possibility of rescheduling the November 3 City Council meeting to Monday, November 2. The majority of City Councilors responded favorably.

Section 1-9-3 of the Municipal Code allows changes to the City Council meeting schedule by motion at a previous meeting.

The City Council has occasionally changed the meeting schedule due to Election Day, and the motion to change the meeting schedule is often placed on a consent agenda.

Fiscal Impact

- The only expense associated with this change of meeting date is the required publication of a legal notice, estimated to cost less than \$20.00.

Colorado Liquor Retail License Application

* **Note that the Division will not accept cash** ☐ Paid by Check Date Uploaded to MoveIt

☐ Paid Online

☒ New License ☐ New-Concurrent ☐ Transfer of Ownership ☐ State Property Only ☐ Master file

- All answers must be printed in black ink or typewritten
- Applicant must check the appropriate box(es)
- Applicant should obtain a copy of the Colorado Liquor and Beer Code: SBG.Colorado.gov/Liquor

Applicant is applying as a/an ☐ Individual ☐ Limited Liability Company ☐ Association or Other
☒ Corporation ☐ Partnership (includes Limited Liability and Spouse or Partner in a Civil Union)

Applicant Name If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation

Pruf Concepts Inc

FEIN Number

39-2478543

State Sales Tax Number

96811335-0002

Trade Name of Establishment (DBA)

Pruf

Business Telephone

9706969428

Address of Premises (specify exact location of premises, include suite/unit numbers)

512 E Main St

City

Montrose

County

Montrose

State

CO

ZIP Code

81401

Mailing Address (Number and Street)

120 Akard Ave

City or Town

Montrose

State

CO

ZIP Code

81401

Email Address

pruf.food@gmail.com

If the premises currently has a liquor or beer license, you **must** answer the following questions.

Present Trade Name of Establishment (DBA)

Present State License Number

Present Class of License

Present Expiration Date

Section A Nonrefundable application fees*

- ☐ Application Fee for New License.....\$1,100.00
- ☒ Application Fee for New License with Concurrent Review.....\$1,200.00
- ☐ Application Fee for Transfer.....\$1,100.00

Section B Liquor License Fees*

- ☐ Add Optional Premises to H & R.....\$100.00 X Total
- ☐ Add Sidewalk Service Area.....\$75.00
- ☐ Arts License (City).....\$308.75
- ☐ Arts License (County).....\$308.75
- ☐ Beer and Wine License (City).....\$351.25
- ☐ Beer and Wine License (County).....\$436.25
- ☐ Brew Pub License (City).....\$750.00
- ☐ Brew Pub License (County).....\$750.00
- ☐ Campus Liquor Complex (City).....\$500.00
- ☐ Campus Liquor Complex (County).....\$500.00
- ☐ Campus Liquor Complex (State).....\$500.00
- ☐ Club License (City).....\$308.75
- ☐ Club License (County).....\$308.75
- ☐ Distillery Pub License (City).....\$750.00
- ☐ Distillery Pub License (County).....\$750.00
- ☐ Entertainment Facility License (City).....\$500.00
- ☐ Entertainment Facility License (County).....\$500.00
- ☒ Hotel and Restaurant License (City).....\$500.00
- ☐ Hotel and Restaurant License (County).....\$500.00
- ☐ Hotel and Restaurant License with one optional premises (City).....\$600.00
- ☐ Hotel and Restaurant License with one optional premises (County).....\$600.00
- ☐ Liquor-Licensed Drugstore (City).....\$227.50
- ☐ Liquor-Licensed Drugstore (County).....\$312.50
- ☐ Lodging Facility License (City).....\$500.00
- ☐ Lodging Facility License (County).....\$500.00

Section B Liquor License Fees* (Continued)

☐ Manager Registration - H & R.....	\$30.00
☐ Manager Registration - Tavern.....	\$30.00
☐ Manager Registration - Lodging & Entertainment.....	\$30.00
☐ Manager Registration - Campus Liquor Complex.....	\$30.00
☐ Optional Premises License (City).....	\$500.00
☐ Optional Premises License (County).....	\$500.00
☐ Racetrack License (City).....	\$500.00
☐ Racetrack License (County).....	\$500.00
☐ Resort Complex License (City).....	\$500.00
☐ Resort Complex License (County).....	\$500.00
☐ Related Facility - Campus Liquor Complex (City).....	\$160.00
☐ Related Facility - Campus Liquor Complex (County).....	\$160.00
☐ Related Facility - Campus Liquor Complex (State).....	\$160.00
☐ Retail Gaming Tavern License (City).....	\$500.00
☐ Retail Gaming Tavern License (County).....	\$500.00
☐ Retail Liquor Store License - Additional (City).....	\$227.50
☐ Retail Liquor Store License - Additional (County).....	\$312.50
☐ Retail Liquor Store (City).....	\$227.50
☐ Retail Liquor Store (County).....	\$312.50
☐ Tavern License (City).....	\$500.00
☐ Tavern License (County).....	\$500.00
☐ Vintners Restaurant License (City).....	\$750.00
☐ Vintners Restaurant License (County).....	\$750.00

Questions? Visit: SBG.Colorado.gov/Liquor for more information

Do not write in this space - For Department of Revenue use only

Liability Information

License Account Number

Liability Date

License Issued Through (Expiration Date)

Total

\$

1. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years?..... ☐ Yes ☒ No

2. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):

a. Been denied an alcohol beverage license?..... ☐ Yes ☒ No

b. Had an alcohol beverage license suspended or revoked?..... ☐ Yes ☒ No

c. Had interest in another entity that had an alcohol beverage license suspended or revoked?..... ☐ Yes ☒ No

If you answered yes to a, b or c above, explain in detail on a separate sheet.

3. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years?..... ☐ Yes ☒ No

If "yes", explain in detail.

4. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?..... ☐ Yes ☒ No

or

Waiver by local ordinance? ☐ Yes ☐ No

Other

5. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,000? **NOTE:** The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS..... ☐ Yes ☐ No

6. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,000? **NOTE:** The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS..... ☐ Yes ☐ No

For additional Retail Liquor Store only.

- a. Was your Retail Liquor Store License issued on or before January 1, 2016?.... ☐ Yes ☐ No
- b. Are you a Colorado resident?..... ☐ Yes ☐ No

7. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current financial interest in said business including any loans to or from a licensee..... ☐ Yes ☒ No

8. Does the applicant, as listed on line 2 of this application, **have legal possession of the premises by ownership**, lease or other arrangement?..... ☒ Yes ☐ No

☐ Ownership ☒ Lease ☐ Other (Explain in detail)

- a. If leased, list name of landlord and tenant, and date of expiration, **exactly** as they appear on the lease:

Landlord	Tenant	Expires
512 E MAIN ST, LLC, a Wyoming limited liability	Pruf Concepts Inc, a Colorado corporation	June 30 2031

- b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question on page 9..... ☐ Yes ☒ No
- c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8½" X 11".

9. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.

Last Name		First Name	
Date of Birth (MM/DD/YY)	FEIN or SSN Number	Interest/Percentage	

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Last Name		First Name	
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Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.

10. Optional Premises or Hotel and Restaurant Licenses with Optional Premises: Has a local ordinance or resolution authorizing optional premises been adopted?..... ☐ Yes ☐ No

Number of additional Optional Premise areas requested. (See license fee chart)

For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include a diagram of the service area and documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

11. Liquor Licensed Drugstore (LLDS) applicants, answer the following:

- a. Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's L L D S premise?..... ☐ Yes ☐ No

If "yes" a copy of license must be attached.

12. Club Liquor License applicants answer the following: **Attach a copy of applicable documentation**

a. Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?..... ☐ Yes ☐ No

b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?..... ☐ Yes ☐ No

c. How long has the club been incorporated?.....

d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?..... ☐ Yes ☐ No

13. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following:

a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)..... ☐ Yes ☐ No

14. Campus Liquor Complex applicants answer the following:

a. Is the applicant an institution of higher education?..... ☐ Yes ☐ No

b. Is the applicant a person who contracts with the institution of higher education to provide food services?..... ☐ Yes ☐ No

If "yes" please provide a copy of the contract with the institution of higher education to provide food services.

15. For all on-premises applicants.

a. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit an Manager Permit Application - DR 8000 and fingerprints.

Last Name of Manager

Miller

First Name of Manager

Richard

16. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number..... ☐ Yes ☒ No

Name

Type of License

Account Number

17. Related Facility - Campus Liquor Complex applicants answer the following:

- a.** Is the related facility located within the boundaries of the Campus Liquor Complex?..... ☐ Yes ☐ No

If yes, please provide a map of the geographical location within the Campus Liquor Complex.

If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex.

- b.** Designated Manager for Related Facility - Campus Liquor Complex

Last Name of Manager

First Name of Manager

18. Entertainment Facility License

If Applicant is applying for an Entertainment Facility License, you affirm that your business model and aligns with the statutory privileges and requirements:..... ☐ Yes ☐ No

Pursuant to 44-3-103(15.5) C.R.S., an Entertainment Facility means an establishment in which the primary business is to provide the public with sports or entertainment activities within its licensed premises; and that, incidental to its primary business, sells and serves alcohol beverages at retail for consumption on the licensed premises; and has sandwiches and light snacks available for consumption on the licensed premises.

If Applicant is applying for a Lodging Facility License, you affirm that your business model and aligns with the statutory privileges and requirements:..... ☐ Yes ☐ No

Pursuant to 44-3-103(29) C.R.S., a Lodging Facility means an establishment in which the primary business is to provide the public with sleeping rooms and meeting facilities; and that sells and serves alcohol beverages at retail for consumption on the licensed premises; and has sandwiches and light snacks available for consumption on the licensed premises.

19. Tax Information.

- a.** Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?..... ☐ Yes ☒ No

- b.** Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?..... ☐ Yes ☒ No

If applicant is a corporation, partnership, association or limited liability company, applicant must list all **Officers, Directors, General Partners, and Managing Members**. In addition, applicant must list any stockholders, partners, or members with **ownership of 10% or more in the applicant**. All persons **listed below** must also attach form DR 8404-I (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.

Name			Date of Birth (MM/DD/YY)	
Richard Beau Miller			[REDACTED]	
Street Address				
[REDACTED]				
City	State	ZIP Code	Position	% Owned
Montrose	CO	[REDACTED]	CEO	33
Name			Date of Birth (MM/DD/YY)	
Troy Ryder			[REDACTED]	
Street Address				
[REDACTED]				
City	State	ZIP Code	Position	% Owned
Montrose	CO	[REDACTED]	COO	34
Name			Date of Birth (MM/DD/YY)	
Nathan Gueck			[REDACTED]	
Street Address				
[REDACTED]				
City	State	ZIP Code	Position	% Owned
Montrose	CO	[REDACTED]	CFO	33
Name			Date of Birth (MM/DD/YY)	
Street Address				
City	State	ZIP Code	Position	% Owned
Name			Date of Birth (MM/DD/YY)	
Street Address				
City	State	ZIP Code	Position	% Owned

- ** If applicant is owned 100% by a parent company, please list the designated principal officer on above.
- ** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable)
- ** If total ownership percentage disclosed here does not total 100%, applicant must check this box:

☒ Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.

I would like to apply for a Two-Year Renewal..... ☐ Yes ☐ No

Oath Of Applicant

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer and Wine Code which affect my license.

Printed Name

Richard Beau Miller

Title

CEO

Authorized Signature



Date (MM/DD/YY)

07/06/26

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

Date application filed with local authority

July 6, 2026

Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application)

August 18, 2026

For Transfer Applications Only - Is the license being transferred valid?..... ☐ Yes ☐ No

The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:

☒ Fingerprinted

☒ Subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license

(Check One)

☐ Date of inspection or anticipated date

☒ Will conduct inspection upon approval of state licensing authority

☐ Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,000?..... ☐ Yes ☐ No

☐ Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,000?..... ☐ Yes ☐ No

NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.

☐ Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?..... ☐ Yes ☐ No

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. **Therefore, this application is approved.**

Report and Approval of Local Licensing Authority (Continued)

Local Licensing Authority approves the Temporary Permit..... ☐ Yes ☐ No

Approval Date of the Temporary Permit

Expiration Date of the Temporary Permit

*If the temporary permit expires or an extension is required, the state liquor licensing authority should be notified of the status of the temporary permit.

**If the temporary permit information is not filled out for the transfer of ownership, the Transfer Application will not be accepted and processed.

Local Licensing Authority Approves this license for a two-year renewal..... ☐ Yes ☐ No

If "No", please cite the law, regulation, local ordinance or resolution that gives the local licensing authority the ability to deny the applicant and grounds for denial. Also, please provide any and all investigative reports, and administrative or criminal action that relate or justify this denial.

Proof of Violation

Local Licensing Authority for

Telephone Number

☐ Town, City

☐ County

Printed Name

Title

Signature

Date (MM/DD/YY)

Printed Name

Title

Signature

Date (MM/DD/YY)



CITY OF MONTROSE

OFFICE OF THE CITY CLERK



Briceida Ortega, Senior Deputy City Clerk

Direct Dial: 970.240.1421

E-mail: bortega@ci.montrose.co.us

August 12, 2026

Petitions were circulated in support of a Hotel & Restaurant liquor license at 512 E. Main Street for Pruf Concepts Inc.

A summary of the petitions is as follows:

- 100 Signatures were submitted
- 25 Signatures were determined to be insufficient
 - 23 outside of city limits
 - 2 provided an insufficient address
- 75 Signatures were determined to be valid and in support of the license

Comments received in support of the license being issued:

- They have great food & contribute to community culture
- Great food
- Best pizza and business in town
- Great food, great vibe, great pizza. Love them overall
- Excellent Pizza!
- Do it yesterday!
- We want it!
- Yes!
- Let's Go!
- Yes, this is one of the best spots in town!
- Great place!
- Bring on the booze!
- Pizza & Beer, yeah!

Respectfully,

Briceida Ortega

Senior Deputy City Clerk

Colorado Liquor Retail License Application

* Note that the Division will not accept cash ☒ Paid by Check Date Uploaded to MoveIt

☐ Paid Online

☒ New License ☐ New-Concurrent ☐ Transfer of Ownership ☐ State Property Only ☐ Master file

- All answers must be printed in black ink or typewritten
- Applicant must check the appropriate box(es)
- Applicant should obtain a copy of the Colorado Liquor and Beer Code: SBG.Colorado.gov/Liquor

Applicant is applying as a/an ☐ Individual ☐ Limited Liability Company ☐ Association or Other
☐ Corporation ☐ Partnership (includes Limited Liability and Spouse or Partner in a Civil Union)

Applicant Name If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation

Claudia's Kitchen & Bakery

FEIN Number

41-2318434

State Sales Tax Number

96899208

Trade Name of Establishment (DBA)

Claudia's Kitchen & Bakery

Business Telephone

(970)

Address of Premises (specify exact location of premises, include suite/unit numbers)

1245 E Main st Montrose CO 81401

City

Montrose

County

Montrose

State

CO

ZIP Code

81401

Mailing Address (Number and Street)

6750S Liberty Rd

City or Town

Montrose

State

CO

ZIP Code

81401

Email Address

Claudia'sKitchenandbakery@gmail.com

If the premises currently has a liquor or beer license, you **must** answer the following questions.

Present Trade Name of Establishment (DBA)

Present State License Number

Present Class of License

Present Expiration Date

Section A Nonrefundable application fees*

☐ Application Fee for New License.....	\$1,100.00
☐ Application Fee for New License with Concurrent Review.....	\$1,200.00
☐ Application Fee for Transfer.....	\$1,100.00

Section B Liquor License Fees*

☐ Add Optional Premises to H & R.....	\$100.00 X	Total
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Liability Information

License Account Number

Liability Date

License Issued Through (Expiration Date)

Total

\$

1. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years?..... ☐ Yes ☒ No
2. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):
 - a. Been denied an alcohol beverage license?..... ☐ Yes ☒ No
 - b. Had an alcohol beverage license suspended or revoked?..... ☐ Yes ☒ No
 - c. Had interest in another entity that had an alcohol beverage license suspended or revoked?..... ☐ Yes ☒ No

If you answered yes to a, b or c above, explain in detail on a separate sheet.

3. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years?..... ☐ Yes ☒ No

If "yes", explain in detail.

4. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?..... ☐ Yes ☒ No

or

Waiver by local ordinance? ☐ Yes ☐ No

Other

5. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,000? **NOTE:** The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS..... ☐ Yes ☐ No

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For additional Retail Liquor Store only.

- a. Was your Retail Liquor Store License issued on or before January 1, 2016?... ☐ Yes ☐ No
- b. Are you a Colorado resident?..... ☐ Yes ☐ No

7. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current financial interest in said business including any loans to or from a licensee..... ☐ Yes ☒ No

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- a. If leased, list name of landlord and tenant, and date of expiration, **exactly** as they appear on the lease:

Landlord	Tenant	Expires

- b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question on page 9..... ☐ Yes ☒ No

- c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8½" X 11".

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Date of Birth (MM/DD/YY)	FEIN or SSN Number	Interest/Percentage	

Last Name		First Name	
Date of Birth (MM/DD/YY)	FEIN or SSN Number	Interest/Percentage	

Last Name		First Name	
Date of Birth (MM/DD/YY)	FEIN or SSN Number	Interest/Percentage	

Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.

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Number of additional Optional Premise areas requested. (See license fee chart)

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If "yes" a copy of license must be attached.

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b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?..... ☐ Yes ☐ No

c. How long has the club been incorporated?.....

d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?..... ☐ Yes ☐ No

13. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following:

a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)..... ☐ Yes ☐ No

14. Campus Liquor Complex applicants answer the following:

a. Is the applicant an institution of higher education?..... ☐ Yes ☐ No

b. Is the applicant a person who contracts with the institution of higher education to provide food services?..... ☐ Yes ☐ No

If "yes" please provide a copy of the contract with the institution of higher education to provide food services.

15. For all on-premises applicants.

a. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit an Manager Permit Application - DR 8000 and fingerprints.

Last Name of Manager

First Name of Manager

16. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number..... ☐ Yes ☐ No

Name

Type of License

Account Number

17. Related Facility - Campus Liquor Complex applicants answer the following:

- a.** Is the related facility located within the boundaries of the Campus Liquor Complex?..... ☐ Yes ☐ No

If yes, please provide a map of the geographical location within the Campus Liquor Complex.

If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex.

- b.** Designated Manager for Related Facility - Campus Liquor Complex

Last Name of Manager

First Name of Manager

18. Entertainment Facility License

If Applicant is applying for an Entertainment Facility License, you affirm that your business model and aligns with the statutory privileges and requirements:..... ☐ Yes ☐ No

Pursuant to 44-3-103(15.5) C.R.S., an Entertainment Facility means an establishment in which the primary business is to provide the public with sports or entertainment activities within its licensed premises; and that, incidental to its primary business, sells and serves alcohol beverages at retail for consumption on the licensed premises; and has sandwiches and light snacks available for consumption on the licensed premises.

If Applicant is applying for a Lodging Facility License, you affirm that your business model and aligns with the statutory privileges and requirements:..... ☐ Yes ☒ No

Pursuant to 44-3-103(29) C.R.S., a Lodging Facility means an establishment in which the primary business is to provide the public with sleeping rooms and meeting facilities; and that sells and serves alcohol beverages at retail for consumption on the licensed premises; and has sandwiches and light snacks available for consumption on the licensed premises.

19. Tax Information.

- a.** Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?..... ☐ Yes ☒ No

- b.** Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?..... ☐ Yes ☒ No

If applicant is a corporation, partnership, association or limited liability company, applicant must list all **Officers, Directors, General Partners, and Managing Members**. In addition, applicant must list any stockholders, partners, or members with **ownership of 10% or more in the applicant**. All persons **listed below** must also attach form DR 8404-I (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.

Name Claudia Hernandez Date of Birth (MM/DD/YY) [REDACTED]

Street Address [REDACTED]

City Montrose State CO ZIP Code [REDACTED] Position Owner % Owned 100%

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

Street Address [REDACTED]

City [REDACTED] State [REDACTED] ZIP Code [REDACTED] Position [REDACTED] % Owned [REDACTED]

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

Street Address [REDACTED]

City [REDACTED] State [REDACTED] ZIP Code [REDACTED] Position [REDACTED] % Owned [REDACTED]

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

Street Address [REDACTED]

City [REDACTED] State [REDACTED] ZIP Code [REDACTED] Position [REDACTED] % Owned [REDACTED]

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

Street Address [REDACTED]

City [REDACTED] State [REDACTED] ZIP Code [REDACTED] Position [REDACTED] % Owned [REDACTED]

** If applicant is owned 100% by a parent company, please list the designated principal officer on above.

** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable)

** If total ownership percentage disclosed here does not total 100%, applicant must check this box:

☒ Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.

I would like to apply for a Two-Year Renewal..... ☐ Yes ☐ No

Oath Of Applicant

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer and Wine Code which affect my license.

Printed Name

Claudia Hernandez

Title

owner

Authorized Signature

Claudia Hernandez

Date (MM/DD/YY)

6/17/26

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

Date application filed with local authority

June 30, 2026

Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application)

August 18, 2026

For Transfer Applications Only - Is the license being transferred valid?..... ☐ Yes ☐ No

The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:

☒ Fingerprinted

☒ Subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license

(Check One)

☐ Date of inspection or anticipated date

☒ Will conduct inspection upon approval of state licensing authority

☐ Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,000?..... ☐ Yes ☐ No

☐ Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,000?..... ☐ Yes ☐ No

NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.

☐ Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?..... ☐ Yes ☐ No

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. **Therefore, this application is approved.**

Report and Approval of Local Licensing Authority (Continued)

Local Licensing Authority approves the Temporary Permit..... ☐ Yes ☐ No

Approval Date of the Temporary Permit

Expiration Date of the Temporary Permit

*If the temporary permit expires or an extension is required, the state liquor licensing authority should be notified of the status of the temporary permit.

**If the temporary permit information is not filled out for the transfer of ownership, the Transfer Application will not be accepted and processed.

Local Licensing Authority Approves this license for a two-year renewal..... ☐ Yes ☐ No

If "No", please cite the law, regulation, local ordinance or resolution that gives the local licensing authority the ability to deny the applicant and grounds for denial. Also, please provide any and all investigative reports, and administrative or criminal action that relate or justify this denial.

Proof of Violation

Local Licensing Authority for

Telephone Number

☐ Town, City

☐ County

Printed Name

Title

Signature

Date (MM/DD/YY)

Printed Name

Title

Signature

Date (MM/DD/YY)



CITY OF MONTROSE

OFFICE OF THE CITY CLERK



Briceida Ortega, Senior Deputy City Clerk

Direct Dial: 970.240.1421

E-mail: bortega@ci.montrose.co.us

August 12, 2026

Petitions were circulated in support of a Hotel & Restaurant liquor license at 1245 E. Main Street for Claudia's Kitchen & Bakery.

A summary of the petitions is as follows:

98 Signatures were submitted

32 Signatures were determined to be insufficient

29 outside of city limits

3 provided an insufficient address

66 Signatures were determined to be valid and in support of the license

Comments received in support of the license being issued:

- ASAP
- Great ideal place for the community in Montrose! Can't wait to try!
- Awesome Idea!

Respectfully,

Briceida Ortega

Senior Deputy City Clerk

MEMO



To: Honorable Mayor and Members of the City Council
From: Brayden Reeder, Facility Manager
Council Work Session Date: August 3rd, 2026
Council Meeting Date: August 18th, 2026
Re: Fire Suppression System Project Authorization and Sole Source Waiver
Attachments:

- Sole Source Waiver – Pye Barker

Action

Consider the authorization \$75,000.00 for the installation of a fire suppression system including a contract with Pye Barker in the amount of \$69,987.00.

Background

The Facilities Division in coordination with the Information Services Department have coordinated to develop a plan and approach for a fire suppression system to be installed in the City owned Network Operation Center (NOC). Currently, this location does not have a fire suppression system. Due to the sensitive networking equipment, a Clean Agent suppression system is recommended. A Clean Agent suppression system does not utilize water to suppress a fire but instead uses an inert gas to suffocate the fire. This type of system helps to prevent further damage to network servers and components.

It is preferred to standardize the vendor across all City owned facilities for the fire and security alarm systems. Pye Barker services and monitors all City facilities and have been performing very well and have been a great partner in securing and protecting City facilities. The City has chosen Pye Barker for the installation and service of this additional suppression system. Pricing from Pye Barker was verified to be competitive and fair but there was not a formal bid process for this service. There is a Sole Source Waiver included with this Memo for approval because the project was not formally bid.

Fiscal Impact

This project is included in the 2026 budget in the amount of \$75,000.00. The project was quoted by Pye Barker at \$69,987.00. Authorizing this in the full amount of \$75,000.00 will allow for an owners contingency of \$5,013.00 for any unforeseen conditions.



CITY OF MONTROSE

SOLE SOURCE PURCHASING REQUEST

REQUESTING DEPARTMENT: Public Works DATE: 8-3-2026

REQUESTED BY: Jim Scheid, Brayden Reeder BID NO.: _____

VENDOR NAME: Pye Barker COST: \$75,000.00

JUSTIFICATION

(Initial all entries that apply to request)

PRODUCT OR SERVICE DESCRIPTION: _____

1. _____ Vendor is the original equipment manufacturer and there are no regional distributors.
2. _____ The product, equipment or service requested is clearly superior functionally to all other similar products, equipment or service from another manufacturer or vendor.
3. X _____ The over-riding consideration for purchase is compatibility or conformity with City-owned equipment in which non-conformance would require the expenditure of additional funds.
4. _____ No other equipment is available that shall meet the specialized needs of the department or perform the intended function.
5. _____ Detailed justification is available which establishes beyond doubt that the vendor is the only source available to provide the item or service required.
6. _____ Detailed justification is available which proves it is economically advantageous to use the product, equipment or service.

I recommend that competitive procurement procedures be waived and the product or service described herein be purchased as a sole source.

DEPARTMENT HEAD AUTHORIZATION: Jim Scheid Public Works Director 7-27-2026
Authorized Signature Title Date

FINAL AUTHORIZATION: City Council Approval Required (\$50,000 +) ☐ YES ☐ NO
City Manager Approval Required (up to \$50,000) ☐ YES ☐ NO

MANAGER/COUNCIL AUTHORIZATION: _____
Authorized Signature Title Date

Attach detailed justification documentation

MEMO



To: Honorable Mayor and Members of the City Council
From: Scott Murphy, City Engineer
Council Work Session Date: August 3, 2026
Ordinance First Reading: August 18, 2026
Ordinance Second Reading: September 1, 2026
Re: Partial Vacation of Drainage Easement at 1841 South Hillcrest Drive
Attachments:

- Ordinance No. 2723

Action

Consider the partial vacation of a drainage easement at 1841 South Hillcrest through adoption of Ordinance No. 2723.

Background

As part of the Sunrise Creek development, a drainage easement was dedicated to the City of Montrose for the construction and maintenance of a detention pond to be situated immediately north of 1841 South Hillcrest Drive. This drainage easement was larger than needed for the pond and its associated maintenance. In recognition of this fact, the landowner at 1841 South Hillcrest has requested that the City vacate the obsolete portions of this easement in order to reduce its encumbrance on their property. The portions proposed for vacation are shown on Figure 1 and described in the attached Ordinance 2723.

Fiscal Impact

The proposed vacation does not result in any direct costs to the City. Boundary survey and exhibit preparation needed for this easement vacation were paid for by the landowner at 1841 South Hillcrest Drive.

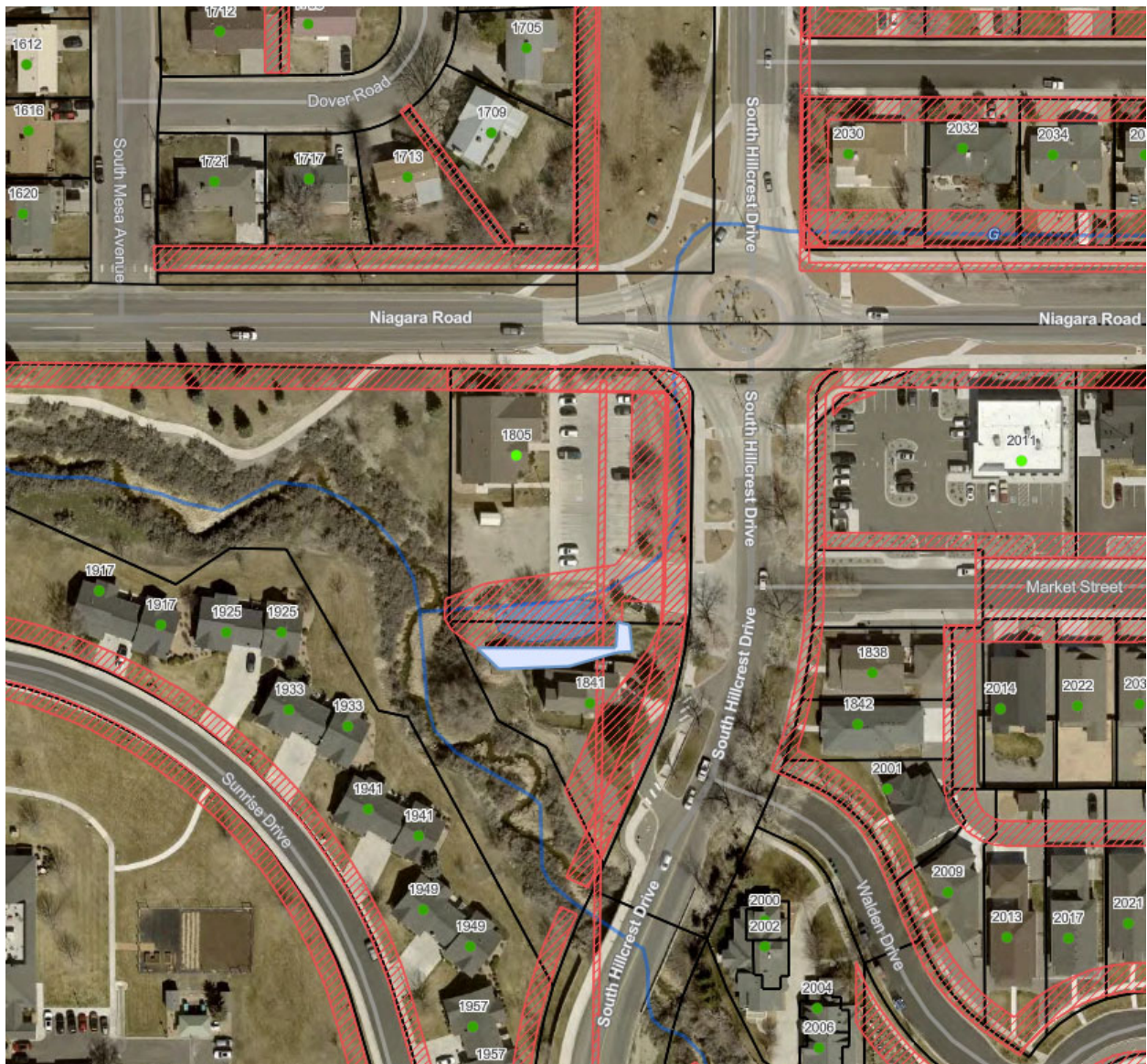


Figure 1: 1841 South Hillcrest Partial Drainage Easement Vacation

ORDINANCE NO. 2723

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, VACATING PORTIONS OF A DRAINAGE EASEMENT WITHIN THE CITY OF MONTROSE.

WHEREAS, the City of Montrose maintains a drainage easement located at 1841 South Hillcrest Drive; and

WHEREAS, such drainage easement was dedicated to the City in the 2014; and

WHEREAS, the drainage easement, as accepted, was beyond what was needed to accommodate an existing stormwater detention facility within the easement area; and

WHEREAS, as the City has no use for such portions of the drainage easement, it is in the best interest of the citizens of Montrose to vacate such portions of the easement to allow the adjacent property owner to utilize this land to benefit their property; and

WHEREAS, the City desires to vacate this portion of a drainage easement to the adjacent property owner, as described in **Exhibit A** hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, as follows:

SECTION 1: Vacation of Portions of Drainage Easement

Portions of a drainage easement, as more particularly described on **Exhibit A**, attached hereto and incorporated herein, is hereby vacated by the City of Montrose.

SECTION 2: City Council Findings

The City Council hereby finds, determines and declares that this Ordinance is necessary and proper to allow the property owner to retain an existing structure and better utilize their property.

SECTION 3: Power to Adopt

The City Council hereby finds, determines, and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter, and pursuant to Section 1-9-2 of the Official Municipal Code of the City of Montrose. The City Manager or its designee is hereby authorized to execute a quit claim deed conveying any interests the City may have as described in **Exhibit A** to the adjoining property owner.

City staff is further authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and have the authority to correct formatting and/or typographical errors discovered during codification.

SECTION 4: **Effective as Provided by City of Montrose Charter**

This Ordinance shall be published and shall become effective as provided by the City Charter of the City of Montrose.

SECTION 5:

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and the question of its passage on first reading on Tuesday, the 18th of August 2026 at the hour of 6:00 p.m. at the Montrose City Council Chambers, Elks' Civic Building, Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 18th day of August 2026.

ATTEST:

Michael Badagliacco, Mayor

Lisa DelPiccolo, City Clerk

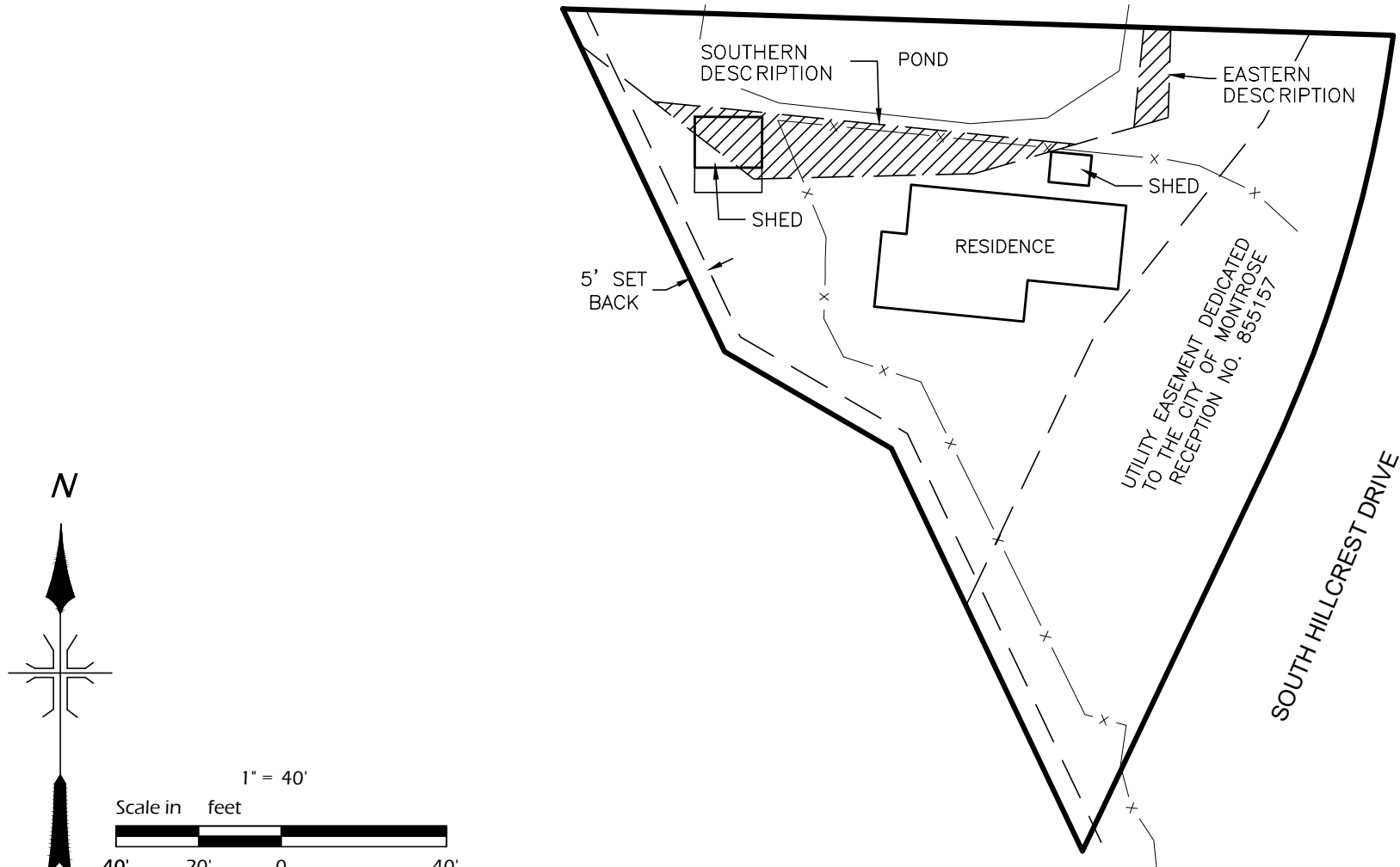
INTRODUCED, READ and ADOPTED on second reading this 1st day of September 2026.

ATTEST:

Michael Badagliacco, Mayor

Lisa DelPiccolo, City Clerk

EXHIBIT A

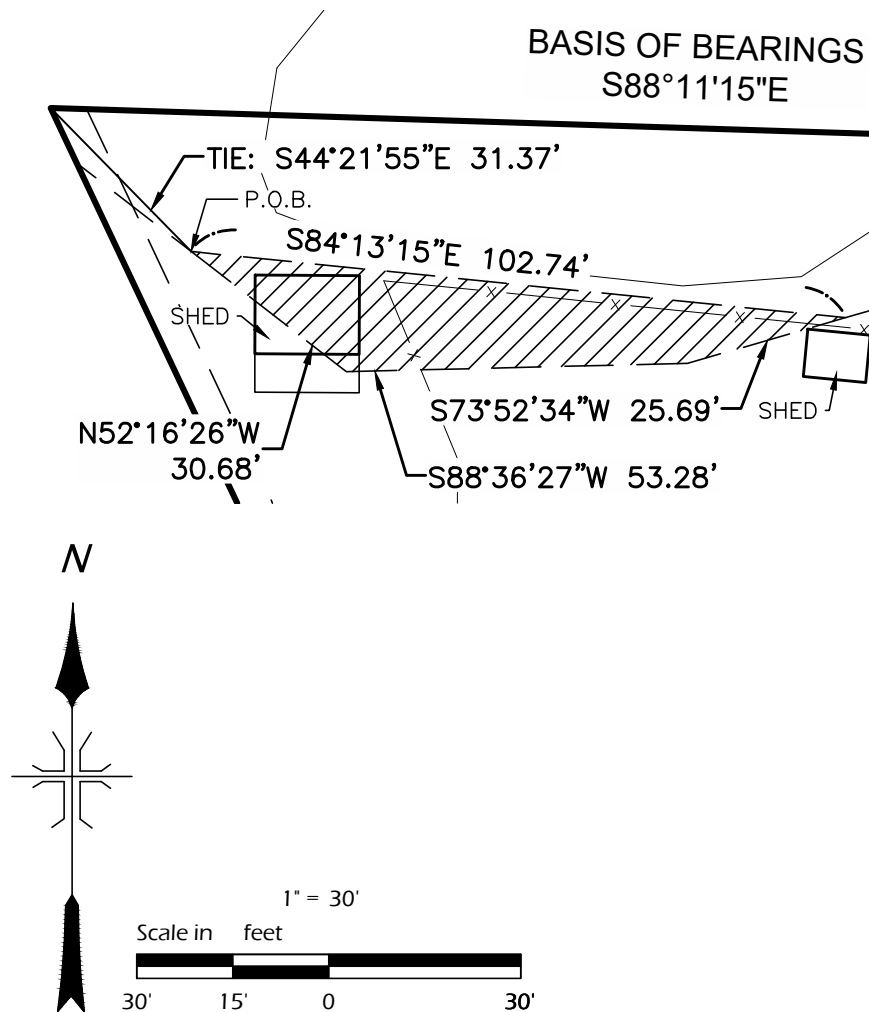


DEL-MONT CONSULTANTS, INC.
ENGINEERING & SURVEYING
125 Colorado Ave. Montrose, CO 81401 (970) 249-2251
www.del-mont.com service@del-mont.com

DESIGNED BY:	SCALE:
TRS	AS NOTED
CHECKED BY:	FILE NAME:
FAB	26016V_ESMT

INDEX MAP
PARTIAL DRAINAGE EASEMENT VACATION
LOT B-2 SUNRISE CREEK MINOR SUBDIVISION
MONTROSE, CO
DAVID WHITENEY

D.M. JOB NO.:	26016
DATE ISSUED:	2026-06-03
SHEET:	1 of 3



BASIS OF BEARINGS:

S88°11'15"E ALONG THE NORTH LINE OF LOT B-2 SUNRISE CREEK MINOR SUBDIVISION

DRAINAGE EASEMENT VACATION DESCRIPTION:

BEING A DRAINAGE EASEMENT SITUATED IN NE1/4 SE1/4 OF SECTION 34, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO, BEING BETTER DESCRIBED AS BEGINNING AT A POINT S44°21'55"E 31.37 FEET FROM THE NORTHWEST CORNER OF LOT B-2 SUNRISE CREEK MINOR SUBDIVISION RECORDED AT RECEPTION NO. 855157; THENCE S84°13'15"E 102.74 FEET TO A POINT ON THE SOUTHERN LINE OF EXISTING DRAINAGE EASEMENT; THENCE ALONG SAID SOUTHERN LINE THE FOLLOWING THREE (3) COURSES;

- 1) S73°52'34"W 25.69 FEET;
- 2) S88°36'27"W 53.28 FEET;
- 3) N52°16'26"W 30.68 FEET TO THE POINT OF BEGINNING.

SAID VACATION CONTAINS 1008 SQUARE FEET MORE OR LESS AS DESCRIBED.

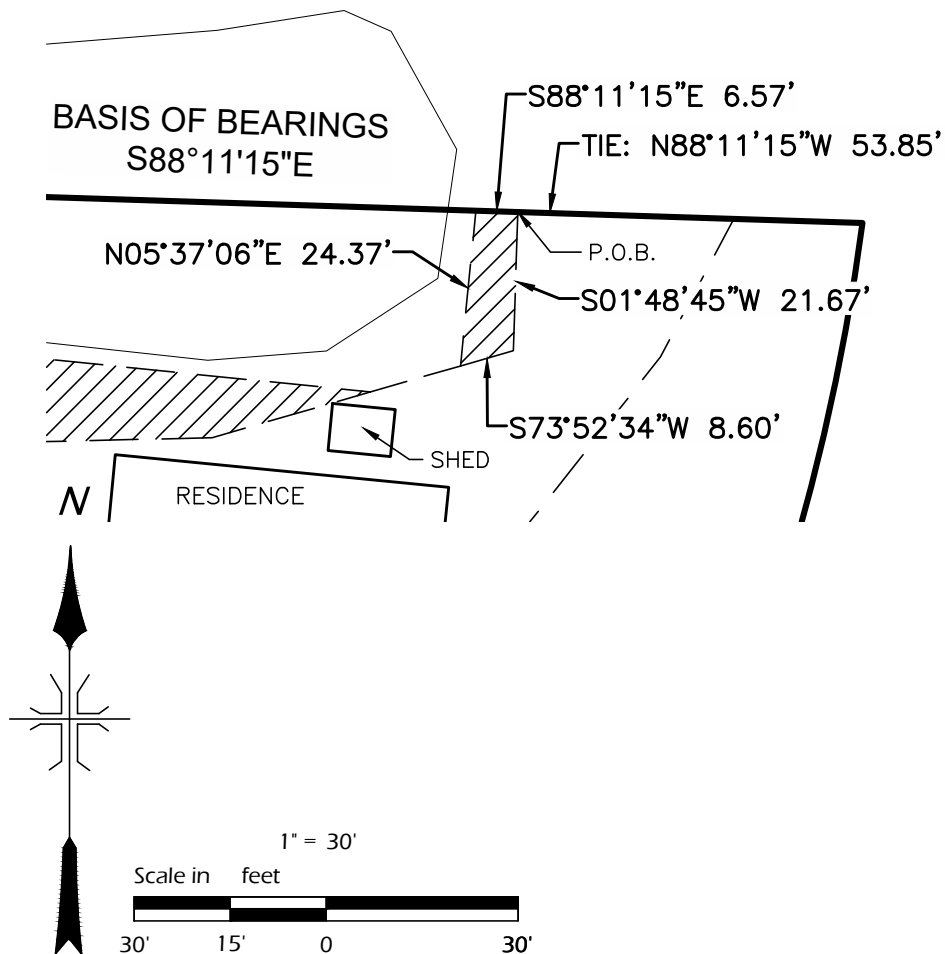
FREDERICK BALLARD
FOR AND ON BEHALF OF
DEL-MONT CONSULTANTS, INC
125 COLORADO AVE.
MONTROSE, CO 81401

 DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 249-2251 www.del-mont.com service@del-mont.com	
DESIGNED BY:	SCALE:
TRS	AS NOTED
CHECKED BY:	FILE NAME:
FAB	26016V_ESMT

SOUTHERN DESCRIPTION
PARTIAL DRAINAGE EASEMENT VACATION
LOT B-2 SUNRISE CREEK MINOR SUBDIVISION
MONTROSE, CO

DAVID WHITENEY

D.M. JOB NO.:	26016
DATE ISSUED:	2026-06-03
SHEET:	2 of 3



BASIS OF BEARINGS:

S88°11'15"E ALONG THE NORTH LINE OF LOT B-2 SUNRISE CREEK MINOR SUBDIVISION

DRAINAGE EASEMENT VACATION DESCRIPTION:

BEING A DRAINAGE EASEMENT SITUATED IN NW1/4 SW1/4 OF SECTION 35, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO, BEING BETTER DESCRIBED AS BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF LOT B-2 AND THE EAST LINE OF DRAINAGE EASEMENT, SAID POINT BEING N88°11'15"W 53.85 FEET FROM THE NORTHEAST CORNER OF LOT B-2 SUNRISE CREEK MINOR SUBDIVISION RECORDED AT RECEPTION NO. 855157; THENCE ALONG THE EASTERN LINE OF SAID DRAINAGE EASEMENT S01°48'45"W 21.67 FEET; THENCE S73°52'34"W 8.60 FEET; THENCE N05°37'06"E 24.73 FEET TO THE NORTH LINE OF SAID LOT B-2; THENCE ALONG SAID NORTH LINE S88°11'15"E 6.57 FEET TO THE POINT OF BEGINNING. SAID VACATION CONTAINS 168 SQUARE FEET MORE OR LESS AS DESCRIBED.

FREDERICK BALLARD
FOR AND ON BEHALF OF
DEL-MONT CONSULTANTS, INC
125 COLORADO AVE.
MONTROSE, CO 81401

 DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 249-2251 www.del-mont.com service@del-mont.com	
DESIGNED BY:	SCALE:
TRS	AS NOTED
CHECKED BY:	FILE NAME:
FAB	26016V_ESMT

EASTERN DESCRIPTION
PARTIAL DRAINAGE EASEMENT VACATION
LOT B-2 SUNRISE CREEK MINOR SUBDIVISION
MONTROSE, CO
DAVID WHITENEY

D.M. JOB NO.:	26016
DATE ISSUED:	2026-06-03
SHEET:	3 of 3

MEMO



To: Honorable Mayor and Members of the City Council
From: Scott Murphy, City Engineer
Council Work Session Date: August 3, 2026
Ordinance First Reading: August 18, 2026
Ordinance Second Reading: September 1, 2026
Re: Partial Vacation of Nichols Way Right of Way Rev. 1
Attachments:

- Ordinance No. 2724

Action

Consider the partial vacation of Nichols Way right of way through adoption of Ordinance No. 2724.

Background

Right of way for Nichols Way was originally dedicated to the public as part of a Montrose County subdivision recorded in 1974. The area was then annexed into the City in 2001, most likely as part of a project to bring City sanitary sewer service to the neighborhood.

The dedications for Nichols Way included areas south of Matie Lane as shown on Figure 1. It is our assumption that this southern extension of Nichols Way was intended to connect down to future roadways on nearby subdivisions; however, this did not occur with the development of Cirque Way and Stone Bridge Drive located immediately to the south. A residential lot recorded with the nearby developments resulted in a gap between the Nichols Way and Cirque/Stone Bridge rights of way.

City staff do not see a driver to acquire the private property necessary to resolve the gap between Nichols Way and Cirque/Stone Bridge or construct a roadway connection in this area. Alternatively, City staff are recommending abandonment of the obsolete portions of Nichols Way shown on Figure 1 and described in the attached Ordinance 2724. As is standard practice, vacated rights of way revert back to the adjoining lot owners for their private use or conveyance. As part of this vacation, the City is also looking to retain a 20 foot wide utility easement across the vacation area to accommodate an existing sanitary sewer line running north-south across the property.

Fiscal Impact

Boundary survey and exhibit preparation needed for this right of way vacation (approximately \$5k) was paid for by the City. With the exception of minor recording fees, no other expenditures are anticipated to complete the project. Longer range, partial vacation will reduce the City's maintenance obligations and associated costs (generally weed removal) on the vacated right of way.



Figure 1: Nichols Way Partial Right of Way Vacation

ORDINANCE NO. 2724

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, VACATING A PORTION OF RIGHT OF WAY WITHIN THE CITY OF MONTROSE.

WHEREAS, the City of Montrose maintains the Nichols Way right-of-way between Niagara Road and Cirque Way; and

WHEREAS, such right-of-way was dedicated to the public in 1974 and annexed into the City of Montrose in 2001; and

WHEREAS, portions of the right-of-way are no longer required for efficient flow of traffic and the land could be put to better use by an adjacent landowner; and

WHEREAS, as the City has no use for such portion of right-of-way, it is in the best interest of the citizens of Montrose to vacate a certain portion of Nichols Way to allow an adjacent property owners to utilize this land to benefit their property; and

WHEREAS, the City desires to vacate this portion of right-of-way to an adjacent property owner, as described in **Exhibit A** hereto.

WHEREAS, the City owns and operates an active sanitary sewer utility across the obsolete right of way and wishes to retain a 20 foot wide utility easement centered about the sanitary sewer line, also as described in **Exhibit A** hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, as follows:

SECTION 1: **Vacation of Portions of Right-of-Way**

Portion of right-of-way, as more particularly described on **Exhibit A**, attached hereto and incorporated herein, is hereby vacated by the City of Montrose. The City shall retain a public utility easement across the vacated right of way as shown on **Exhibit A**.

SECTION 2: **City Council Findings**

The City Council hereby finds, determines and declares that this Ordinance is necessary and proper to serve the best interest of the citizens of Montrose, and promote their health, safety and welfare.

SECTION 3: Power to Adopt

The City Council hereby finds, determines, and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter, and pursuant to Section 1-9-2 of the Official Municipal Code of the City of Montrose. The City Manager or its designee is hereby authorized to execute quit claim deeds conveying any interests the City may have as described in **Exhibit A** to the adjoining property owners. City staff is further authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and have the authority to correct formatting and/or typographical errors discovered during codification.

SECTION 4: Effective as Provided by City of Montrose Charter

This Ordinance shall be published and shall become effective as provided by the City Charter of the City of Montrose.

SECTION 5:

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and the question of its passage on first reading on Tuesday, the 18th of August 2026 at the hour of 6:00 p.m. at the Montrose City Council Chambers, Elks' Civic Building, Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 18th day of August 2026.

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this 1st day of September 2026.

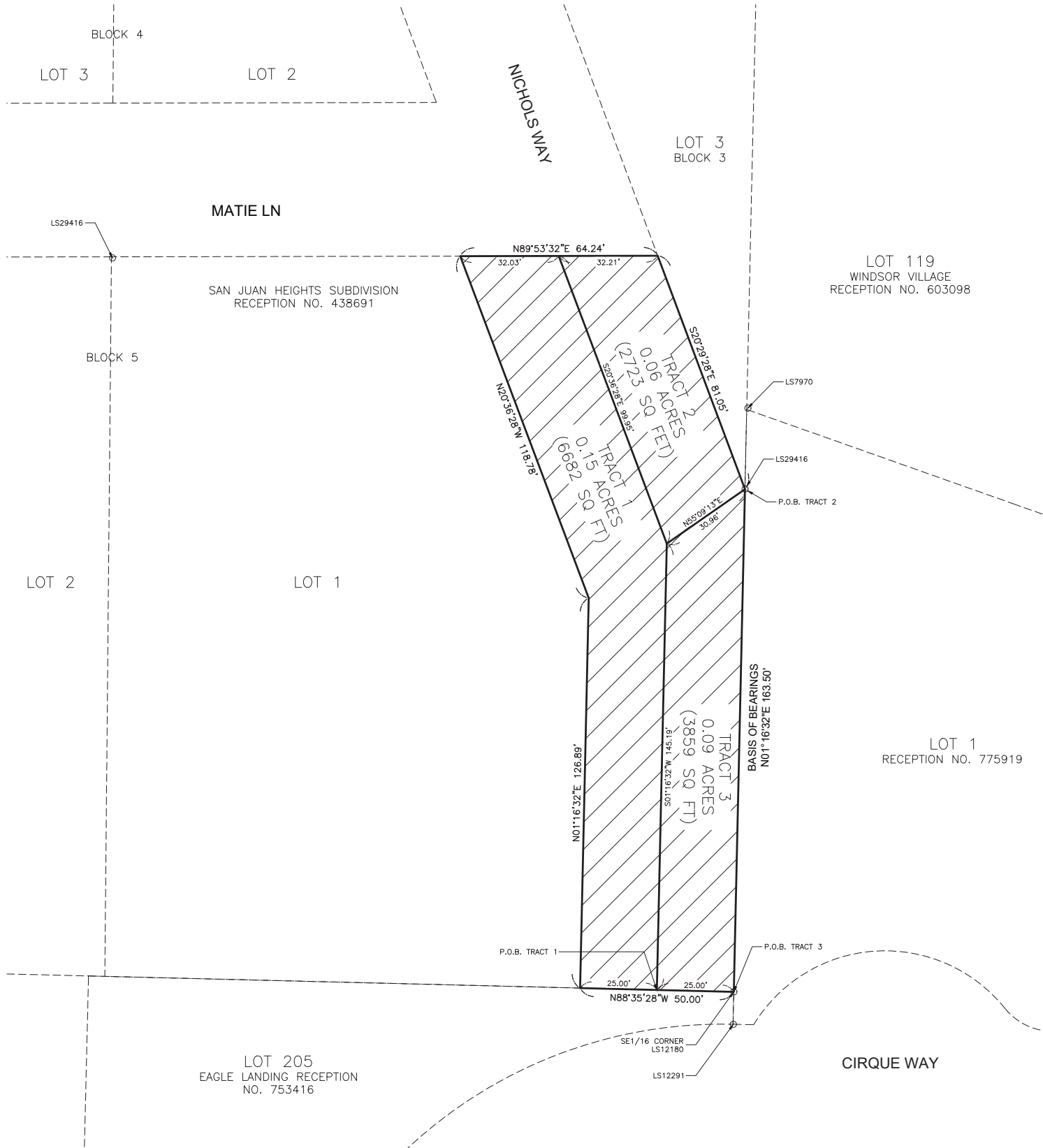
Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

NICHOLS WAY RIGHT OF WAY VACATION EXHIBIT

SITUATED IN SECTION 35, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



LEGEND

- = FOUND 1 1/2 ALUMINUM CAP ON 5/8" REBAR (PLS AND LS AS NOTED)
- ⊙ = EXISTING SANITARY SEWER MANHOLE
- x = FOUND CHISELED X IN CONCRETE
- [Hatched Box] = R.O.W. VACATION



VICINITY MAP
N.T.S.

PROPERTY DESCRIPTIONS:

Tract 1:
A tract of land situated in Section 35, Township 49 North, Range 9 West, New Mexico Principal Meridian, City of Montrose, County of Montrose, State of Colorado, being situated in the San Juan Heights Subdivision as recorded at Reception NO. 438691 in the Montrose County Clerk and Recorder's Office being more particularly described as follows:

Beginning at a point on the South boundary of said San Juan Heights Subdivision from which the SE1/16 corner of said Section 35 Bears S88°35'28"E 25.00 feet;
Thence along said South line N88°35'28"W 25.00 feet to the Southeast corner of Lot 1 Block 5 of said San Juan Heights Subdivision;
Thence along the East line of said Lot 1 the following two (2) courses;
1) N01°16'32"E 126.89 feet;
2) N20°36'28"W 118.78 feet to the South Right of Way of Matie Lane of said San Juan Heights Subdivision;
Thence along said Right of Way N89°53'32"E 32.03 feet;
Thence leaving said Right of Way S20°29'28"E 99.95 feet;
Thence S01°16'32"W 145.19 feet to the Point of Beginning.
Said tract contains 0.15 Acres more or less as described.

Tract 2:
A tract of land situated in Section 35, Township 49 North, Range 9 West, New Mexico Principal Meridian, City of Montrose, County of Montrose, State of Colorado, being situated in the San Juan Heights Subdivision as recorded at Reception NO. 438691 in the Montrose County Clerk and Recorder's Office being more particularly described as follows:

Beginning at a point on the South corner of Lot 3, Block 3 on the East boundary of said San Juan Heights Subdivision;
Thence S55°09'13"W 30.96 feet;
Thence N20°36'28"W 99.95 feet to the South Right of Way of Matie Lane of said San Juan Heights Subdivision;
Thence along said Right of Way N89°53'32"E 32.21 feet to the West line of said Lot 3, Block 3;
Thence along said West line S20°29'28"E 81.05 feet to the Point of Beginning.
Said tract contains 0.06 Acres more or less as described.

Tract 3:
A tract of land situated in Section 35, Township 49 North, Range 9 West, New Mexico Principal Meridian, City of Montrose, County of Montrose, State of Colorado, being situated in the San Juan Heights Subdivision as recorded at Reception NO. 438691 in the Montrose County Clerk and Recorder's Office being more particularly described as follows:

Beginning at a point on the SE corner of said San Juan Heights Subdivision on the SE1/16 Corner of said Section 35;
Thence along the South boundary line of said San Juan Heights Subdivision N88°35'28"W 25.00 feet;
Thence N01°16'32"E 145.19 feet;
Thence N55°09'13"E 30.96 feet to the East boundary line of said San Juan Heights Subdivision;
Thence along said East line S01°16'32"W 163.50 feet to the Point of Beginning.
Said tract contains 0.09 Acres more or less as described.

BASIS OF BEARINGS:

The bearing between the found 1 1/2 aluminum cap on 5/8" rebar at the South East 1/16 corner of Section 35, Township 49 North, Range 9 West, New Mexico Principal Meridian, and the found 1 1/2 aluminum cap on 5/8" rebar LS29416 at the South Corner of Lot 3, Block 3 of San Juan Heights Subdivision, bears N01°16'32"E (ASSUMED)

LINEAL UNITS STATEMENT:

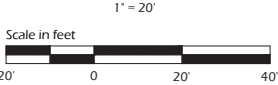
The Lineal Unit used on this plot is U.S. Survey Feet

SURVEYORS CERTIFICATE:

I, Nicholas Barret, a Professional Land Surveyor in the State of Colorado, do hereby certify that the above described parcel(s) has(have) been surveyed by me and/or under my direct supervision and that such survey is accurately represented hereon, and is based on my knowledge, information and belief, and is in accordance with applicable standards or practice and is not a guaranty or warranty, either expressed or implied. This survey does not include easements except those specifically shown hereon.

FOR REVIEW

Nicholas Barret P.L.S. 38037



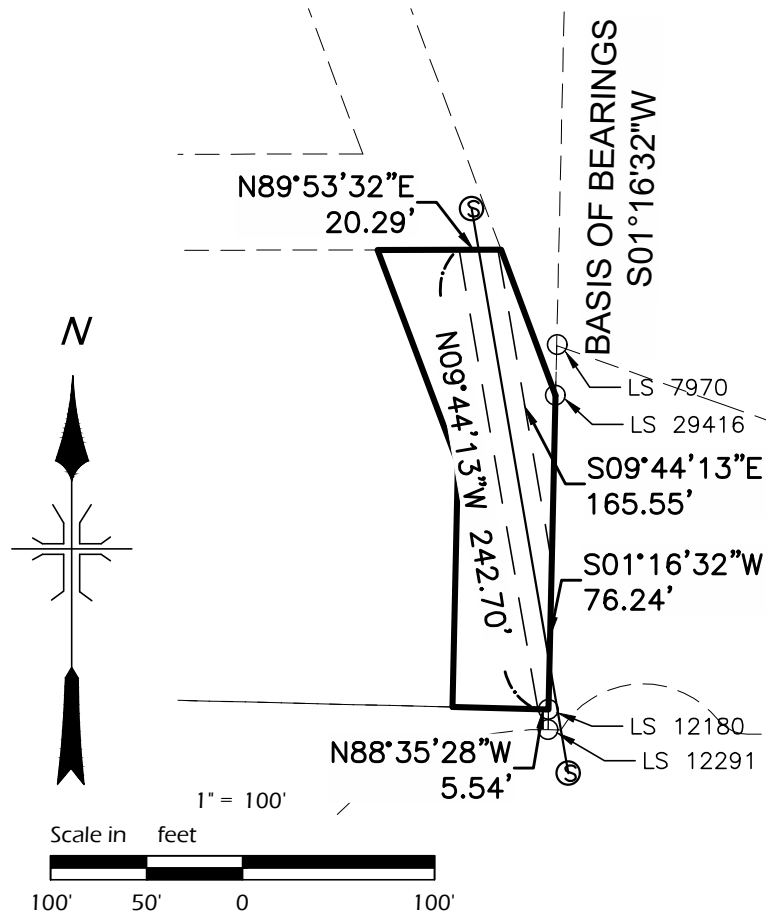
NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

\\DMS14\PROJECTS\ACTIVE PROJECTS\2025\25045-COM 2025 ON-CALL SERVICES\NICHOLS ROW VACATION\C3D\25045V_EXHIBIT-NICHOLS.DWG

TITLE: NICHOLS AVE RIGHT OF WAY VACATION EXHIBIT		CLIENT: CITY OF MONTROSE
ADDRESS & PHONE: MONTROSE, CO		
FIELD BOOK: N/A	DRAWN BY: TRS	DATE: 2026-05-07
SHEET: 1 of 1	FILE: 25045V_EXHIBIT-NICHOLS	JOB NO.: 25045
		TYPE: EXHIBIT

LEGEND

- = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (LS AS NOTED)
 ⊙ = EXISTING SANITARY SEWER MANHOLE



EASEMENT DESCRIPTION:

A 20' wide Utility Easement situated in Section 35, Township 49 North, Range 9 West, New Mexico Principal Meridian, City of Montrose, County of Montrose, State of Colorado, being more particularly described as follows:

Beginning at the SE1/16 corner of said Section 35;
 Thence N88°35'28"W 5.54 feet;
 Thence N09°44'13"W 242.70 feet;
 Thence N89°53'32"E 20.29 feet;
 Thence S09°44'13"E 165.55 feet;
 Thence S01°16'32"W 76.24 feet to the Point of Beginning.
 Said easement contains 4294 square feet more or less as described.

BASIS OF BEARINGS:

The bearing between the found 1 1/2 aluminum cap on 5/8" rebar at the South East 1/16 corner of Section 35, Township 49 North, Range 9 West, New Mexico Principal Meridian, and the found 1 1/2 aluminum cap on 5/8" rebar LS29416 at the South Corner of Lot 3, Block 3 of San Juan Heights Subdivision, bears N01°16'32"E (ASSUMED)

This exhibit is for the purpose of graphically representing a written description. It does not represent a boundary survey.

Nicholas Barrett, P.L.S. 38037

 DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 249-2251 www.del-mont.com service@del-mont.com	
DESIGNED BY:	SCALE:
TRS	AS NOTED
CHECKED BY:	FILE NAME:
NEB	25045V_EXHIBIT-NICHOLS

MONTROSE, CO

NICHOLS AVE RIGHT OF WAY EASEMENT EXHIBIT

CITY OF MONTROSE

D.M. JOB NO.:	25045
DATE ISSUED:	2026-05-07
SHEET:	1 of 1

MEMO



To: Honorable Mayor and Members of the City Council
From: Scott Murphy, City Engineer
Council Work Session Date: August 3, 2026
Council Meeting Date: August 18, 2026
Re: North Park Avenue Reconstruction Design Contract Recommendation

Action

Consider the award of a professional services contract to Del-Mont Consultants in the amount of \$76,400 for completion of civil design associated with the North Park Avenue Reconstruction Project.

Background and Project Driver

In line with the City's capital plan and in response to its poor condition, the City of Montrose is planning to perform a general rebuild of North Park Avenue as part of its Moving Montrose Forward contracted street maintenance efforts in 2027. The rebuild will generally include concrete replacements (curb, gutter, sidewalk, curb ramps, valley pans, and bulbouts), a rebuild of the pavement and correction of profile within select areas (as needed to address grading/dropoff issues where culverts had historically been placed over valley pans and paved), roadway expansion/widening at its northern end, sidewalk extensions, a mill and overlay of remaining pavement areas, and select utility replacements. An overview of the anticipated scope of work is included on a concept drawing available online at: <https://tinyurl.com/NorthParkAveOverview>. Please note that this overview drawing is conceptual in nature and subject to change as the project design progresses.

Request for Proposals and Design Team Recommendation

The City issued a request for proposals to procure a design team for the North Park Reconstruction Project on July 2, 2026. This design team would be responsible for performing the following key tasks:

- Perform all property and basemap surveys for the project area
- Design street infrastructure replacements (incl. curb, gutter, sidewalks, ramps, drainage, centerline profiles, etc.)
- Design street widening/sidewalk extensions at the project's northern end (North 9th to San Juan)
- Design sidewalk extensions from Park Avenue to existing sidewalks along the south side of San Juan Avenue and the northern side of North 9th Street.
- Coordinate relocation/undergrounding of conflicting utilities (incl. overhead power near North 9th Street)
- Prepare civil plans suitable for construction and coordinate with City engineering staff to incorporate utility replacement plans prepared by City staff. .

Proposals were publicly received on July 23, 2026 from four consultants summarized in Table 1 below. Following receipt of the proposals, each was evaluated by the City of Montrose

Engineering Department and a score between 0 and 4 was assigned to each based on weighted evaluation criteria listed below.

- Price: 50%
- Qualifications/Experience of the Project Team: 20%
- Reference Considerations: 20%
- Overall Proposal Presentation, Level of Detail, and Project Understanding: 10%

The resulting scores are summarized in Table 1. The weighted evaluation criteria are intended to objectively quantify the best-value consultant for the project.

TABLE 1
Summary of Consultant Proposals

Consultant & Location	Price	Rating
Del-Mont Consultants (Montrose, CO)	\$76,400	3.5
JVA (Denver, CO)	\$117,800	3.0
Goff Engineering (Durango, CO)	\$125,077	3.0
River City Consultants (Grand Junction, CO)	\$149,060	3.0

Based on the evaluation criteria and ratings, City staff recommends contract award to Del-Mont Consultants in the proposal amount of \$76,400.

Project Schedule

Project design is proposed to be completed by February of 2027 which would allow for construction of the project in the summer of 2027 (pending council approval of the construction budget).

Contract Administration and Project Financials

Contract administration and project management will be performed by the City of Montrose engineering department. The 2026 budget included \$100k as part of the Moving Montrose Forward capital improvement fund for this design; placing the anticipated cost approximately \$24k under budget.

MEMO

To: Honorable Mayor Badagliacco and Members of the City Council
From: Matthew Magliaro, Assistant City Attorney Public Safety
Date: August 18, 2026, Regular Session
Re: Municipal Code Amendments for Electrical-Assisted Bicycles & Classless Electrical-Assisted Vehicles



Attachments:

- Proposed Ordinance 2726, Clean Copy Version
- Proposed Ordinance 2726, Redline Version

Action

Consider the approval of an ordinance adding a new section to Title 9, Chapter 10 Parks, a new section to Title 10, Chapter 1 Traffic, and amending Title 10 to add modifications to the adopted 2020 Model Traffic Code. The proposed code update is intended to provide clear local regulations on the operation of electrical-assisted bicycles and classless electrical-assisted vehicles within the municipal limits of Montrose.

Background

The Montrose City Council has requested City staff review and recommend an update to the municipal code to address the operation of electrical-assisted bicycles and electrical-assisted vehicles within City limits. This ordinance proposal was heard at a recorded work session of the Montrose City Council held on July 20, 2026.

Staff understands and distills the main issues of concern as follows: (1) the operation of electrical-assisted bicycles and electric vehicles at high speeds on city surface streets, predominately by juveniles; (2) the operation of electrical-assisted bicycles and electric vehicles at high speeds within the municipal park system paved paths, sidewalks and designated trails with the potential for collisions with other park users, such as other cyclists and pedestrians; (3) the high impact upon municipal park infrastructure from off-trail operation of electrical-assisted bicycles and electric vehicles. These issues are what the proposed ordinance would address with clear rules on what types of electrical-assisted bicycles are allowable on what thoroughways, the setting of a speed limit within the parks, and the prohibition on off-trail riding subject to exceptions.

It is important to note that the City is not writing on a totally blank slate. On February 21, 2023, City Council adopted by ordinance the 2020 State of Colorado Model Traffic Code to apply within the municipal limits of the City of Montrose, pursuant to Article II, § 10 of the City Charter authorizing adoption of “appropriate Colorado Statute” by reference, and C.R.S. § 42-4-110(1)(b). Like the current version of Title 42 of the Colorado Revised Statutes, the model traffic code used by the City defines electrical-assisted bicycles in general as: “a vehicle having two or three wheels and fully operable pedals, and an electric motor not exceeding seven

MEMO



hundred fifty watts of power.”¹ Electrical-assisted bicycles are organized further into three classifications: Class 1, 2 and 3. In general, Class 1 and 2 electrical-assisted bicycles are those capable of a maximum speed of 20 miles per hour, with the difference between the two whether pedaling assistance is required for the motor assist activation.² Class 3 electrical-assisted bicycles are capable of a faster maximum speed of 28 miles per hour, pedaling assistance is required for motor operation, and these are required to be fitted with a speedometer.³ There exists a multi-mode electrical assisted bicycle wherein the bicycle is equipped with a toggle switch or programmable mode that provide for operation as two or more of the defined classes as well.⁴ These are regulated by the code to require certain equipment (MTC § 221) and operator standards (MTC § 1412).

The classes of electrical-assisted bicycle were codified in 2017. The definitions have not been updated to catch up with what is currently being sold to the public and encountered on the roads and walkways. These include electrical-assisted bicycles equipped with motors well over 750 watts and toggle switches or programmable modes that can reach speeds in excess of 28 miles per hour.⁵ Colorado Revised Statute as currently written deems these as not included in the definition of electrical assisted bicycle,⁶ essentially creating a ‘classless’ vehicle that is not governed by the rules of the road. From a prosecution perspective, if a rider was pulled over and the officer charged the rider with an ordinance violation of operating a class 3 bike in a restricted area, the defense would be the motor does not require pedal assistance and it travels at a higher speed than the maximum 28 miles per hour; therefore, it is a classless vehicle not a Class 3 electrical-assisted bicycle. As establishing the class of electrical assisted bicycle is necessary for the charge, this defense would produce an acquittal. The classifications pose additional prosecution challenges for enforcement, as the legislature based them upon maximum speed and mechanical operability, i.e. whether pedal assistance is required to trigger the motor assist. Since the classifications are based on whether pedal assistance is needed to operate the motor and the top speed of the bicycle, any determination of the class of the electrical assisted bicycle would require an officer to: 1) ride the electrical-assisted bicycle and determine whether pedaling is needed to run the motor; 2) operate the bike to its maximum

¹ MTC Definitions, § 28.5; C.R.S. § 42-1-102(28.5)(a)

² MTC Definitions, § 28.5(a), (b); C.R.S. § 42-1-102(28.5)(a)(1), (2).

³ MTC Definitions, § 28.5(c); C.R.S. § 42-1-102(28.5)(a)(3); C.R.S. § 42-4-221(10)(c).

⁴ C.R.S. § 42-1-102(60.2).

⁵ Several common models, such as the Aipas M2 Pro Xterra Ebike or the Freego X2 Pro, advertise maximum speeds of 36 miles per hour and 50 miles per hour respectively.

⁶ C.R.S. § 42-1-102(28.5)(b)(“ Electrical assisted bicycle” does not include:

(I) A vehicle that is modified so that it no longer meets the requirements for any class of electrical assisted bicycle; or (II) A vehicle that is designed, manufactured, or intended by the manufacturer or seller to be easily configured so as not to meet the requirements of an electrical assisted bicycle, whether by a mechanical switch or button, by changing a setting in software controlling the drive system, by use of an online application, or through other means intended by the manufacturer or seller.”)

MEMO



speed; and, 3) have another officer use visual estimation or a laser speed device to determine what is its top speed. This type of investigation is cumbersome and impractical.

Summary of Proposal

The proposal seeks to create a speed limit within the municipal parks of fifteen miles per hour, and prohibit off-trail riding, with certain exceptions for City staff performing the functions of their job within the parks. Repeated conduct is declared a nuisance. The proposal restates the definitions already in the adopted model traffic code for electrical-assisted bicycles, but defines where those who own each class may permissibly operate; this is drawn from Colorado law. C.R.S. § 42-4-1412(14)(a), (b). The ordinance creates a new definition of classless electrical-assisted vehicle. This is intended to capture those bicycles and other electric assisted vehicles that fall into the gap between state law and current technology. The definition expressly excludes from its scope wheelchairs⁷ or other devices defined by state law designed and used to assist mobility-impaired persons such as EPAMDs, low powered scooters and electric scooters. Classless electrical assisted vehicles are prohibited from operation upon or within any street, alley, roadway, shoulder, median, sidewalk, crosswalk, pedestrian or multi-use paths, trail, park, open space, greenbelt, public right-of-way, or other City-owned or City-controlled property. The proposal creates a rebuttable, evidentiary presumption on the classification of vehicles from radar or LIDAR measurements, and allows as competent, non-hearsay evidence the manufacturer's specification information. The proposal would add 'classless electrical-assisted vehicles' to the scope of that covered by the careless and reckless driving laws.

The proposal if passed would require an educational component for effective enforcement. Colorado law mandates, as a predicate condition to enforcement, the placement of official signs or other traffic control devices upon or at the entrances to the area affected as may be most appropriate when establishing a speed limit for vehicles in parks; these signs further the educational component by furnishing notice to the public of these local regulations. C.R.S. § 42-4-111(j), (2)(a). In addition, the Montrose Police Department would conduct both internal training to enforcement personnel, as well as external messaging to the public.

Fiscal Impact

N/A. The proposal creates new code-based Class A traffic infractions punishable by a minimum penalty of \$15 to a maximum penalty range of \$100, within the Montrose Municipal Court. It is unclear what the enforcement expense will be to design and post signage, and to process, prosecute and adjudicate the citations in court. It is not an expectation that the Montrose Municipal Court be a revenue generating section for city government.

⁷ Wheelchair is defined broadly by the traffic code, to mean "a motorized or nonmotorized wheeled device designed for use by a person with a physical disability." MTC Definitions, § 113; C.R.S. § 42-1-102(113)

ORDINANCE NO. 2726

**AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO,
ADDING TITLE 9 CHAPTER 10 SECTION 3 (9-10-3), REGARDING PARK
SPEED LIMITS, OFF TRAIL RIDING PROHIBITED, AMENDING TITLE 10,
CHAPTER 1, SECTION 4 (10-1-4) ADDITIONS OR MODIFICATIONS IN
ADOPTED MODEL TRAFFIC CODE, AND ADDING TITLE 10, CHAPTER 1,
SECTION 15.5 (10-1-15.5), ELECTRICAL-ASSISTED BICYCLES AND
CLASSLESS ELECTRICAL-ASSISTED VEHICLES.**

WHEREAS, the City of Montrose is a home rule municipal corporation operating under adopted charter pursuant to § 6 of Article XX of the Colorado Constitution; and

WHEREAS, the Montrose City Council as the governing body of the City of Montrose has express authority under law to “regulate traffic . . . upon the streets, sidewalks, and public places and to regulate the speed of vehicles, cars and locomotives within the limits of the municipality,” Colorado Revised Statute § 31-15-702(1)(a)(VII); and

WHEREAS, the City of Montrose adopted by reference the 2020 edition of the Model Traffic Code for Colorado Municipalities (hereinafter “Model Traffic Code”) promulgated and published by the Colorado Department of Transportation by and through the 2023 passage of Ordinance 2612 amending Chapter 1 of Title 10 of the Official Code of the City of Montrose; and

WHEREAS, the City of Montrose as property owner has a governmental interest in the preservation of its public property, including but not limited to the municipal parks, for the general health, welfare, and benefit of all of its citizens, and recognizes the need to have a clear system of regulation to ensure safe access to the general public of its rights-of-ways on public property; and

WHEREAS, electrical-assisted bicycles and other electric assisted vehicles have increased in popularity and usage in recent years within the municipal limits of the City of Montrose, which has caused an increase in safety violations, collisions, and public concern on appropriate locations and limitations for safe use; and

WHEREAS, state law expressly allows local governments to set rules to regulate the operation of bicycles and electrical assisted bicycles, to authorize or prohibit the use of vehicles on bike and pedestrian paths, to establish the speed limits within public parks, to establish minimum speed limits, and to regulate the local movement of traffic or the use of local streets under Colorado Revised Statutes § 42-4-110(1)(a), (b), and § 42-4-111; and

WHEREAS, municipal governments have authority, in relation to their general police powers in C.R.S. § 31-15-401(1)(a)-(c), to “do all acts and make all regulations which may be necessary or expedient for the promotion of health” as well as to declare what is a nuisance, to impose fines upon parties who may create or continue nuisances, and abate declared nuisances; and

WHEREAS, the City of Montrose updates the Municipal Code from time to time; and

WHEREAS, the City Council of the City of Montrose determines it is in the best interest of the public health, safety and welfare to regulate the operation of electrical-assisted bicycles and classless electrical-assisted vehicles within the municipal limits of the City of Montrose; and

WHEREAS, the City Council of the City of Montrose has determined that the changes to the Municipal Code will further the health, safety, and welfare of the people of the City of Montrose.

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

SECTION 1:

Title 9, Chapter 10 Section 3. (9-10-3.(A)-(E)) (Park speed limits, off trail riding prohibited.) of the Official Code of the City of Montrose, Colorado, is hereby added, to read in entirety as follows:

9-10-3. - Park speed limits, off trail riding prohibited.

(A) *Speed limit.* It is unlawful for any person to operate a bicycle, electrical-assisted bicycle, motor vehicle, off-highway vehicle or toy vehicle as defined by law, or a classless electrical-assisted vehicle as defined by ordinance at a speed in excess of fifteen (15) miles per hour on any sidewalk, pedestrian or multi-use path, or trail within the parks of the City of Montrose.

(B) *Off trail riding.* It is unlawful for any person to operate a bicycle, an electrical-assisted bicycle, motor vehicle, classless electrical-assisted vehicle, or an off-highway vehicle or toy vehicle as defined by law off the designated paved trails, sidewalks, or pedestrian or multi-use paths within the parks of the City of Montrose.

(C) *Penalty.* Any violation of this Section is punishable as a Class A traffic infraction and may be fined in accordance with provisions of Montrose Code § 10-1-16.

(D) *Nuisance.* It is declared a nuisance under Section 6-4-1 of the Official Code of the City of Montrose for any person to commit a second or repetitive violation of this Section within the City. The Municipal Court has authority to issue any orders for abatement of nuisance under Section 6-4-2 of the Official Code of the City of Montrose for second or subsequent violations of this Section.

(E) *Exceptions.* This Section shall not apply to City employees performing work during the course and scope of their duties. The prohibitions in this Section may be modified and/or may not apply to operation on trails within the municipal park system designated bicycle-only, as determined by the City Manager or designee and as noticed by erected signage. This Section does not apply to law enforcement officials responding to a matter of public health and safety.

SECTION 2:

Title 10, Chapter 1 Section 4. (10-1-4.(M)-(N)) (Additions or modifications.) of the Official Code of the City of Montrose, Colorado, is hereby amended to read in its entirety as follows:

10-1-4. - Additions or modifications.

(M) MTC 1401. Reckless driving.

(1) A person who drives a motor vehicle, bicycle, electrical assisted bicycle, classless electrical-assisted vehicle, or low- power scooter in such a manner as to indicate either a wanton or a willful disregard for the safety of persons or property is guilty of reckless driving. A person convicted of reckless driving of a bicycle or electrical assisted bicycle or classless electrical-assisted vehicle shall not be subject to the provisions of 42-2-127, C.R.S.

(N) MTC 1402. Careless driving.

(1) A person who drives a motor vehicle, bicycle, electrical assisted bicycle, classless electrical-assisted vehicle, or low- power scooter in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, and use of the streets and highways and all other attendant circumstances, is guilty of careless driving. A person convicted of careless driving of a bicycle or electrical assisted bicycle or classless electrical-assisted vehicle shall not be subject to the provisions of 42-2-127, C.R.S.

SECTION 3:

Title 10, Chapter 1 Section 15.5 (10-1-15.5(A)-(G)) (Electrical-assisted bicycles and classless electrical-assisted vehicles.) of the Official Code of the City of Montrose, Colorado, is hereby added, to read in its entirety as follows:

10-1-15.5 - Electrical-assisted bicycles and classless electrical-assisted vehicles.

(A) *Definitions.* For the purposes of this Section, the following definitions are applicable:

(1) All electrical-assisted bicycles are vehicles. “Electrical assisted bicycle” means a vehicle having two or three wheels, fully operable pedals, and an electric motor not exceeding seven hundred fifty watts of power. Electrical assisted bicycles are further required to conform to certain classes as follows:

(a) “Class 1 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(b) “Class 2 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(c) “Class 3 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour.

(2) A “classless electrical-assisted vehicle” is any vehicle having one to three wheels, an electric motor, and that is manufactured or modified so it no longer meets the requirements for any of the three classes of electrical assisted bicycle as defined above, to include but not limited to the capacity to reach any speed in excess of twenty-eight miles per hour. This includes but is not limited to a vehicle that is designed, manufactured, or intended by the manufacturer or seller to be easily configured so as not to meet the requirements of an electrical assisted bicycle, whether by a mechanical switch or button, by changing a setting in software controlling the drive system, by use of an online application, or through other means intended by the manufacturer or seller. This term does not include any motor vehicle that constitutes a motorcycle, auticycle, wheelchair, EPAMD, electric scooter, or low-power scooter as those terms are defined by Colorado Revised Statute.

(B) *Allowed Use.* Unless otherwise restricted, Class 1 and Class 2 electrical assisted bicycles may be operated in all locations where conventional, human-powered bicycles are

allowed, with all the rights, privileges and duties of an operator of a bicycle; provided, however, that Class 1 and Class 2 electrical assisted bicycles may be restricted for use on certain sidewalks, pedestrian or multi-use paths, trails and other areas of the City of Montrose as determined by the City Manager or designee and as noticed by erected signage. Class 3 electrical assisted bicycles are allowed only on a street, alley, roadway or highway, in a designated bicycle lane, or as expressly permitted by the City of Montrose as determined by the City Manager or designee and as noticed by erected signage.

(C) Prohibited Use.

- (1) It shall be unlawful to operate a Class 1 or Class 2 electrical-assisted bicycle in an area restricted for use.
- (2) It shall be unlawful to operate a Class 3 electrical-assisted bicycle on any sidewalk, pedestrian or multi-use pathway, open space, greenbelt, park or trail within the municipal limits of the City of Montrose. It shall be unlawful to operate a Class 3 electrical-assisted bicycle in an area restricted for use.
- (3) It shall be unlawful for any person to operate a classless electrical-assisted vehicle upon or within any street, alley, roadway, shoulder, median, sidewalk, crosswalk, pedestrian or multi-use paths, trail, park, open space, greenbelt, public right-of-way, or other City-owned or City-controlled property.

(D) Presumption and Evidence. For purposes of this Section, evidence of a vehicle's speed measured by radar or LIDAR shall be prima facie evidence and a rebuttable presumption on the classification of the electrical-assisted bicycle or as a classless electrical assisted vehicle. Evidence from the manufacturer on vehicle specifications, technical classification, and capacity to reach a certain speed limit may be offered as competent evidence to establish the classification of the electrical-assisted bicycle or as a classless electrical assisted vehicle. Hearsay evidence shall not be excluded in determining the categorization of an electrical-assisted bicycle or as a classless electrical-assisted vehicle

(E) Exceptions. This Section does not apply to law enforcement use in the course of their official duties. This Section does not apply to operation of an electrical-assisted bicycle or classless electrical-assisted vehicle operated entirely on private property with the express permission of the property owner. This Section does not apply to operation of an electrical-assisted bicycle or classless electrical-assisted vehicle during the course of permitted events within the municipal limits pursuant to an events use permit or festival event permit obtained in advance from the City Clerk's Office and with the approval of the City Manager's Office.

(F) Penalty. Any violation of this Section is punishable as a Class A traffic infraction and may be fined in accordance with provisions of Montrose Code § 10-1-16.

(G) Nuisance. It is declared a nuisance under Section 6-4-1 of the Official Code of the City of Montrose for any person to commit a second or repetitive violation of this Section within the City. The Municipal Court has authority to issue any orders for abatement of nuisance under Section 6-4-2 of the Official Code of the City of Montrose for second or

subsequent violations of this Section.

SECTION 4:

Except as specifically amended hereby, the Official Code of the City of Montrose, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

SECTION 5:

The City Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the City of Montrose and the inhabitants thereof by updating the code to provide clear local regulations on the operation of electrical assisted bicycles and classless electrical-assisted vehicles within the municipal limits of Montrose.

SECTION 6:

The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter.

SECTION 7:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8:

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 9:

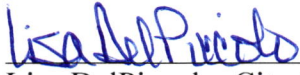
City staff is further authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and have the authority to correct formatting, numbering and/or typographical errors discovered during codification, provided that neither the intent of this Ordinance nor substantive content is altered.

SECTION 10:

This Ordinance shall become effective as set forth in the City of Montrose Charter. You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 4th day of August, 2026, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

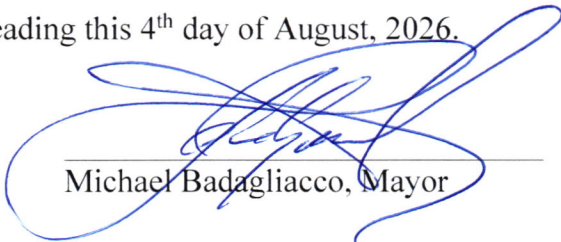
INTRODUCED, READ and PASSED on first reading this 4th day of August, 2026.

ATTEST:



Lisa DelPiccolo, City Clerk




Michael Badagliacco, Mayor

INTRODUCED, READ and ADOPTED on second reading this ____ day of ____, 2026.

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

ORDINANCE NO. 2726

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, ADDING TITLE 9 CHAPTER 10 SECTION 3 (9-10-3), REGARDING PARK SPEED LIMITS, OFF TRAIL RIDING PROHIBITED, AMENDING TITLE 10, CHAPTER 1, SECTION 4 (10-1-4) ADDITIONS OR MODIFICATIONS IN ADOPTED MODEL TRAFFIC CODE, AND ADDING TITLE 10, CHAPTER 1, SECTION 15.5 (10-1-15.5), ELECTRICAL-ASSISTED BICYCLES AND CLASSLESS ELECTRICAL-ASSISTED VEHICLES.

WHEREAS, the City of Montrose is a home rule municipal corporation operating under adopted charter pursuant to § 6 of Article XX of the Colorado Constitution; and

WHEREAS, the Montrose City Council as the governing body of the City of Montrose has express authority under law to “regulate traffic . . . upon the streets, sidewalks, and public places and to regulate the speed of vehicles, cars and locomotives within the limits of the municipality,” Colorado Revised Statute § 31-15-702(1)(a)(VII); and

WHEREAS, the City of Montrose adopted by reference the 2020 edition of the Model Traffic Code for Colorado Municipalities (hereinafter ‘Model Traffic Code’) promulgated and published by the Colorado Department of Transportation by and through the 2023 passage of Ordinance 2612 amending Chapter 1 of Title 10 of the Official Code of the City of Montrose; and

WHEREAS, the City of Montrose as property owner has a governmental interest in the preservation of its public property, including but not limited to the municipal parks, for the general health, welfare, and benefit of all of its citizens, and recognizes the need to have a clear system of regulation to ensure safe access to the general public of its rights-of-ways on public property; and

WHEREAS, electrical-assisted bicycles and other electric assisted vehicles have increased in popularity and usage in recent years within the municipal limits of the City of Montrose, which has caused an increase in safety violations, collisions, and public concern on appropriate locations and limitations for safe use; and

WHEREAS, state law expressly allows local governments to set rules to regulate the operation of bicycles and electrical assisted bicycles, to authorize or prohibit the use of vehicles on bike and pedestrian paths, to establish the speed limits within public parks, to establish minimum speed limits, and to regulate the local movement of traffic or the use of local streets under Colorado Revised Statutes § 42-4-110(1)(a), (b), and § 42-4-111; and

WHEREAS, municipal governments have authority, in relation to their general police powers in C.R.S. § 31-15-401(1)(a)-(c), to “do all acts and make all regulations which may be necessary or expedient for the promotion of health” as well as to declare what is a nuisance, to impose fines upon parties who may create or continue nuisances, and abate declared nuisances; and

WHEREAS, the City of Montrose updates the Municipal Code from time to time; and

WHEREAS, the City Council of the City of Montrose determines it is in the best interest of the public health, safety and welfare to regulate the operation of electrical-assisted bicycles and classless electrical-assisted vehicles within the municipal limits of the City of Montrose; and

WHEREAS, the City Council of the City of Montrose has determined that the changes to the Municipal Code will further the health, safety, and welfare of the people of the City of Montrose.

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

SECTION 1:

Title 9, Chapter 10 Section 3. (9-10-3.(A)-(E)) (Park speed limits, off trail riding prohibited.) of the Official Code of the City of Montrose, Colorado, is hereby added, to read in entirety as follows:

9-10-3. - Park speed limits, off trail riding prohibited.

(A) *Speed limit.* It is unlawful for any person to operate a bicycle, electrical-assisted bicycle, motor vehicle, off-highway vehicle or toy vehicle as defined by law, or a classless electrical-assisted vehicle as defined by ordinance at a speed in excess of fifteen (15) miles per hour on any sidewalk, pedestrian or multi-use path, or trail within the parks of the City of Montrose.

(B) *Off trail riding.* It is unlawful for any person to operate a bicycle, an electrical-assisted bicycle, motor vehicle, classless electrical-assisted vehicle, or an off-highway vehicle or toy vehicle as defined by law off the designated paved trails, sidewalks, or pedestrian or multi-use paths within the parks of the City of Montrose.

(C) *Penalty.* Any violation of this Section is punishable as a Class A traffic infraction and may be fined in accordance with provisions of Montrose Code § 10-1-16.

(D) *Nuisance.* It is declared a nuisance under Section 6-4-1 of the Official Code of the City of Montrose for any person to commit a second or repetitive violation of this Section within the City. The Municipal Court has authority to issue any orders for abatement of nuisance under Section 6-4-2 of the Official Code of the City of Montrose for second or subsequent violations of this Section.

(E) *Exceptions.* This Section shall not apply to City employees performing work during the course and scope of their duties. The prohibitions in this Section may be modified and/or may not apply to operation on trails within the municipal park system designated bicycle-only, as determined by the City Manager or designee and as noticed by erected signage. This Section does not apply to law enforcement officials responding to a matter of public health and safety.

SECTION 2:

Title 10, Chapter 1 Section 4. (10-1-4.(M)-(N)) (Additions or modifications.) of the Official Code of the City of Montrose, Colorado, is hereby amended to read in its entirety as follows:

10-1-4. - Additions or modifications.

(M) MTC 1401. Reckless driving.

(1) A person who drives a motor vehicle, bicycle, electrical assisted bicycle, **classless electrical-assisted vehicle**, or low- power scooter in such a manner as to indicate either a wanton or a willful disregard for the safety of persons or property is guilty of reckless driving. A person convicted of reckless driving of a bicycle or electrical assisted bicycle **or classless electrical-assisted vehicle** shall not be subject to the provisions of 42-2-127, C.R.S.

(N) MTC 1402. Careless driving.

(1) A person who drives a motor vehicle, bicycle, electrical assisted bicycle, **classless electrical-assisted vehicle**, or low- power scooter in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, and use of the streets and highways and all other attendant circumstances, is guilty of careless driving. A person convicted of careless driving of a bicycle or electrical assisted bicycle **or classless electrical-assisted vehicle** shall not be subject to the provisions of 42-2-127, C.R.S.

SECTION 3:

Title 10, Chapter 1 Section 15.5 (10-1-15.5(A)-(G)) (Electrical-assisted bicycles and classless electrical-assisted vehicles.) of the Official Code of the City of Montrose, Colorado, is hereby added, to read in its entirety as follows:

10-1-15.5 - Electrical-assisted bicycles and classless electrical-assisted vehicles.

(A) *Definitions.* For the purposes of this Section, the following definitions are applicable:

(1) All electrical-assisted bicycles are vehicles. “Electrical assisted bicycle“ means a vehicle having two or three wheels, fully operable pedals, and an electric motor not exceeding seven hundred fifty watts of power. Electrical assisted bicycles are further required to conform to certain classes as follows:

(a) “Class 1 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(b) “Class 2 electrical assisted bicycle“ means an electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(c) “Class 3 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour.

(2) A “classless electrical-assisted vehicle” is any vehicle having one to three wheels, an electric motor, and that is manufactured or modified so it no longer meets the requirements for any of the three classes of electrical assisted bicycle as defined above, to include but not limited to the capacity to reach any speed in excess of twenty-eight miles per hour. This includes but is not limited to a vehicle that is designed, manufactured, or intended by the manufacturer or seller to be easily configured so as not to meet the requirements of an electrical assisted bicycle, whether by a mechanical switch or button, by changing a setting in software controlling the drive system, by use of an online application, or through other means intended by the manufacturer or seller. This term does not include any motor vehicle that constitutes a motorcycle, auticycle, wheelchair, EPAMD, electric scooter, or low-power scooter as those terms are defined by Colorado Revised Statute.

(B) *Allowed Use.* Unless otherwise restricted, Class 1 and Class 2 electrical assisted bicycles may be operated in all locations where conventional, human-powered bicycles are

allowed, with all the rights, privileges and duties of an operator of a bicycle; provided, however, that Class 1 and Class 2 electrical assisted bicycles may be restricted for use on certain sidewalks, pedestrian or multi-use paths, trails and other areas of the City of Montrose as determined by the City Manager or designee and as noticed by erected signage. Class 3 electrical assisted bicycles are allowed only on a street, alley, roadway or highway, in a designated bicycle lane, or as expressly permitted by the City of Montrose as determined by the City Manager or designee and as noticed by erected signage.

(C) Prohibited Use.

- (1) It shall be unlawful to operate a Class 1 or Class 2 electrical-assisted bicycle in an area restricted for use.
- (2) It shall be unlawful to operate a Class 3 electrical-assisted bicycle on any sidewalk, pedestrian or multi-use pathway, open space, greenbelt, park or trail within the municipal limits of the City of Montrose. It shall be unlawful to operate a Class 3 electrical-assisted bicycle in an area restricted for use.
- (3) It shall be unlawful for any person to operate a classless electrical-assisted vehicle upon or within any street, alley, roadway, shoulder, median, sidewalk, crosswalk, pedestrian or multi-use paths, trail, park, open space, greenbelt, public right-of-way, or other City-owned or City-controlled property.

(D) Presumption and Evidence. For purposes of this Section, evidence of a vehicle's speed measured by radar or LIDAR shall be prima facie evidence and a rebuttable presumption on the classification of the electrical-assisted bicycle or as a classless electrical assisted vehicle. Evidence from the manufacturer on vehicle specifications, technical classification, and capacity to reach a certain speed limit may be offered as competent evidence to establish the classification of the electrical-assisted bicycle or as a classless electrical assisted vehicle. Hearsay evidence shall not be excluded in determining the categorization of an electrical-assisted bicycle or as a classless electrical-assisted vehicle

(E) Exceptions. This Section does not apply to law enforcement use in the course of their official duties. This Section does not apply to operation of an electrical-assisted bicycle or classless electrical-assisted vehicle operated entirely on private property with the express permission of the property owner. This Section does not apply to operation of an electrical-assisted bicycle or classless electrical-assisted vehicle during the course of permitted events within the municipal limits pursuant to an events use permit or festival event permit obtained in advance from the City Clerk's Office and with the approval of the City Manager's Office.

(F) Penalty. Any violation of this Section is punishable as a Class A traffic infraction and may be fined in accordance with provisions of Montrose Code § 10-1-16.

(G) Nuisance. It is declared a nuisance under Section 6-4-1 of the Official Code of the City of Montrose for any person to commit a second or repetitive violation of this Section within the City. The Municipal Court has authority to issue any orders for abatement of nuisance under Section 6-4-2 of the Official Code of the City of Montrose for second or

subsequent violations of this Section.

SECTION 4:

Except as specifically amended hereby, the Official Code of the City of Montrose, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

SECTION 5:

The City Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the City of Montrose and the inhabitants thereof by updating the code to provide clear local regulations on the operation of electrical assisted bicycles and classless electrical-assisted vehicles within the municipal limits of Montrose.

SECTION 6:

The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter.

SECTION 7:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8:

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 9:

City staff is further authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and have the authority to correct formatting, numbering and/or typographical errors discovered during codification, provided that neither the intent of this Ordinance nor substantive content is altered.

SECTION 10:

This Ordinance shall become effective as set forth in the City of Montrose Charter. You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 4th day of August, 2026, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 4th day of August, 2026.

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this _____ day of _____, 2026.

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk



Montrose County Elections Intergovernmental Agreement

2026 General Election ELECTION DAY: November 3, 2026

This Intergovernmental Agreement is entered into by and between the Montrose County Clerk and Recorder (hereinafter referred to as the 'Clerk') and the **City of Montrose** (hereinafter referred to as the 'Political Subdivision').

WHEREAS, Pursuant to The Uniform Election Code of 1992, (Articles 1 to 13 of Title 1, C.R.S.) as amended, governmental entities are encouraged to cooperate and consolidate elections in order to reduce taxpayer expenses; and

WHEREAS, C.R.S. 1-7-116 specifies that the County Clerk and Recorder is to be the Coordinated Election Official for all Political Subdivisions, including school districts within the county for elections that are held on the same day in November. This Statute further requires that the Clerk conduct all such elections that are held on the same day in November on behalf of all such Political Subdivisions utilizing the mail ballot method set forth in C.R.S. 1-7.5; and

WHEREAS, the election to be held on **November 3, 2026** is to be a Coordinated Election, coordinated and conducted by the County Clerk and Recorder in accordance with the provisions of the Colorado Uniform Election Code of 1992; and

WHEREAS, the Clerk and Political Subdivision desire to set forth their respective responsibilities for said Election pursuant to this Intergovernmental Agreement (IGA).

NOW, THEREFORE, IT IS AGREED by the Clerk and the Political Subdivision as follows:

- The election participants shall be required to execute an IGA with the Montrose County Clerk which may include municipalities, school districts and special districts within the Montrose County limits in the State of Colorado.
- Pursuant to C.R.S. 1-7.5, said election shall be conducted by the Clerk as a Mail Ballot Election with the use of paper ballots, electronic voting equipment and vote counting machines.
- Tressa Guynes, the Montrose County Clerk and Recorder, shall be designated as the General Election Official.

The Political Subdivision hereby identifies their **Designated Election Official (DEO)** as:

Name: Lisa DelPiccolo Phone: (970) 240-1422

Email: ldelpiccolo@cityofmontrose.org

Contact Officer for Clerk and Recorder office:

Name: Rebecca McDonald, Elections Supervisor Phone: (970) 252-4590

Email: elections@montrosecounty.net

The contact shall act under the authority of the Clerk at all times.

CLERK DUTIES (Refer to detail of dates in Exhibit A, 2026 General Election Deadline Schedule)

1. Assist and inform the Political Subdivision on any matter that would ensure the efficient preparation and conduct of the election. The Clerk shall not provide legal advice.
2. Manage all voter records and correspondence in accordance with Title 1, C.R.S., Election Rules and Policy Directives of the Colorado Secretary of State.
3. Supply, deliver and set-up all necessary items for the conduct and preparation of the election, including paper ballots, electronic voting machines and voted ballot tabulation equipment.
4. Negotiate an agreement for the printing and distribution of the official mail ballot packets.
5. Provide a copy of the ballot layout and text of the official ballot to the Designated Election Official or their designee for proofreading before authorization to begin printing of the ballots.
6. Report the number of registered electors within the Montrose County portion of the Political Subdivision. The final number of registered electors will be certified as of Election Night.
7. Appoint, instruct, oversee and schedule the judges of the election, including the Canvass Board, to assist in the election process. Provide properly trained personnel for the preparation and conduct of the election, including tabulation of the ballots on election night to certify Unofficial Results. **Official Results will not be available until after the Canvass of Election has occurred.**
8. Provide security and processing of all mail ballots. Provide for the verification of signatures from the self-affirmation on the ballot return envelope.
9. Facilitate special accommodations for all military and overseas citizens as provided by the Uniform Military and Overseas Voters Act (UOCAVA) C.R.S. 1-8.3-101 through 1-8.3-119, and Rules of the Secretary of State.
10. Provide provisional ballots to electors who qualify under C.R.S. 1-8.5-101 through 1-8.5-112. Provide a method for provisional voters to inquire if their ballot was counted, per C.R.S. 1-8.5-111.
11. Publish and post the required legal Notice of Election pursuant to C.R.S. 1-5-205 for the Political Subdivision ballot issues, questions and/or candidates.
12. Conduct Logic and Accuracy Testing, to ensure the proper scanning and correct tabulation of the ballots received by mail and in-person ballots. The Clerk will provide a test deck of 25 ballots to the Political Subdivision for this test.
13. Provide Unofficial Results of the election, on election night. A link to the Unofficial Results will be posted on the County Elections website on election night. www.montrosecounty.net/elections
14. Conduct a recount of any contest where the final ballot tabulation results are close enough to require a recount or if requested by an interested party. C.R.S. 1-10.5-101(1)(b), 1-10.5-103, 1-10.5-105 and 1-10.5-106.
15. Keep an accurate account of all election costs including but not limited to, supplies, print costs, distribution of ballots, legal notices, election judge hours and other expenses that attribute to the Clerks' administration of the election for the Political Subdivision. The cost for each Political Subdivision will be based, in part, on the number of registered voters in the Political Subdivision as of election night.
 - The Political Subdivision may, by resolution, withdraw one or more ballot issues or questions from the ballot. Provided there is only one question on the ballot related to the Political Subdivision, this would effectively cancel their portion of the election.
 - Should a cancellation occur, the Clerk shall charge the Political Subdivision for its portion of the costs incurred up to that point including, but not limited to, production, mailing costs, supplies and any other expense related to their portion of the election.
 - The cost of any required recount(s) will be charged to the Political Subdivision, or if more than one Political Subdivision is involved in the recount, the cost will be prorated among the participating Political Subdivisions. Recounts requested by interested parties shall be billed to the interested party.
16. The Clerk shall submit an invoice to the Political Subdivision for all expenses incurred under this agreement.
17. The Clerk shall preserve all election records for at least 25 months after the election. C.R.S. 1-7-802.

POLITICAL SUBDIVISION DUTIES

1. The Political Subdivision will certify that the Clerks' database of addresses for their jurisdiction within Montrose County is true and correct. The Clerk will provide the list of addresses for the Political Subdivision to compare and note any discrepancies in the address library. The Political Subdivision will communicate to the Clerk all discrepancies no later than the date set in **Exhibit A**.
2. The Political Subdivision will certify their Ballot Question(s), Ballot Issue(s) and/or Candidates, if applicable, by email (with receipt confirmed by the Clerk) in both English and Spanish content using **Notepad format**. **This certified ballot content of both English and Spanish shall be final and the Clerk will not be responsible for making any changes after the certification deadline.**
3. The Political Subdivision shall proofread and approve the email of ballot content for printing within one business day of receipt from the Clerk. The Political Subdivision shall designate a person to be available for proofing and approving the ballot content for printing. Due to limited printing availability and time constraints, this contact person must be available from 8:00 a.m. to 10:00 p.m. according to **Exhibit A** or until final approval for printing of the ballots has been achieved. The Clerk agrees to keep all contact personnel up to date on the ballot printing status.

The Political Subdivision hereby identifies their **Proofing Official** as:

Name: Lisa DelPiccolo, City Clerk

Phone: 970-240-1422

Email: ldelpiccolo@cityofmontrose.org

The Proofing Official will be required to provide a written signal of approval for the final ballot content by signing the ballot where noted and returning it to the Clerk.

4. The Political Subdivision will publish, post and copy the Clerk on any required legal notices for the Political Subdivision's ballot content, other than the Notice of Election which the Clerk is required to publish, per C.R.S. 1-5-205.
5. The Political Subdivision shall be solely responsible for determining whether a ballot question, issue or candidate is properly placed before the voters.
6. The Political Subdivision will participate in the Logic and Accuracy Test (LAT) to include: secure your test deck from the Clerk's office, mark and tally the test deck, vote on the electronic voting machines, observe the scanning and tabulation of the ballots and listen to the audio portion.

The Political Subdivision hereby identifies the **Logic and Accuracy Tester** as:

Name: Lisa DelPiccolo, City Clerk

Phone: 970-240-1422

Email: ldelpiccolo@cityofmontrose.org

If the Political Subdivision forgoes participation in the LAT and testing of the ballots, they are required to sign a letter stating that they choose not to participate.

7. In the event that the Political Subdivision determines not to participate in the election, written notice shall be provided to the Clerk immediately. The Clerk will send an invoice for any costs incurred prior to the Political Subdivision withdrawing from the election which should be paid upon receipt. The Political Subdivision shall provide public notice, by publication, that their election is cancelled. A copy of the public notice shall be posted in the office of the Clerk (for each county the Political Subdivision resides), in the office of the Designated Election Official and, in the case of a special district, the office of the Division of Local Government. The Political Subdivision may not cancel the election after the twenty-fifth day prior to the election, C.R.S. 1-5-208(2).
8. The Political Subdivision shall be responsible for a prorated share of all costs and expenses related to the Election, including, but not limited to: payroll of election judges, staff overtime, legal notices, TABOR Notice(s), ballot production and mailing, office supplies and all other election expenses related to conducting the election as described in the Clerk Duties listed above. The Political Subdivision shall remit payment directly to the Montrose County Clerk and Recorder within 30 days of receiving the invoice for its share of such costs and expenses.

9. In the case of emergency, if it is determined that counting and tabulation must be moved to an established back up location, all prorated costs of such move shall be paid by the Political Subdivision.
10. The Political Subdivision will comply with the provisions of the Uniform Election Code of 1992 (Articles 1 to 13 of Title 1, C.R.S.), and the timeline attached hereto, as **Exhibit A** (2025 Coordinated Election Deadline Schedule) as these relate to said election.
11. The Political Subdivision shall defend and resolve at its sole expense, all challenges related to the ballot question(s), ballot issue(s) and/or candidate(s) as certified to the Clerk for inclusion on said ballot.
12. The Political Subdivision may locate the Unofficial Election Results by:
 - Coming in person to the Montrose County Clerk & Recorder Building
 - Viewing online at www.montrosecounty.net/elections (unofficial results will be updated three times on election night)
13. Upon execution of this IGA, the Political Subdivision certifies that they have sufficient funds available in the approved budget to pay for the prorated expenses related for this election.

TABOR (Taxpayer Bill of Rights) NOTICE AGREEMENT

CLERK DUTIES

1. The Clerk shall prepare a TABOR Notice in compliance with Article X, Section 20 of the Colorado Constitution and any pertinent rules, incorporating the information provided by each Political Subdivision that is required to participate in the TABOR Notice. The Clerk will compile the TABOR Notice(s) and submit a proof by email to the Political Subdivision.
2. The Clerk shall provide their local election office address and telephone number in the TABOR Notice and be available during the Clerk's regular office hours. The Clerk shall respond to all correspondence and/or calls that the Clerk receives relating to election procedures, but shall refer inquiries concerning the substance of the ballot issues, questions or operations of the Political Subdivision to the Designated Election Official.
3. Pursuant to Colorado Constitution, Article X, Section 20 (3)(b), the Clerk will mail one TABOR Notice to each Montrose County household with at least one active elector of the Political Subdivision. The Clerk shall determine the method of least cost for mailing the TABOR Notice and address the Notice to "All Registered Voters".
4. The Clerk will include the expenses of preparing, printing, labeling and mailing of the TABOR Notice on the invoice for the Political Subdivision. The expenses shall be prorated among all Political Subdivisions participating in the TABOR Notice. This amount will be identified as TABOR Notice and based, in part, upon the number of households with a registered voter, within each Political Subdivision, and be divided accordingly between the Political Subdivisions that are required to issue a TABOR Notice for this election.

POLITICAL SUBDIVISION DUTIES

1. If a TABOR Notice is required for the Political Subdivision, they shall be solely responsible for the preparation, accuracy and language contained in the Notice and shall submit the Notice to the Clerk with pro and con summaries and fiscal information, per C.R.S. 1-7-904. Such Notice shall be provided to the Clerk via email in MS Word (.docx) format.
2. The Political Subdivision shall assign a TABOR contact person for the TABOR Notice. This person will be required to perform duties related to the Notice including the obligation to receive and summarize written comments for and against proposals subject to Article X, Section 20 of the Colorado Constitution. The Clerk shall have no duty or obligation to receive or summarize such comments. The contact person will be available for proofreading the TABOR Notice content and approving it for print. Due to limited printing availability and time constraints, this person must be someone who is available pursuant to **Exhibit A (2026 General Election Deadline Schedule)**. The Clerk agrees to keep contact personnel informed of the TABOR Notice printing status and estimated time of mailing one Notice to each household with at least one active registered voter.

The Political Subdivision hereby identifies the **TABOR Notice Contact** as:

Name: Lisa DelPiccolo, City Clerk

Phone: 970-240-1422

Email: ldelpiccolo@cityofmontrose.org

The TABOR Notice contact will be required to provide a written signal of approval for the final TABOR Notice content by signing the final proof where noted and returning it to the Clerk.

ADDITIONAL AGREEMENTS

1. Pursuant to C.R.S. 1-10-202, the Canvass Board for a non-partisan election will be comprised of one appointee from each major party and the Clerk and Recorder. The members of the Canvass Board will be appointed by the County Clerk.
2. In the event a court of competent jurisdiction finds the election for the Political Subdivision was void or otherwise fatally defective as a result of the sole breach or failure of the Clerk to perform in accordance with this agreement, or laws applicable to the election, the Political Subdivision shall be entitled to recover expenses or losses caused by such breach or failure, up to the maximum amount paid by the Political Subdivision to the Clerk under this agreement. The Clerk shall in no event be liable for any expenses, damages or losses in excess of the amounts paid under this agreement. This remedy shall be the sole and exclusive remedy for the breach available to the Political Subdivision under this agreement.
3. Unless otherwise agreed in writing, this IGA and the interpretation thereof shall be governed by the laws of the State of Colorado.
4. Should any provision of this agreement be determined by a court of competent jurisdiction to be unconstitutional or otherwise null and void, it is the intent of the parties hereto that the remaining provisions of this agreement be of full force and effect.
5. No portion of this agreement shall be deemed to create a cause of action with respect to anyone not a party to this agreement, nor is this agreement intended to waive any privileges, immunities to the parties, their officers or employees may possess, except as expressly stated in this agreement.
6. Notices to be provided under this agreement shall be given in writing either by hand delivery, email or deposit in the United States mail, certified mail, return receipt requested, with sufficient postage to the following persons:

Political Subdivision **Designated Election Official:**

Name: Lisa DelPiccolo, City Clerk Phone: (970) 240-1422
Address: P.O. Box 790, Montrose, CO 81402 Email: ldelpiccolo@cityofmontrose.org

Montrose County Clerk and Recorder, **Contact Officer:**

Name: Rebecca McDonald, Elections Supervisor Phone: (970) 252-4590
Address: 317 South 2nd Street - Montrose, CO 81401 Email: elections@montrosecounty.net

7. Time is of the essence under this IGA. The statutory timeframes or requirements of the Code, TABOR, and the Rules shall apply to the completion of any duties or tasks required under this agreement.
8. This IGA may not be modified, amended or otherwise altered unless mutually agreed upon in writing by the parties hereto.

Tressa Guynes, Coordinated Election Official
Montrose County Clerk & Recorder

Date: _____

Lisa DelPiccolo
CITY OF MONTROSE

Date: _____

-----END OF AGREEMENT-----

ORDINANCE NO. 2727

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF MONTROSE PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF MONTROSE, ARTICLE I SECTION 8 AND ARTICLE III SECTIONS 1 AND 2 TO CHANGE THE DATES OF GENERAL MUNICIPAL ELECTIONS FROM APRIL OF EVEN-NUMBERED YEARS TO NOVEMBER OF EVEN-NUMBERED YEARS; AND SETTING THE BALLOT QUESTION FOR THE NOVEMBER 3, 2026, COORDINATED ELECTION.

WHEREAS, the Charter of the City of Montrose (“Charter”) was originally adopted in 1914, when the original drafters of the Charter chose to hold its general municipal elections in November of odd-numbered years; and

WHEREAS, in 1993, citizens of Montrose voted to amend the Charter to move the elections from November of odd-numbered years to April of even-numbered years; and

WHEREAS, City Council desires to have the citizens of Montrose vote on moving the general municipal elections from April of even-numbered years to November of even-numbered years to increase voter participation for City elections and reduce costs of the general municipal election.

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

SECTION 1:

The City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

SECTION 2:

The City Council hereby submits the proposed “Amendment No. 1” to the City Charter as set out in Section 3 of this Ordinance to the voters at the coordinated election to be held on November 3, 2026.

SECTION 3:

The following amendments to Article I Section 8 and Article III Sections 1 and 2 of the Charter of the City of Montrose shall be submitted to the registered electors of the City at the coordinated election to be held on November 3, 2026:

Article I. – Governmental Powers and Legislative Officials

...

Sec. 8 – Term of office.

The term of office of the council members shall commence at the first regular council meeting following the certification of their election and shall be for a period of 2 and 4 years as provided by Art. III, Sec. 1. of this Charter, and until their successors are duly elected and qualified. They shall qualify to take office by the first regular council meeting following the certification of their election.

...

Article III. – Elections

Sec. 1. – Term of office.

Council members whose terms are to expire following the general municipal elections which would have been scheduled for April of 2028 and 2030 shall serve until their successors are qualified and take office following the general municipal elections of November, 2028 and 2030 respectively. At the election of November, 2028 and at each general municipal election thereafter, two council members shall be elected to 4 year terms and one council member shall be elected to a 2 year term.

*The council members resident in Council Districts 3 and 4 shall be elected in 2028 and each 4 years thereafter. Council members resident in District 1 and 2 shall be elected in 2030 and each 4 years thereafter. The council member without a district residence requirement shall serve a 2 year term.

Sec. 2. – General municipal elections.

General municipal elections shall be held on the first Tuesday of November in even-numbered years.

SECTION 4:

The following ballot title, and submission clause, is hereby adopted for submitting the proposed Charter Amendment to the voters at the November 3, 2026, coordinated election:

Question No. _____

Elections

Shall Article I and III of the Charter of the City of Montrose, Colorado be amended to move the general municipal election from April of even-numbered years to November of even-numbered years?

SECTION 5:

If a majority of the votes cast at the November 3, 2026, coordinated election on the measure submitted are for the measure, the measure shall be deemed to have passed and the Charter shall be amended as provided in this ordinance.

SECTION 6:

The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter.

SECTION 7:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8:

City staff is hereby authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and has the authority to correct formatting and/or typographical errors discovered during codification, provided that neither the intent of this Ordinance nor substantive content is altered.

SECTION 9:

This Ordinance shall become effective September 2, 2026.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 18th day of August 2026, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 18th day of August 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

INTRODUCED, READ and ADOPTED on second reading this 1st day of September 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

ORDINANCE NO. 2727

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF MONTROSE PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF MONTROSE, ARTICLE I SECTION 8 AND ARTICLE III SECTIONS 1 AND 2 TO CHANGE THE DATES OF GENERAL MUNICIPAL ELECTIONS FROM APRIL OF EVEN-NUMBERED YEARS TO NOVEMBER OF EVEN-NUMBERED YEARS; AND SETTING THE BALLOT QUESTION FOR THE NOVEMBER 3, 2026, COORDINATED ELECTION.

WHEREAS, the Charter of the City of Montrose (“Charter”) was originally adopted in 1914, when the original drafters of the Charter chose to hold its general municipal elections in November of odd-numbered years; and

WHEREAS, in 1993, citizens of Montrose voted to amend the Charter to move the elections from November of odd-numbered years to April of even-numbered years; and

WHEREAS, City Council desires to have the citizens of Montrose vote on moving the general municipal elections from April of even-numbered years to November of even-numbered years to increase voter participation for City elections and reduce costs of the general municipal election.

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

SECTION 1:

The City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

SECTION 2:

The City Council hereby submits the proposed “Amendment No. 1” to the City Charter as set out in Section 3 of this Ordinance to the voters at the coordinated election to be held on November 3, 2026.

SECTION 3:

The following amendments to Article I Section 8 and Article III Sections 1 and 2 of the Charter of the City of Montrose shall be submitted to the registered electors of the City at the coordinated election to be held on November 3, 2026:

Article I. – Governmental Powers and Legislative Officials

...

Sec. 8 – Term of office.

The term of office of the council members shall commence at the first regular council meeting following the certification of their election and shall be for a period of 2 and 4 years as ~~hereinafter~~ provided by Art. III, Sec. 1. of this Charter, and until their successors are duly elected and qualified. They shall qualify to take office by the first regular council meeting following the certification of their election.

...

Article III. – Elections

Sec. 1. – Term of office.

Council members whose terms are to expire following the general municipal elections which would have been scheduled for ~~November-April~~ of ~~2028+1995~~ and ~~2030+1997~~ shall serve until their successors are qualified and take office following the general municipal elections of ~~April~~November, ~~2028+1996~~ and ~~1998-2030~~ respectively. At the ~~general municipal~~ election of ~~April~~November, ~~2028+1996~~ and at each general municipal election thereafter, two council members shall be elected to 4 year terms and one council member shall be elected to a 2 year term.

*The council members resident in Council Districts 3 and 4 shall be elected in ~~1996-2028~~ and each 4 years thereafter. Council members resident in District 1 and 2 shall be elected in ~~1998-2030~~ and each 4 years thereafter. The council member without a district residence requirement shall serve a 2 year term.

Sec. 2. – General municipal elections.

General municipal elections shall be held on the first Tuesday of ~~April~~November in even-numbered years.

SECTION 4:

The following ballot title, and submission clause, is hereby adopted for submitting the proposed Charter Amendment to the voters at the November 3, 2026, coordinated election:

Question No. _____

Elections

Shall Article I and III of the Charter of the City of Montrose, Colorado be amended to move the general municipal election from April of even-numbered years to November of even-numbered years?

SECTION 5:

If a majority of the votes cast at the November 3, 2026, coordinated election on the measure submitted are for the measure, the measure shall be deemed to have passed and the Charter shall be amended as provided in this ordinance.

SECTION 6:

The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter.

SECTION 7:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8:

City staff is hereby authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and has the authority to correct formatting and/or typographical errors discovered during codification, provided that neither the intent of this Ordinance nor substantive content is altered.

SECTION 9:

This Ordinance shall become effective September 2, 2026.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 18th day of August 2026, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 18th day of August 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

INTRODUCED, READ and ADOPTED on second reading this 1st day of September 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

ORDINANCE NO. 2728

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF MONTROSE PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF MONTROSE, ARTICLE I SECTIONS 7, 8 AND 11 AND ARTICLE III SECTION 1 TO AMEND TERM LIMITS OF THE AT-LARGE COUNCIL MEMBER; SETTING A LIFETIME EIGHT-YEAR LIMIT FOR ELECTED SERVICE FOR ALL MEMBERS OF COUNCIL; AND SETTING THE BALLOT QUESTION FOR THE NOVEMBER 3, 2026, COORDINATED ELECTION.

WHEREAS, the Charter of the City of Montrose (“Charter”) was originally adopted in 1914; and

WHEREAS, the Charter, through multiple amendments, has never addressed term limits for the City Council; and

WHEREAS, City Council’s term limits have been subject to the term limits defined in Article XVIII Section 11 of the Colorado Constitution; and

WHEREAS, as a Home Rule Municipality, the City of Montrose has the authority to deviate the term limits of City Council than that prescribed by the Colorado Constitution; and

WHEREAS, the City Council desires to put to a vote of the People an amendment to the Charter on whether or not lifetime term limits are desirable as policy to encourage more citizens to engage as candidates for the Office of City Council to allow for fresh perspectives toward the Office.

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

SECTION 1:

The City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

SECTION 2:

The City Council hereby submits the proposed “Amendment No. 2” to the City Charter as set out in Section 3 of this Ordinance to the voters at the coordinated election to be held on November 3, 2026.

SECTION 3:

The following amendments to Article I Sections 7, 8, and 11 and Article III Sections 1 and 2 of the Charter of the City of Montrose shall be submitted to the registered electors of the City at the coordinated election to be held on November 3, 2026:

Article I. – Governmental Powers and Legislative Officials

...

Sec. 7. – Qualifications.

Every elector may be a candidate for the office of Councilor, if he or she has never been convicted of a felony, and has resided within the City, and in the case of the four Councilors to be elected from Council Districts, within the City and the District from which he or she is to be elected, for a period of at least 12 consecutive months immediately preceding the date of election or of appointment in the case of a vacancy. Residency within territory annexed to the City or within territory changed from one district to another shall count towards the residency requirements in the City and the district in which such territory is included. Notwithstanding the aforementioned, no person shall be eligible to be a candidate for the office of City Councilor for the City of Montrose if such person has previously served eight years of elected service.

Sec. 8 – Term of office.

The term of office of the council members shall commence at the first regular council meeting following the certification of their election and shall be for a period of 2 and 4 years as hereinafter provided and until their successors are duly elected and qualified. They shall qualify to take office by the first regular council meeting following the certification of their election. Any council member may be elected to any combination of terms which total eight years of elective service without a requirement of the waiting period as required by Article XVIII Section 11 of the Colorado Constitution.

...

Sec. 11. – Vacancies.

An elective office shall become vacant whenever any Councilor is recalled, dies, becomes incapacitated, resigns, ceases to be a resident of the City, ceases to be a resident of the District for which he or she is elected, or is convicted of a felony. In addition, any member of the Council or other officer, when notified of a request for his or her attendance fails to attend 3 consecutive regular meetings of the Council without being excused by the Council, shall forfeit his or her office. Such request for attendance shall be made by not less than a majority of the members of the council. In case of a vacancy, the remaining Councilors shall choose by a majority vote, and within 30 days after such vacancy occurs, a duly qualified person to fill such vacancy. He or she shall serve until a successor is elected at the next ensuing special or general municipal election, whichever first occurs, and has been duly qualified and takes office. If three or more vacancies

exist simultaneously, the remaining Councilors shall, at the next regular meeting of the Council, call for a special election to fill such vacancies, provided that there will not be a general election within 90 days. No person who has served eight years of elected service in the office of Councilor shall be eligible to fill a vacancy whether by appointment or election.

Article III. – Elections

Sec. 1. – Term of office.

Council members whose terms are to expire following the general municipal elections which would have been scheduled for November of 1995 and 1997 shall serve until their successors are qualified and take office following the general municipal elections of April, 1996 and 1998 respectively. At the general municipal election of April, 1996 and at each general municipal election thereafter, two council members shall be elected to 4 year terms and one council member shall be elected to a 2 year term.

*The council members resident in Council Districts 3 and 4 shall be elected in 1996 and each 4 years thereafter. Council members resident in District 1 and 2 shall be elected in 1998 and each 4 years thereafter. The council member without a district residence requirement shall serve a 2 year term.

No person shall be elected to serve more than eight years of elected service in that person's lifetime after November 3, 2026. Such eight years in service may occur consecutively through any combination of four or two year terms without a requirement of the waiting period as required by Article XVIII Section 11 of the Colorado Constitution. Appointments through the vacancy procedure as defined in Article I Section 11 of this Charter shall not be counted for purposes of years of elected service.

SECTION 4:

The following ballot title, and submission clause, is hereby adopted for submitting the proposed Charter Amendment to the voters at the November 3, 2026, coordinated election:

Question No. _____

Term Limits

Shall Article I and III of the Charter of the City of Montrose, Colorado be amended to restrict councilmembers to serve eight years of elected service in that person's lifetime with such eight years occurring through any combination of consecutive or nonconsecutive terms of office, and shall this requirement apply to any candidate after November 3, 2026?

SECTION 5:

If a majority of the votes cast at the November 3, 2026, coordinated election on the measure submitted are for the measure, the measure shall be deemed to have passed and the Charter shall be amended as provided in this ordinance.

SECTION 6:

The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter.

SECTION 7:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8:

City staff is hereby authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and has the authority to correct formatting and/or typographical errors discovered during codification, provided that neither the intent of this Ordinance nor substantive content is altered.

SECTION 9:

This Ordinance shall become effective September 2, 2026.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 18th day of August 2026, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 18th day of August 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

INTRODUCED, READ and ADOPTED on second reading this 1st day of September 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

ORDINANCE NO. 2728

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF MONTROSE PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF MONTROSE, ARTICLE I SECTIONS 7, 8 AND 11 AND ARTICLE III SECTION 1 TO AMEND TERM LIMITS OF THE AT-LARGE COUNCIL MEMBER; SETTING A LIFETIME EIGHT-YEAR LIMIT FOR ELECTED SERVICE FOR ALL MEMBERS OF COUNCIL; AND SETTING THE BALLOT QUESTION FOR THE NOVEMBER 3, 2026, COORDINATED ELECTION.

WHEREAS, the Charter of the City of Montrose (“Charter”) was originally adopted in 1914; and

WHEREAS, the Charter, through multiple amendments, has never addressed term limits for the City Council; and

WHEREAS, City Council’s term limits have been subject to the term limits defined in Article XVIII Section 11 of the Colorado Constitution; and

WHEREAS, as a Home Rule Municipality, the City of Montrose has the authority to deviate the term limits of City Council than that prescribed by the Colorado Constitution; and

WHEREAS, the City Council desires to put to a vote of the People an amendment to the Charter on whether or not lifetime term limits are desirable as policy to encourage more citizens to engage as candidates for the Office of City Council to allow for fresh perspectives toward the Office.

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

SECTION 1:

The City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

SECTION 2:

The City Council hereby submits the proposed “Amendment No. 2” to the City Charter as set out in Section 3 of this Ordinance to the voters at the coordinated election to be held on November 3, 2026.

SECTION 3:

The following amendments to Article I Sections 7, 8, and 11 and Article III Sections 1 and 2 of the Charter of the City of Montrose shall be submitted to the registered electors of the City at the coordinated election to be held on November 3, 2026:

Article I. – Governmental Powers and Legislative Officials

...

Sec. 7. – Qualifications.

Every elector may be a candidate for the office of Councilor, if he or she has never been convicted of a felony, and has resided within the City, and in the case of the four Councilors to be elected from Council Districts, within the City and the District from which he or she is to be elected, for a period of at least 12 consecutive months immediately preceding the date of election or of appointment in the case of a vacancy. Residency within territory annexed to the City or within territory changed from one district to another shall count towards the residency requirements in the City and the district in which such territory is included. Notwithstanding the aforementioned, no person shall be eligible to be a candidate for the office of Councilor for the City of Montrose if such person has previously served eight years of elected service.

Sec. 8 – Term of office.

The term of office of the council members shall commence at the first regular council meeting following the certification of their election and shall be for a period of 2 and 4 years as hereinafter provided and until their successors are duly elected and qualified. They shall qualify to take office by the first regular council meeting following the certification of their election. Any council member may be elected to any combination of terms which total eight years of elective service without a requirement of the waiting period as required by Article XVIII Section 11 of the Colorado Constitution.

...

Sec. 11. – Vacancies.

An elective office shall become vacant whenever any Councilor is recalled, dies, becomes incapacitated, resigns, ceases to be a resident of the City, ceases to be a resident of the District for which he or she is elected, or is convicted of a felony. In addition, any member of the Council or other officer, when notified of a request for his or her attendance fails to attend 3 consecutive regular meetings of the Council without being excused by the Council, shall forfeit his or her office. Such request for attendance shall be made by not less than a majority of the members of the council. In case of a vacancy, the remaining Councilors shall choose by a majority vote, and within 30 days after such vacancy occurs, a duly qualified person to fill such vacancy. He or she shall serve until a successor is elected at the next ensuing special or general municipal election, whichever first occurs, and has been duly qualified and takes office. If three or more vacancies

exist simultaneously, the remaining Councilors shall, at the next regular meeting of the Council, call for a special election to fill such vacancies, provided that there will not be a general election within 90 days. No person who has served eight years of elected service in the office of Councilor shall be eligible to fill a vacancy whether by appointment or election.

Article III. – Elections

Sec. 1. – Term of office.

Council members whose terms are to expire following the general municipal elections which would have been scheduled for November of 1995 and 1997 shall serve until their successors are qualified and take office following the general municipal elections of April, 1996 and 1998 respectively. At the general municipal election of April, 1996 and at each general municipal election thereafter, two council members shall be elected to 4 year terms and one council member shall be elected to a 2 year term.

*The council members resident in Council Districts 3 and 4 shall be elected in 1996 and each 4 years thereafter. Council members resident in District 1 and 2 shall be elected in 1998 and each 4 years thereafter. The council member without a district residence requirement shall serve a 2 year term.

No person shall be elected to serve more than eight years of elected service in that person's lifetime after November 3, 2026. Such eight years in service may occur consecutively through any combination of four or two year terms without a requirement of the waiting period as required by Article XVIII Section 11 of the Colorado Constitution. Appointments through the vacancy procedure as defined in Article I Section 11 of this Charter shall not be counted for purposes of years of elected service.

SECTION 4:

The following ballot title, and submission clause, is hereby adopted for submitting the proposed Charter Amendment to the voters at the November 3, 2026, coordinated election:

Question No. _____

Term Limits

Shall Article I and III of the Charter of the City of Montrose, Colorado be amended to restrict councilmembers to serve eight years of elected service in that person's lifetime with such eight years occurring through any combination of consecutive or nonconsecutive terms of office, and shall this requirement apply to any candidate after November 3, 2026?

SECTION 5:

If a majority of the votes cast at the November 3, 2026, coordinated election on the measure submitted are for the measure, the measure shall be deemed to have passed and the Charter shall be amended as provided in this ordinance.

SECTION 6:

The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter.

SECTION 7:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8:

City staff is hereby authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and has the authority to correct formatting and/or typographical errors discovered during codification, provided that neither the intent of this Ordinance nor substantive content is altered.

SECTION 9:

This Ordinance shall become effective September 2, 2026.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 18th day of August 2026, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 18th day of August 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

INTRODUCED, READ and ADOPTED on second reading this 1st day of September 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

ORDINANCE NO. 2729

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF MONTROSE PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF MONTROSE, ARTICLE VIII SECTION 8 TO ALLOW FOR THE CITY COUNCIL TO APPROVE THE CITY MANAGER’S DECISION TO APPOINT OR DISCHARGE THE POLICE CHIEF OF THE MONTROSE POLICE DEPARTMENT; AND SETTING THE BALLOT QUESTION FOR THE NOVEMBER 3, 2026, COORDINATED ELECTION.

WHEREAS, the Charter of the City of Montrose (“Charter”) was originally adopted in 1914; and

WHEREAS, the Charter underwent an amendment in 1967 which allowed City Council to approve the City Manager’s decision to hire and discharge the Police Chief; and

WHEREAS, the Charter was again amended in 2014 which removed the City Council’s approval role in the hiring and discharge of the Police Chief; and

WHEREAS, the City Council desires to put to a vote of the people an amendment to the Charter to allow for such approval rights in the process of appointment and discharge of the Police Chief.

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

SECTION 1:

The City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

SECTION 2:

The City Council hereby submits the proposed “Amendment No. 3” to the City Charter as set out in Section 3 of this Ordinance to the voters at the coordinated election to be held on November 3, 2026.

SECTION 3:

The following amendments to Article VIII Section 8 of the Charter of the City of Montrose shall be submitted to the registered electors of the City at the coordinated election to be held on November 3, 2026:

ARTICLE VIII. ADMINISTRATIVE SUPERVISION AND DEPARTMENTS

...

Sec. 8 – Police Chief.

The City Manager shall be responsible for the appointment and discharge of the Police Chief, subject to the approval of the City Council. The City Manager shall have sole authority and responsibility for the supervision, management, administration, and operation of the Montrose Police Department and for the direction and evaluation of the Police Chief. The City Council's authority under this Section shall be expressly limited to approval or disapproval of the City Manager's appointment or discharge of the Police Chief. Nothing in this Section shall be construed to authorize the City Council, or any individual Council member, to direct, supervise, manage, or interfere with the Police Chief or the day-to-day operations of the Montrose Police Department.

SECTION 4:

The following ballot title, and submission clause, is hereby adopted for submitting the proposed Charter Amendment to the voters at the November 3, 2026, coordinated election:

Question No. _____

Police Chief

Shall Article VIII of the Charter of the City of Montrose, Colorado be amended to allow City Council the right to approve or disapprove the City Manager's decision to appoint and discharge the Police Chief of the Montrose Police Department?

[] **Yes/For**

[] **No/Against**

SECTION 5:

If a majority of the votes cast at the November 3, 2026, coordinated election on the measure submitted are for the measure, the measure shall be deemed to have passed and the Charter shall be amended as provided in this ordinance.

SECTION 6:

The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter.

SECTION 7:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8:

City staff is hereby authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and has the authority to correct formatting and/or typographical errors discovered during codification, provided that neither the intent of this Ordinance nor substantive content is altered.

SECTION 9:

This Ordinance shall become effective September 2, 2026.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 18th day of August 2026, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 18th day of August 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

INTRODUCED, READ and ADOPTED on second reading this 1st day of September 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

ORDINANCE NO. 2729

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF MONTROSE PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF MONTROSE, ARTICLE VIII SECTION 8 TO ALLOW FOR THE CITY COUNCIL TO APPROVE THE CITY MANAGER'S DECISION TO APPOINT OR DISCHARGE THE POLICE CHIEF OF THE MONTROSE POLICE DEPARTMENT; AND SETTING THE BALLOT QUESTION FOR THE NOVEMBER 3, 2026, COORDINATED ELECTION.

WHEREAS, the Charter of the City of Montrose ("Charter") was originally adopted in 1914; and

WHEREAS, the Charter underwent an amendment in 1967 which allowed City Council to approve the City Manager's decision to hire and discharge the Police Chief; and

WHEREAS, the Charter was again amended in 2014 which removed the City Council's approval role in the hiring and discharge of the Police Chief; and

WHEREAS, the City Council desires to put to a vote of the people an amendment to the Charter to allow for such approval rights in the process of appointment and discharge of the Police Chief.

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

SECTION 1:

The City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

SECTION 2:

The City Council hereby submits the proposed "Amendment No. 3" to the City Charter as set out in Section 3 of this Ordinance to the voters at the coordinated election to be held on November 3, 2026.

SECTION 3:

The following amendments to Article VIII Section 8 of the Charter of the City of Montrose shall be submitted to the registered electors of the City at the coordinated election to be held on November 3, 2026:

ARTICLE VIII. ADMINISTRATIVE SUPERVISION AND DEPARTMENTS

...

Sec. 8 – Police Chief.

The City Manager shall be responsible for the appointment and discharge of or remove the Police Chief, subject to the approval of the City Council. The City Manager shall have sole authority and responsibility for the supervision, management, administration, and operation of the Montrose Police Department and for the direction and evaluation of the Police Chief. The City Council's authority under this Section shall be expressly limited to approval or disapproval of the City Manager's appointment or discharge of the Police Chief. Nothing in this Section shall be construed to authorize the City Council, or any individual Council member, to direct, supervise, manage, or interfere with the Police Chief or the day-to-day operations of the Montrose Police Department.

SECTION 4:

The following ballot title, and submission clause, is hereby adopted for submitting the proposed Charter Amendment to the voters at the November 3, 2026, coordinated election:

Question No. _____

Police Chief

Shall Article VIII of the Charter of the City of Montrose, Colorado be amended to allow City Council the right to approve or disapprove the City Manager's decision to appoint and discharge the Police Chief of the Montrose Police Department?

[] **Yes/For**

[] **No/Against**

SECTION 5:

If a majority of the votes cast at the November 3, 2026, coordinated election on the measure submitted are for the measure, the measure shall be deemed to have passed and the Charter shall be amended as provided in this ordinance.

SECTION 6:

The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter.

SECTION 7:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8:

City staff is hereby authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and has the authority to correct formatting and/or typographical errors discovered during codification, provided that neither the intent of this Ordinance nor substantive content is altered.

SECTION 9:

This Ordinance shall become effective September 2, 2026.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 18th day of August 2026, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 18th day of August 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

INTRODUCED, READ and ADOPTED on second reading this 1st day of September 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

ORDINANCE NO. 2730

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF MONTROSE PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF MONTROSE, ARTICLE VIII SECTION 6 TO ALLOW FOR THE CITY COUNCIL TO APPROVE THE CITY MANAGER’S DECISION TO APPOINT OR DISCHARGE THE CITY CLERK; AND SETTING THE BALLOT QUESTION FOR THE NOVEMBER 3, 2026, COORDINATED ELECTION.

WHEREAS, the Charter of the City of Montrose (“Charter”) was originally adopted in 1914; and

WHEREAS, the Charter underwent an amendment in 1967 which allowed City Council to approve the City Manager’s decision to hire and discharge the City Clerk; and

WHEREAS, the Charter was again amended in 2014 which removed the City Council’s approval role in the hiring and discharge of the City Clerk; and

WHEREAS, the City Council desires to put to a vote of the people an amendment to the Charter to allow for such approval rights in the process of appointment and discharge of the City Clerk.

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

SECTION 1:

The City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

SECTION 2:

The City Council hereby submits the proposed “Amendment No. 4” to the City Charter as set out in Section 3 of this Ordinance to the voters at the coordinated election to be held on November 3, 2026.

SECTION 3:

The following amendments to Article VIII Section 6 of the Charter of the City of Montrose shall be submitted to the registered electors of the City at the coordinated election to be held on November 3, 2026:

ARTICLE VIII. ADMINISTRATIVE SUPERVISION AND DEPARTMENTS

...

Sec. 6 – City Clerk.

The City Manager, subject to the approval of the City Council, shall be responsible for the appointment and discharge of the City Clerk, who shall be custodian of the City Seal. The City Manager shall have sole authority and responsibility for the supervision, management, administration, and operation of the City Clerk's Office and for the direction and evaluation of the City Clerk. The City Council's authority under this Section shall be expressly limited to approval or disapproval of the City Manager's appointment or discharge of the City Clerk. Nothing in this Section shall be construed to authorize the City Council, or any individual Council member, to direct, supervise, manage, or interfere with the City Clerk or the day-to-day operations of the City Clerk's Office.

The Clerk shall keep a journal of Council proceedings, record all ordinances, motions and resolutions in full and shall perform such other duties as required by this Charter, the Council, and the City Manager.

The City Council shall cause to be furnished, at the expense of the City, a Notarial Commission for the City Clerk, who shall take all acknowledgments of all documents relating to any of the departments of the City without fee.

SECTION 4:

The following ballot title, and submission clause, is hereby adopted for submitting the proposed Charter Amendment to the voters at the November 3, 2026, coordinated election:

Question No. _____

City Clerk

Shall Article VIII of the Charter of the City of Montrose, Colorado be amended to allow City Council the right to approve or disapprove of the City Manager's decision to appoint and discharge the City Clerk?

[] **Yes/For**

[] **No/Against**

SECTION 5:

If a majority of the votes cast at the November 3, 2026, coordinated election on the measure submitted are for the measure, the measure shall be deemed to have passed and the Charter shall be amended as provided in this ordinance.

SECTION 6:

The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter.

SECTION 7:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8:

City staff is hereby authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and has the authority to correct formatting and/or typographical errors discovered during codification, provided that neither the intent of this Ordinance nor substantive content is altered.

SECTION 9:

This Ordinance shall become effective September 2, 2026.

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ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

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Michael Badagliacco, Mayor

June 2026 City of Montrose Sales, Use & Excise Tax Collections Report

General Fund Sales and Use Tax

General Fund Retail Sales Tax

Retail sales tax collected in June 2026 at the General Fund tax rate of 3% was \$2,498,910. This amount is 2.5% higher than the revenue collected in June 2025, which totaled \$2,437,629.

2026 year-to-date collections total \$13,003,864, demonstrating an increase of 3% compared to the year-to-date total in June 2025, which was \$12,619,160.

General Fund Retail Sales Tax (3%)

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$1,888,446	\$1,884,785	\$2,361,899	\$2,049,528	\$2,320,295	\$2,498,910	\$13,003,864
2025 Revenue	\$1,922,808	\$1,790,588	\$2,253,550	\$2,049,574	\$2,165,011	\$2,437,629	\$12,619,160
Percentage Increase or Decrease	- 1.8%	5.3%	4.8%	0%	7.2%	2.5%	3%

General Fund Construction Use Tax

Construction use tax collected in June 2026 at the General Fund tax rate of 3% was \$47,604. This amount is 60.1% higher than the revenue collected in June 2025, which totaled \$29,725.

2026 year-to-date collections total \$193,122, demonstrating a decrease of 46.9% compared to the year-to-date total in June 2025, which was \$363,535.

General Fund Construction Use Tax (3%)

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$44,260	\$16,992	\$31,727	\$36,910	\$15,629	\$47,604	\$193,122
2025 Revenue	\$94,018	\$30,200	\$80,558	\$93,233	\$35,801	\$29,725	\$363,535
Percentage Increase or Decrease	-52.9%	-43.7%	-60.6%	-60.4%	-56.3%	60.1%	-46.9%

General Fund Use and Auto Use Tax

Use and auto use tax collected in June 2026 at the General Fund tax rate of 3% was \$173,897. This amount is 39% higher than the revenue collected in June 2025, which was \$125,136.

2026 year-to-date collections total \$800,037, demonstrating a decrease of 3.9% compared to the year-to-date total in June 2025, which was \$832,267.

General Fund Use and Auto Tax (3%)

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$127,131	\$86,620	\$142,871	\$141,506	\$128,012	\$173,897	\$800,037
2025 Revenue	\$130,665	\$98,320	\$217,072	\$140,362	\$120,712	\$125,136	\$832,267
Percentage Increase or Decrease	-2.7%	-11.9%	-34.2%	0.8%	6%	39%	-3.9%

Total Collections, General Fund Sales and Use Tax

Total sales and use tax revenue collected in June 2026 at the General Fund tax rate of 3% was \$2,720,411. This amount is 4.9% higher than the revenue collected in June 2025, which totaled \$2,592,490.

2026 year-to-date collections total \$13,997,024, demonstrating an increase of 1.3% compared to the year-to-date total in June 2025, which was \$13,814,962.

Total Collected General Fund Sales and Use Tax (3%)

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$2,059,837	\$1,988,398	\$2,536,497	\$2,227,944	\$2,463,936	\$2,720,411	\$13,997,024
2025 Revenue	\$2,147,491	\$1,919,108	\$2,551,180	\$2,283,169	\$2,321,524	\$2,592,490	\$13,814,962
Percentage Increase or Decrease	-4.1%	3.6%	-0.6%	-2.4%	6.1%	4.9%	1.3%

General Fund Sales and Use Tax Budget

The sales and use tax budget for June 2026 was \$2,657,794. Actual collections totaled \$2,720,411 resulting in a positive budget variance of 2.4%.

The cumulative year-to-date budget for 2026 totals \$13,908,693, while actual year-to-date collections total \$13,997,024, resulting in a positive budget variance of 0.6%.

General Fund Sales and Use Tax Budget

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Budget	\$2,137,687	\$2,045,834	\$2,479,842	\$2,239,640	\$2,347,897	\$2,657,794	\$13,908,693
2026 Actual Collections	\$2,059,837	\$1,988,398	\$2,536,497	\$2,227,944	\$2,463,936	\$2,720,411	\$13,997,024
Percentage of Variance	-3.6%	-2.8%	2.3%	-0.5%	4.9%	2.4%	0.6%

Montrose Urban Renewal Authority (MURA) Tax Increment Financing (TIF) Collections

Sales and use tax revenues collected by businesses under the Montrose Urban Renewal Authority (MURA) Tax Increment Financing (TIF) agreement during June 2026 totaled \$43,417. This amount is 1.8% lower than the revenue collected in June 2025, which totaled \$44,219.

2026 year-to-date collections total \$168,036, demonstrating a decrease of 12.1% compared to the year-to-date total in June 2025, which was \$191,171.

MURA TIF Collections

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$17,635	\$20,441	\$28,647	\$26,279	\$31,617	\$43,417	\$168,036
2025 Revenue	\$20,877	\$23,689	\$37,444	\$27,684	\$37,260	\$44,219	\$191,171
Percentage Increase or Decrease	-15.5%	-13.7%	-23.5%	-5.1%	-15.1%	-1.8%	-12.1%

Public Safety Sales and Use Tax

Public Safety Retail Sales Tax

Retail sales tax collected in June 2026 at the Public Safety Sales Tax rate of 0.58% was \$490,296. This amount is 2.3% higher than the revenue collected in June 2025, which was \$479,123.

2026 year-to-date collections total \$2,537,758, demonstrating an increase of 2.7% compared to the year-to-date total in June 2025, which was \$2,470,983.

Public Safety Sales Tax – Retail Sales (0.58%)

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$366,934	\$367,195	\$460,929	\$399,574	\$452,830	\$490,296	\$2,537,758
2025 Revenue	\$374,894	\$350,063	\$442,162	\$400,326	\$424,415	\$479,123	\$2,470,983
Percentage Increase or Decrease	-2.1%	4.9%	4.2%	-0.2%	6.7%	2.3%	2.7%

Public Safety Sales Tax, Construction Use Tax

Construction use tax collected in June 2026 at the Public Safety Sales Tax rate of 0.58% was \$9,203. This amount is 61.3% higher than the revenue collected in June 2025, which totaled \$5,704.

2026 year-to-date collections total \$37,313, demonstrating a decrease of 56.5% compared to the year-to-date total in June 2025, which was \$85,853.

Public Safety Sales Tax – Construction Use Tax (0.58%)

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$8,557	\$3,308	\$6,087	\$7,136	\$3,022	\$9,203	\$37,313
2025 Revenue	\$19,926	\$6,007	\$17,315	\$29,611	\$7,293	\$5,704	\$85,856
Percentage Increase or Decrease	-57.1%	-44.9%	-64.8%	-75.9%	-58.6%	61.3%	-56.5%

Public Safety Sales Tax, Use and Auto Use Tax

Use and auto use tax collected in June 2026 at the Public Safety Sales Tax rate of 0.58% was \$33,620. This amount is 39% higher than the revenue collected in June 2025, which totaled \$24,193.

2026 year-to-date collections total \$154,674, demonstrating a decrease of 3.9% compared to the year-to-date total in June 2025, which was \$160,905.

Public Safety Sales Tax – Use and Auto Use Tax (0.58%)

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$24,579	\$16,747	\$27,622	\$27,358	\$24,749	\$33,620	\$154,674
2025 Revenue	\$25,262	\$19,009	\$41,967	\$27,137	\$23,338	\$24,193	\$160,905
Percentage Increase or Decrease	-2.7%	-11.9%	-34.2%	0.8%	6%	39%	-3.9%

Total Collections, Public Safety Sales and Use Tax

Total sales and use tax revenue collected in June 2026 at the Public Safety Sales Tax rate of 0.58% was \$533,119. This amount is 4.7% higher than the revenue collected in June 2025, which totaled \$509,020.

2026 year-to-date collections total \$2,729,745, demonstrating an increase of 0.4% compared to the year-to-date total in June 2025, which was \$2,717,744.

Public Safety Sales Tax – Total Collections (0.58%)

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$400,070	\$387,250	\$494,638	\$434,068	\$480,601	\$533,119	\$2,729,745
2025 Revenue	\$420,082	\$375,079	\$501,444	\$457,074	\$455,046	\$509,020	\$2,717,744
Percentage Increase or Decrease	-4.8%	3.2%	-1.4%	-5%	5.6%	4.7%	0.4%

Public Safety Sales and Use Tax Budget

The Public Safety Sales and Use Tax budget for June 2026 was \$528,890. Actual collections totaled \$533,119, resulting in a positive budget variance of 0.8%.

The cumulative year-to-date budget for 2026 totals \$2,751,990, while actual year-to-date collections total \$2,729,745, resulting in a negative budget variance of 0.8%.

Public Safety Sales and Use Tax Budget

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Budget	\$414,897	\$405,227	\$483,719	\$451,028	\$468,229	\$528,890	\$2,751,990
2026 Actual Collections	\$400,070	\$387,250	\$494,638	\$434,068	\$480,601	\$531,119	\$2,729,745
Percentage of Variance	-3.6%	-4.4%	2.3%	-3.8%	2.6%	0.8%	-0.8%

Montrose Recreation District Collections

In June 2026, sales and use tax collections at the Montrose Recreation District rate of 0.3% totaled \$275,650. This amount is 4.7% higher than the revenue collected in June 2025, which totaled \$263,287.

2026 year-to-date collections total \$1,411,795, demonstrating an increase of 0.4% compared to the year-to-date total in June 2025, which was \$1,405,887.

Montrose Recreation District (0.3%)

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$206,933	\$200,302	\$255,816	\$224,513	\$248,581	\$275,650	\$1,411,795
2025 Revenue	\$217,285	\$194,007	\$259,371	\$236,568	\$235,369	\$263,287	\$1,405,887
Percentage Increase or Decrease	-4.8%	3.2%	-1.4%	-5.1%	5.6%	4.7%	0.4%

Hotel, Lodging, Short-Term Rental and Restaurant Excise Taxes

Hotel Excise Tax (6%)

Hotel excise taxes collected at the rate of 6% on hotel, lodging and short-term rental retail sales in June 2026 totaled \$178,892. This amount is 15.9% higher than the revenue collected in June 2025, which was \$154,332.

2026 year-to-date collections total \$539,319, demonstrating an increase of 12.5% compared to the year-to-date total in June 2025, which was \$479,472.

Hotel Excise Tax (6%)

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$44,751	\$51,187	\$72,548	\$72,251	\$119,690	\$178,892	\$539,319
2025 Revenue	\$45,955	\$53,147	\$67,431	\$60,021	\$98,586	\$154,332	\$479,472
Percentage Increase or Decrease	-2.6%	-3.7%	7.6%	20.4%	21.4%	15.9%	12.5%

Restaurant Excise Tax (0.8%)

Restaurant excise taxes collected at the rate of 0.8% on restaurant retail sales in June 2026 totaled \$69,628. This amount is 5.1% higher than the revenue collected in June 2025, which was \$66,221.

2026 year-to-date collections total \$379,587, demonstrating an increase of 9.9% compared to the year-to-date total in June 2025, which was \$345,239.

Restaurant Excise Tax (0.8%)

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$55,579	\$58,547	\$66,333	\$59,812	\$69,688	\$69,628	\$379,587
2025 Revenue	\$51,895	\$49,588	\$63,597	\$51,751	\$62,187	\$66,221	\$345,239
Percentage Increase or Decrease	7.1%	18.1%	4.3%	15.6%	12.1%	5.1%	9.9%

Total Collections, Hotel and Restaurant Excise Tax

Total hotel and restaurant excise tax revenues collected in June 2026 at the rates of 6% and 0.8%, respectively, total \$248,520. This amount is 12.7% higher than the revenue collected in June 2025, which was \$220,553.

2026 year-to-date collections total \$918,906, demonstrating an increase of 11.4% compared to the year-to-date total in June 2025, which was \$824,711.

Total Collections, Hotel (6%) and Restaurant (0.8%) Excise Tax

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$100,330	\$109,734	\$138,881	\$132,063	\$189,378	\$248,520	\$918,906
2025 Revenue	\$97,850	\$102,735	\$131,028	\$111,772	\$160,773	\$220,553	\$824,711
Percentage Increase or Decrease	2.5%	6.8%	6%	18.2%	17.8%	12.7%	11.4%

Hotel and Restaurant Excise Tax Budget

The Hotel and Restaurant Excise Tax Budget for June 2026 was \$90,110. Actual collections totaled \$248,520, resulting in a positive budget variance of 175.8%.

The cumulative year-to-date budget for 2026 totals \$431,203, while actual year-to-date collections total \$918,906, resulting in a positive budget variance of 113.1%.

Hotel (6%) and Restaurant (0.8%) Excise Tax Budget

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Budget	\$61,121	\$60,482	\$71,467	\$68,906	\$79,117	\$90,110	\$431,203
2026 Actual Collections	\$100,330	\$109,734	\$138,881	\$132,063	\$189,378	\$248,520	\$918,906
Percentage of Variance	64.1%	81.4%	94.3%	91.7%	139.4%	175.8%	113.1%

Montrose Urban Renewal Authority (MURA) Tax Increment Financing (TIF) Hotel and Restaurant Excise Tax Collections

Hotel and restaurant excise tax revenues collected by businesses under the Montrose Urban Renewal Authority (MURA) Tax Increment Financing (TIF) agreement in June 2026 totaled \$35,496. This amount is 10.6% lower than the revenue collected in June 2025, which totaled \$39,685.

2026 year-to-date collections total \$125,101, demonstrating a decrease of 15.6% compared to the year-to-date total in June 2025, which was \$148,197.

MURA TIF Hotel and Restaurant Excise Tax

Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$11,951	\$14,956	\$21,175	\$17,316	\$24,207	\$35,496	\$89,605
2025 Revenue	\$16,236	\$16,652	\$23,185	\$22,846	\$29,592	\$39,685	\$108,512
Percentage Increase or Decrease	-26%	-10.2%	-8.7%	-24.2%	-18.2%	-10.6%	-17.4%

Retail Enhancement Program Collections

Revenues collected by the Retail Enhancement Program in June 2026 totaled \$66,564. This amount is 2.2% higher than the revenue collected in June 2025, which totaled \$65,142.

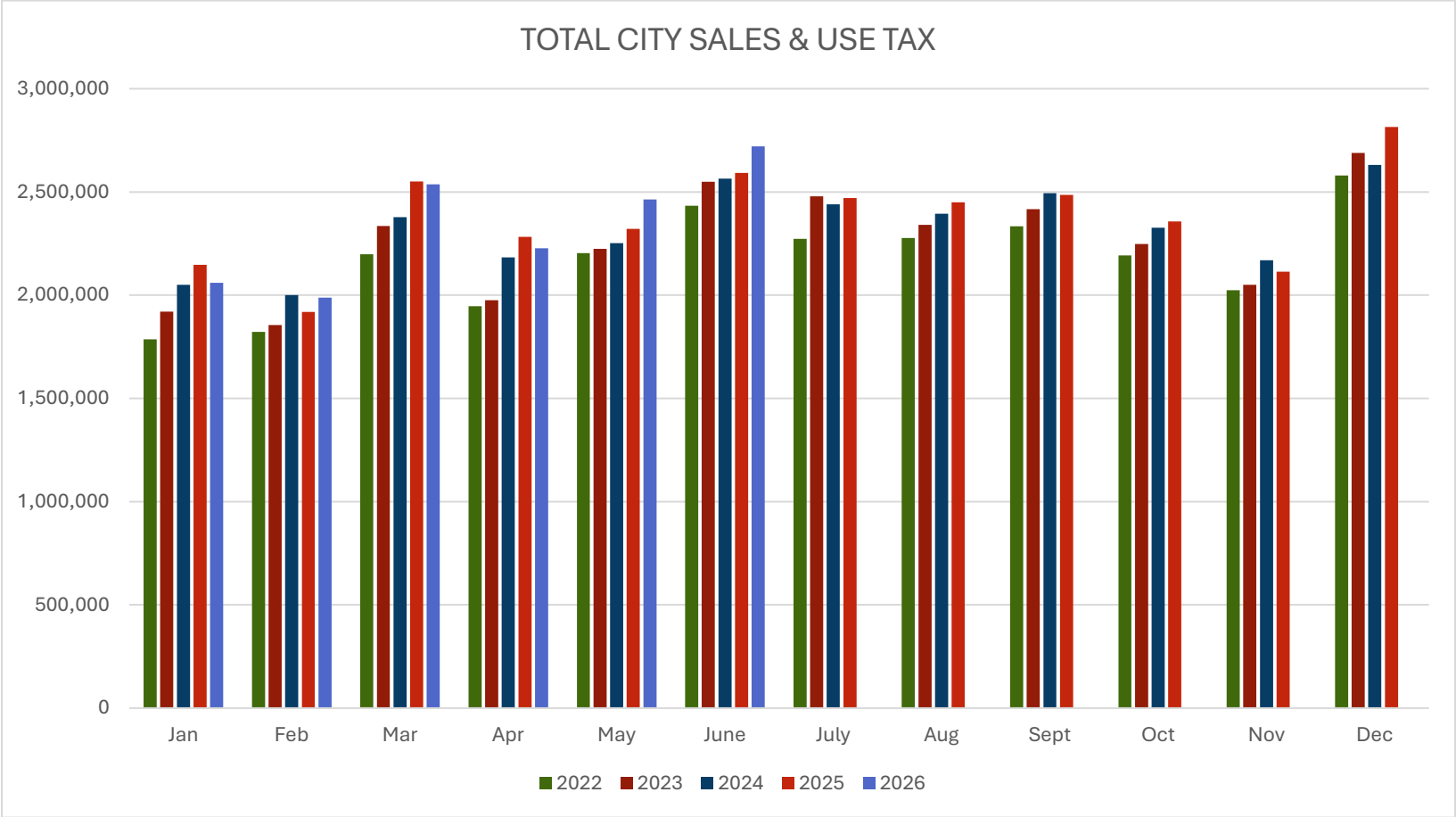
2026 year-to-date collections total \$341,100, demonstrating an increase of 2.4% compared to the year-to-date total in June 2025, which was \$333,025.

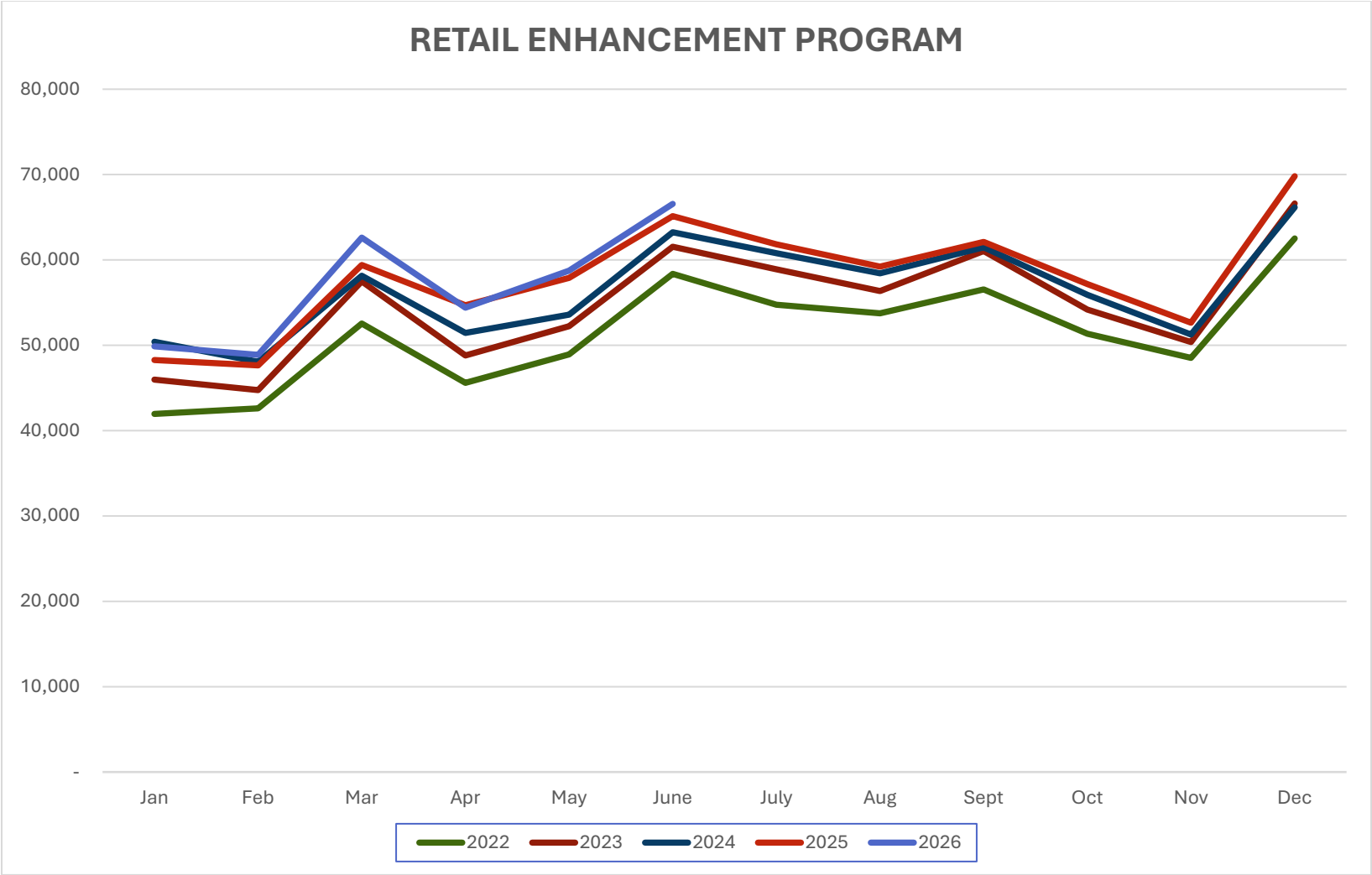
Retail Enhancement Program Collections

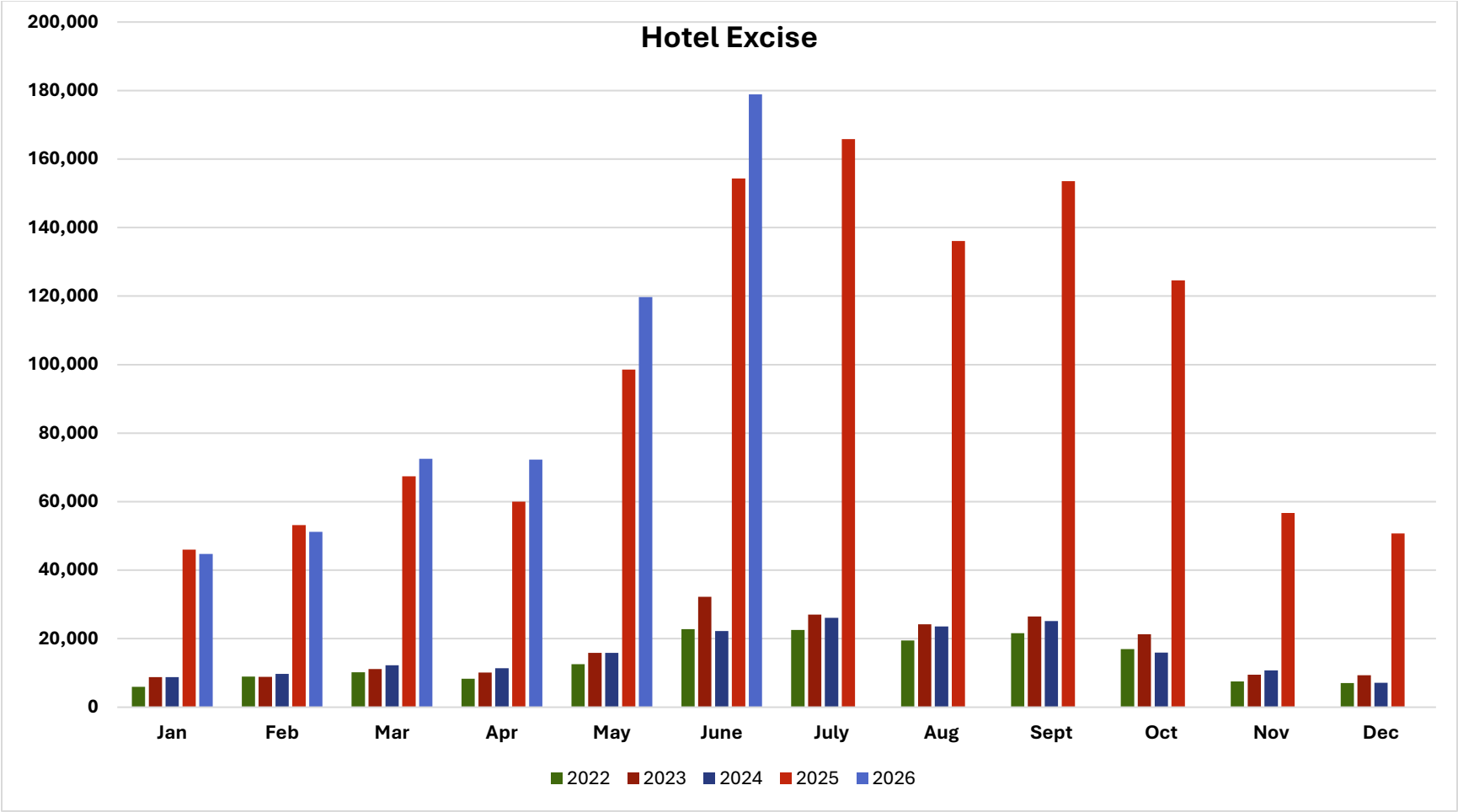
Revenue Category	January	February	March	April	May	June	Year-to-Date
2026 Revenue	\$49,888	\$48,878	\$62,626	\$54,414	\$58,730	\$66,564	\$341,100
2025 Revenue	\$48,263	\$47,643	\$59,401	\$54,671	\$57,905	\$65,142	\$333,025
Percentage Increase or Decrease	3.4%	2.6%	5.4%	-0.5%	1.4%	2.2%	2.4%

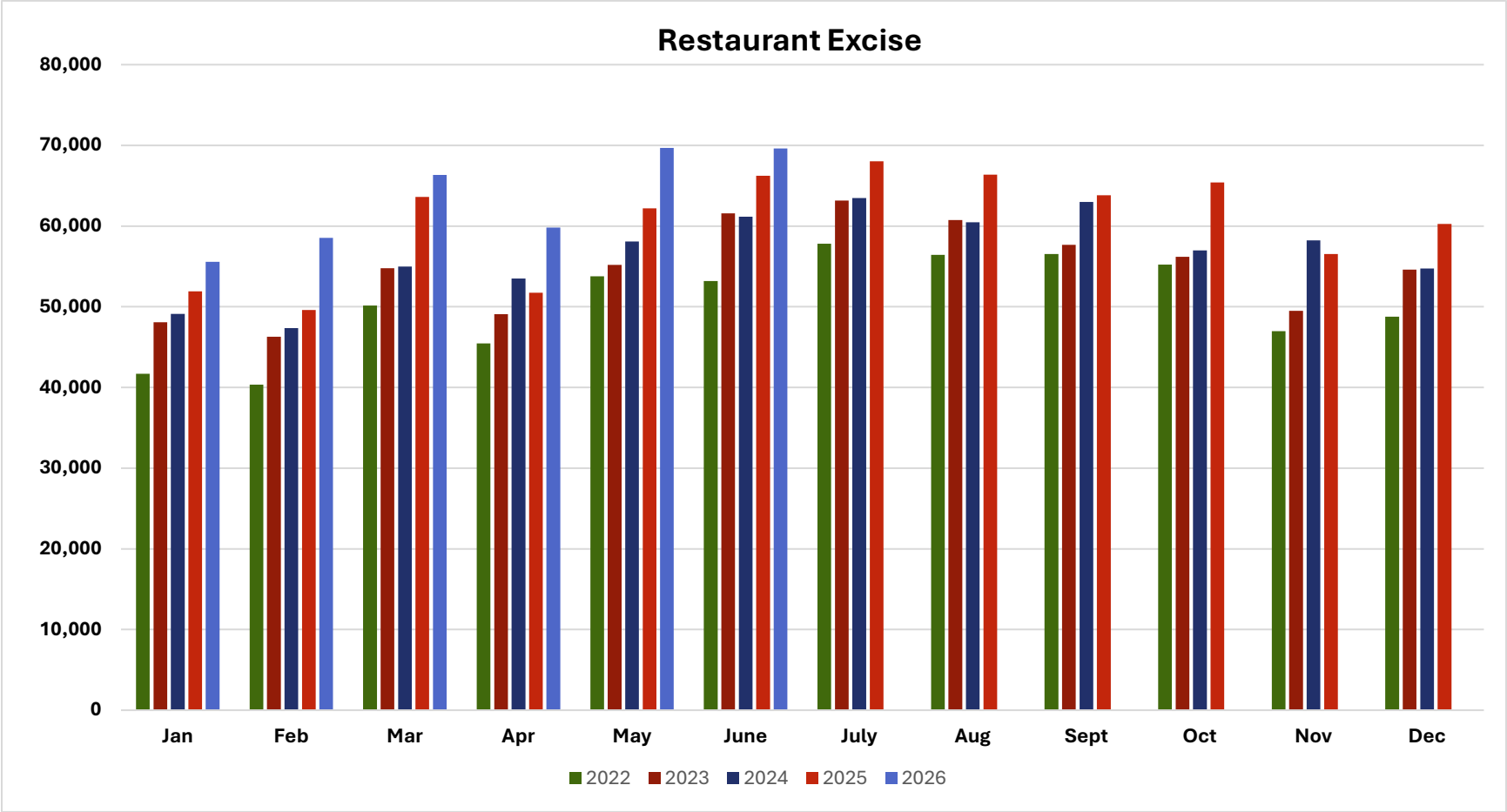
Graphs and Charts:

Total City Sales and Use Tax





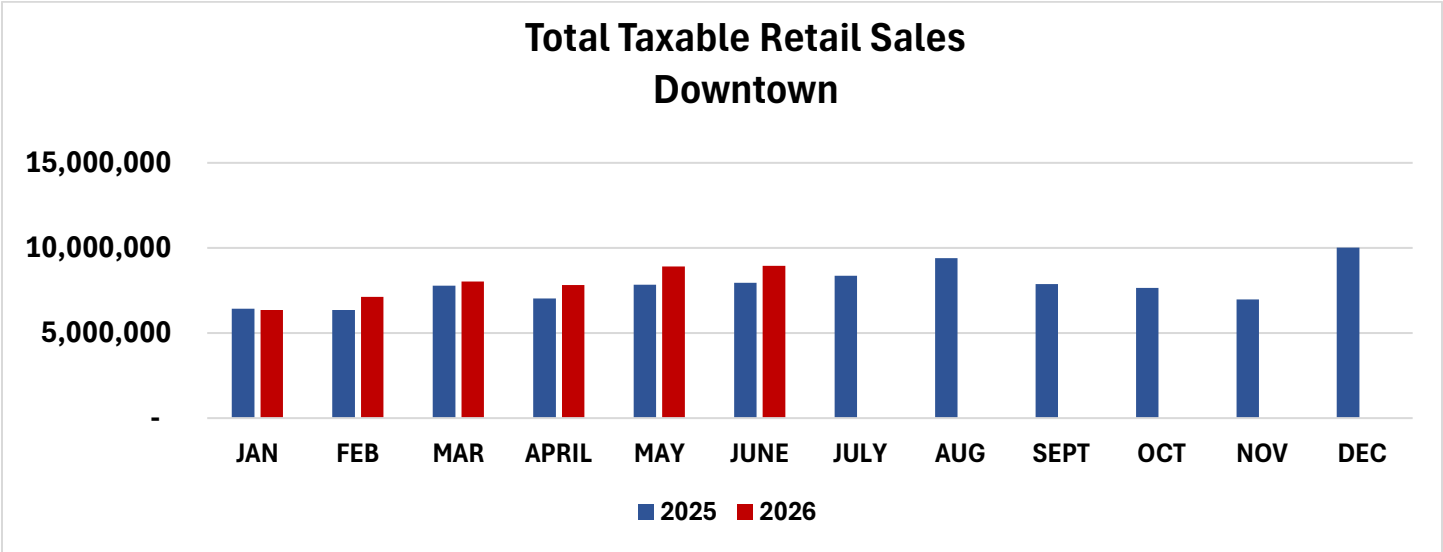




June 2026 Business Area Report

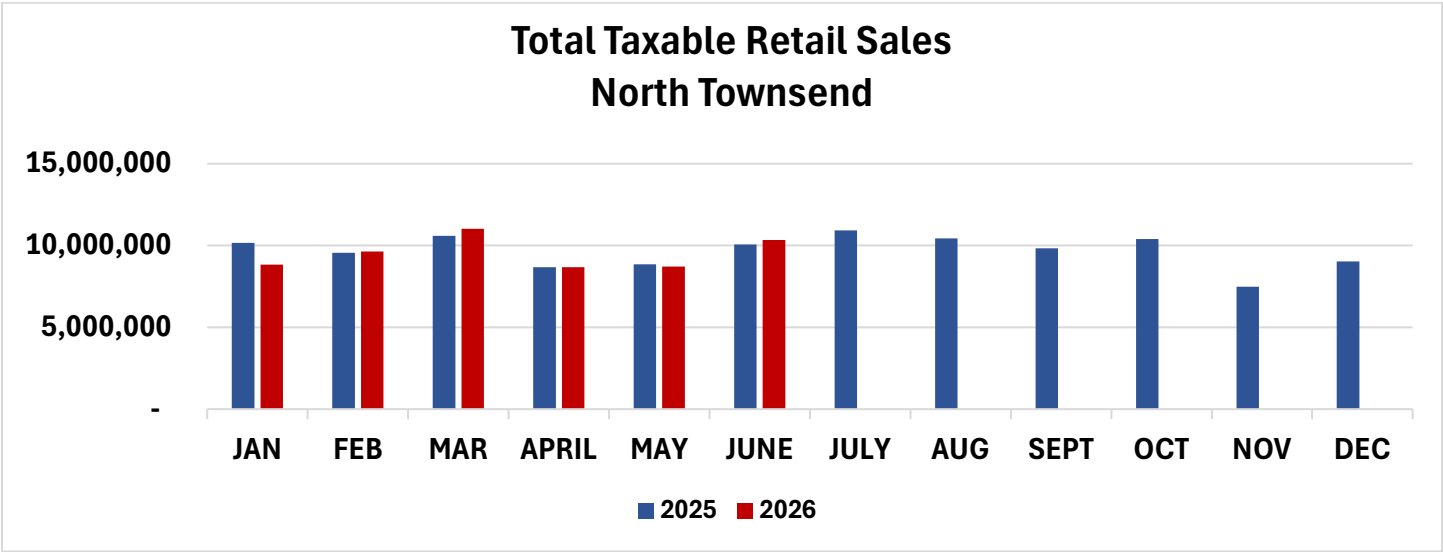
Downtown Total Taxable Retail Sales

June 2026 taxable retail sales in the Downtown business area were higher than June 2025.



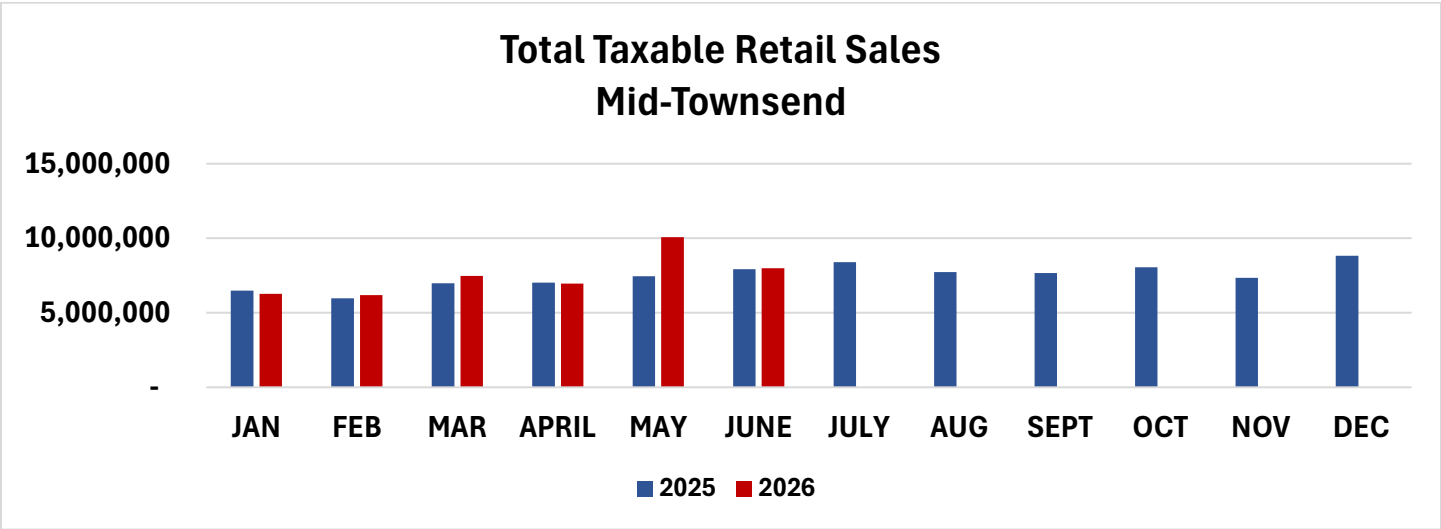
North Townsend Total Taxable Retail Sales

June 2026 taxable retail sales in the North Townsend business area were higher than June 2025.



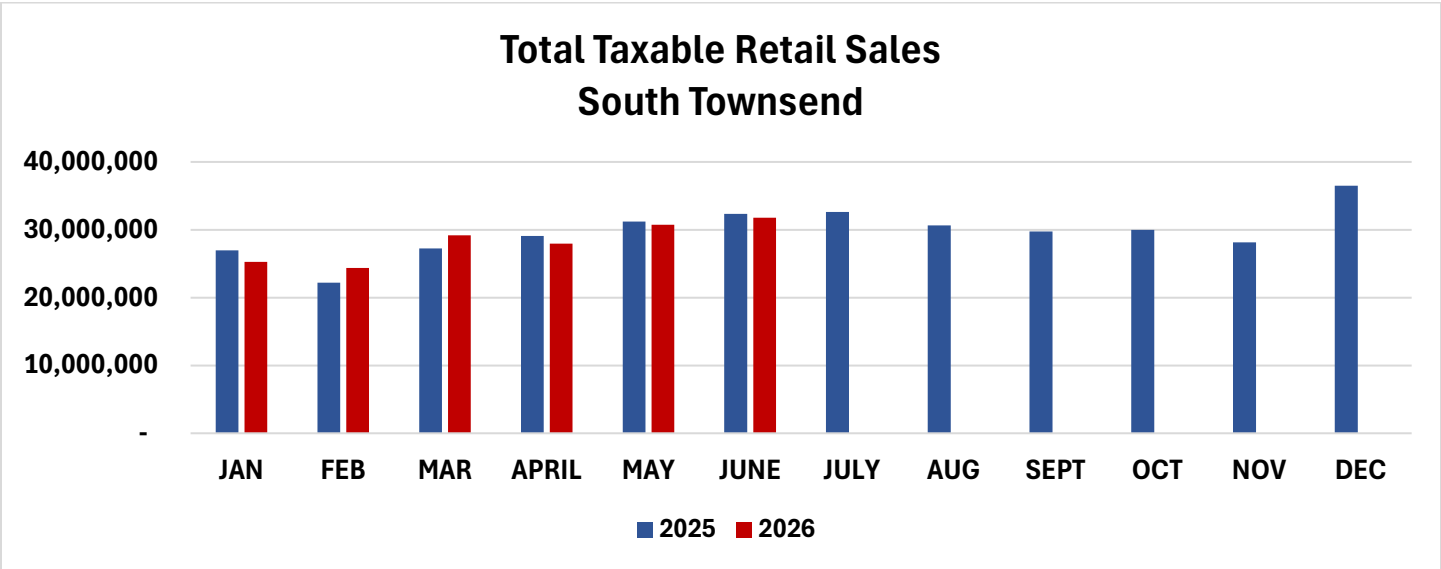
Mid-Townsend Total Taxable Retail Sales

June 2026 taxable retail sales in the Mid-Townsend business area were higher than June 2025.



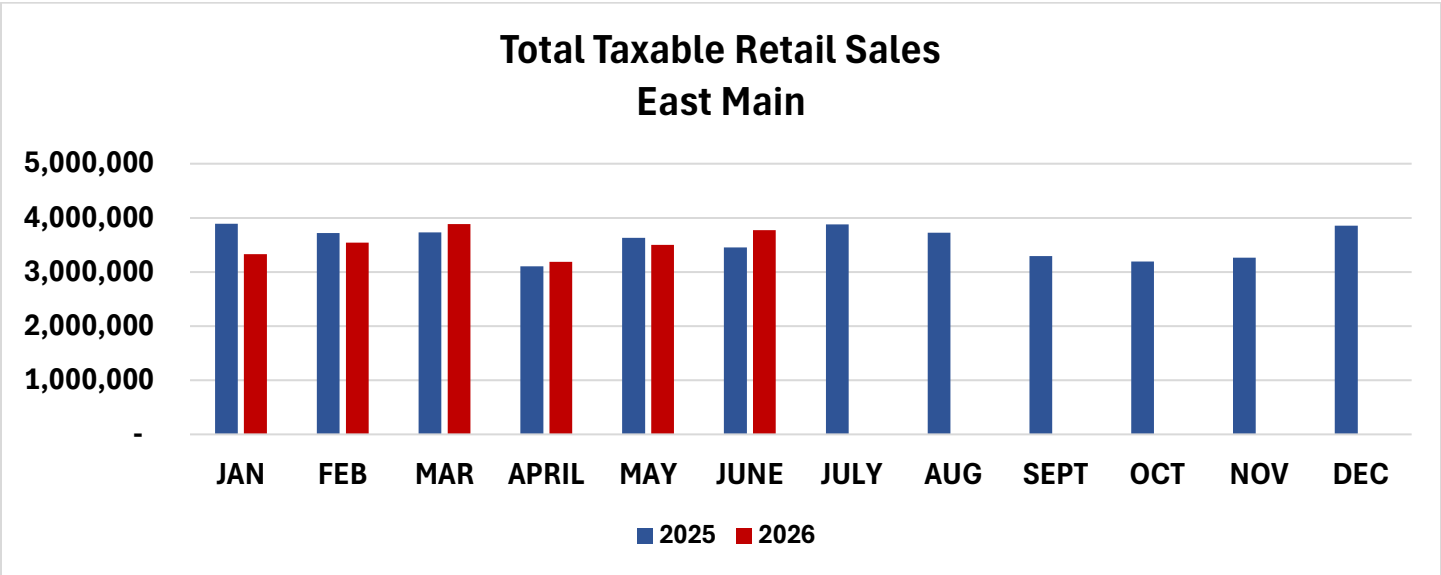
South Townsend Total Taxable Retail Sales

June 2026 taxable retail sales in the South Townsend business area were lower than June 2025.



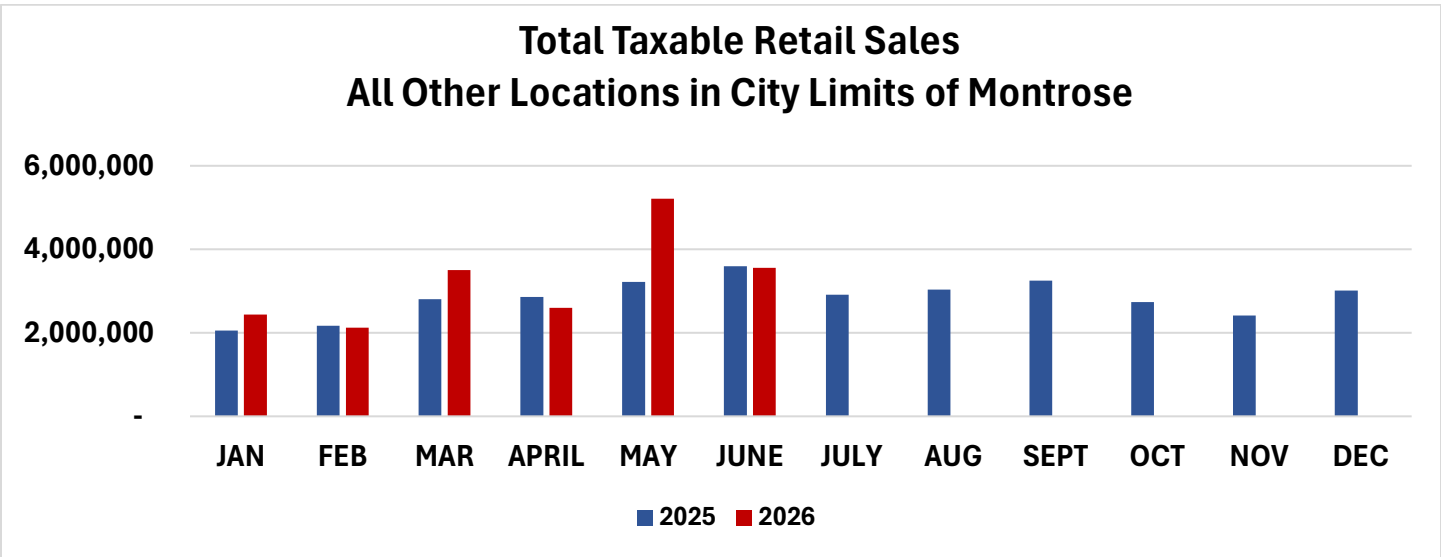
East Main Total Taxable Retail Sales

June 2026 taxable retail sales in the East Main business area were higher than June 2025.



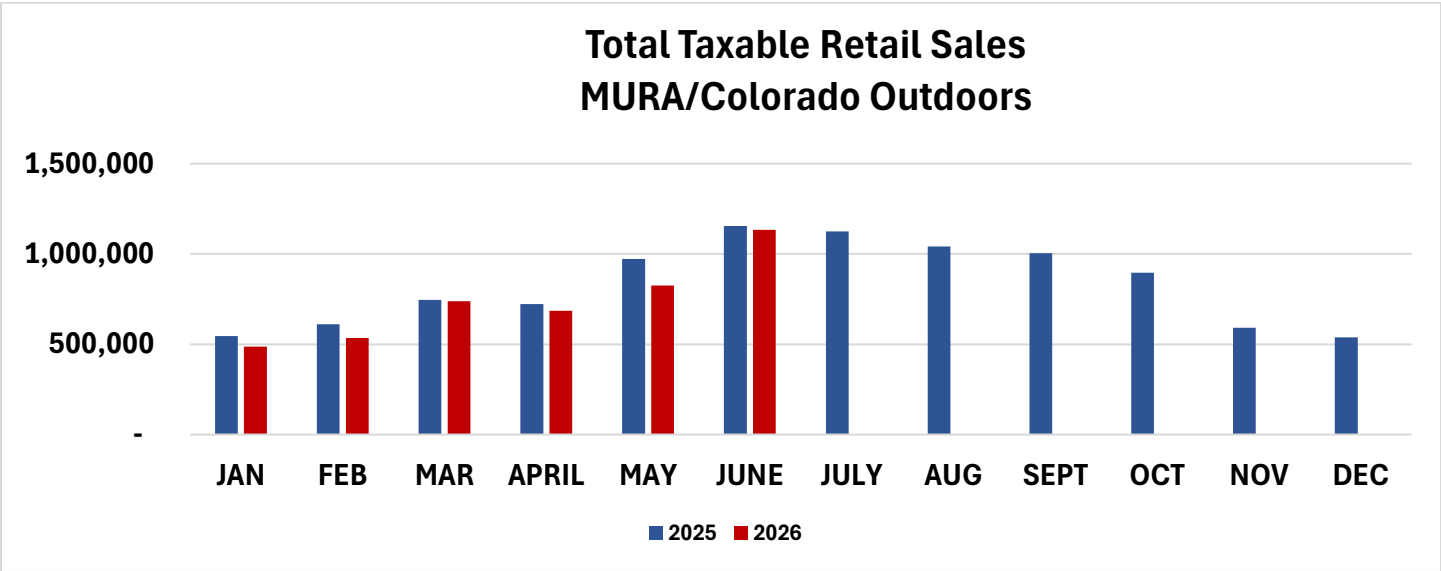
All Other Locations in City Limits of Montrose

June 2026 taxable retail sales from All Other Locations in the City Limits of Montrose were lower than June 2025.



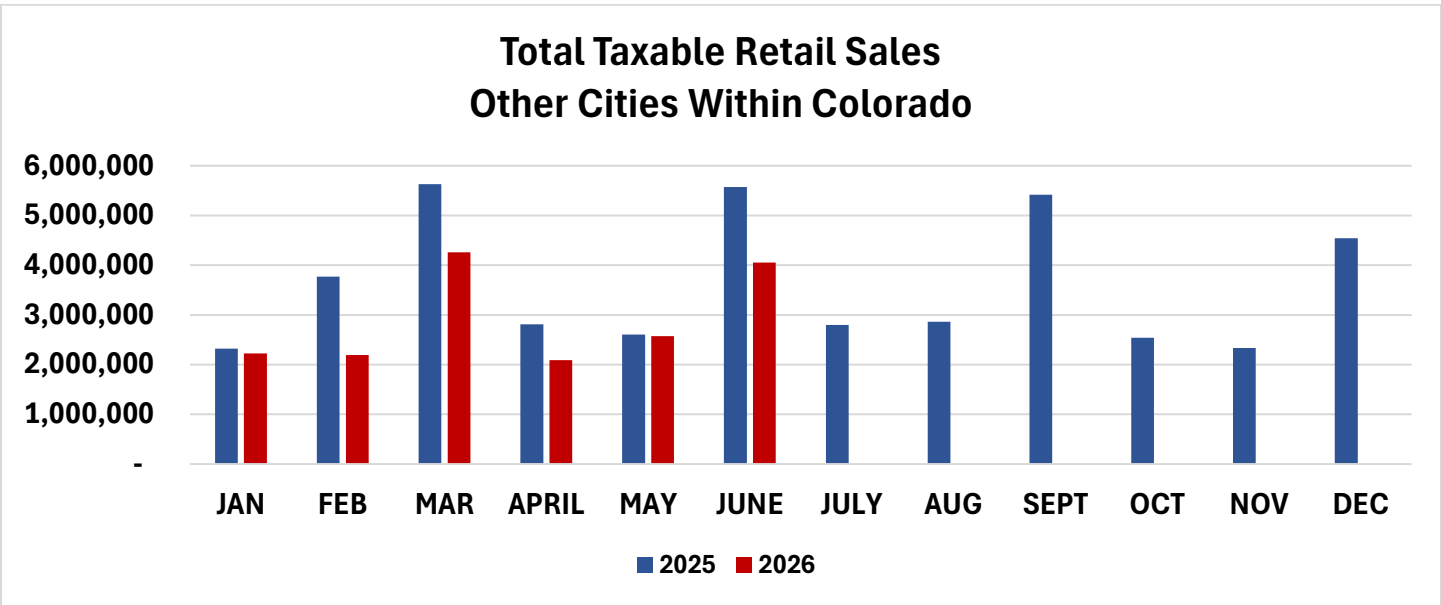
MURA/Colorado Outdoors

June 2026 taxable retail sales in the MURA/Colorado Outdoors business area were lower than June 2025.



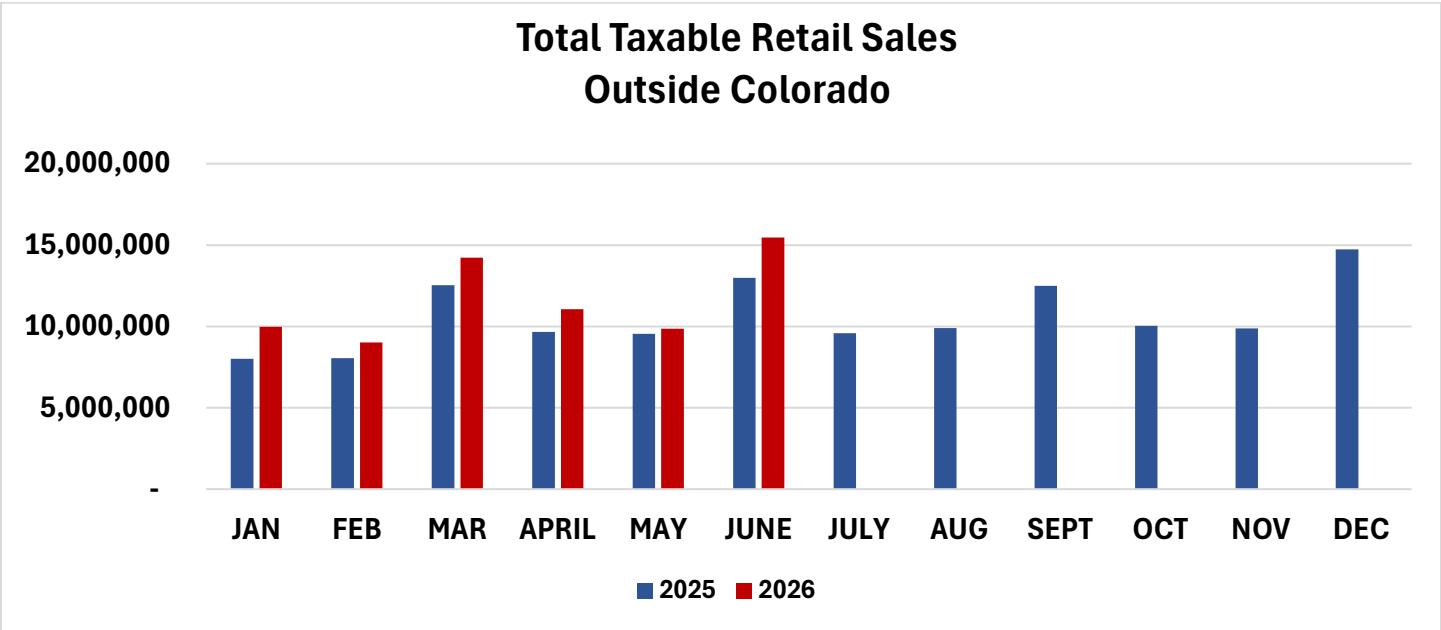
Other Cities Within Colorado

June 2026 taxable retail sales from businesses located in Other Cities Within Colorado were lower than June 2025.



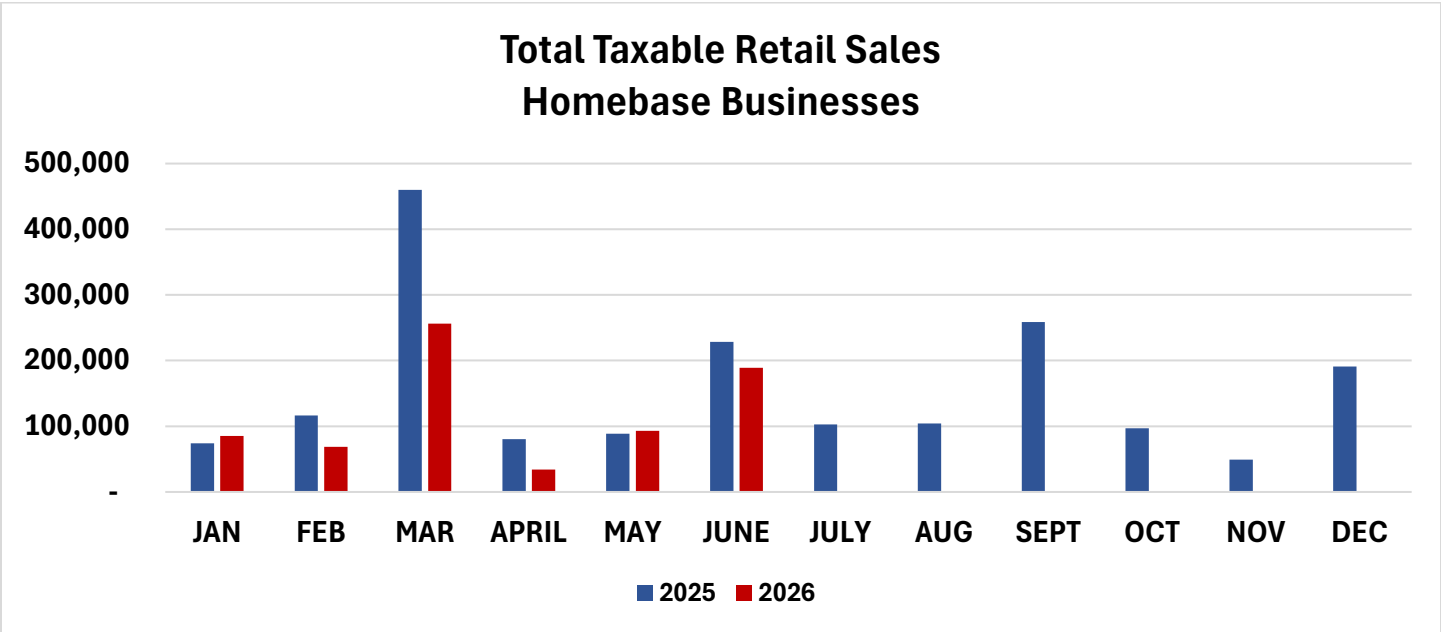
Outside Colorado

June 2026 taxable retail sales from businesses Outside Colorado were higher than June 2025.



Homebase Businesses

June 2026 taxable retail sales from Homebase Businesses were lower than June 2025.



City of Montrose

Second Quarter Budget Report

June 30, 2026

General Fund

As the primary operating fund for the city, the **General Fund** derives more than 85% of its total revenue from the 3% sales and use tax. As of the end of June, retail sales tax exceeded collections during the same time period of 2025 by **2.8%**. Total sales and use tax collections through June are slightly above the second quarter of 2025 at positive **1.1%**. The city does **not** certify a mill levy for collection of property taxes.

- Budgeted revenues have been collected at **48%**, and **49%** of budgeted expenditures have been paid.
- Capital projects include upgrades to vehicle equipment and new vehicle equipment purchases, bridge inspection repairs, and improvements to city parks such as Rotary Park Irrigation.

Public Safety Fund

The public safety sales and use tax was approved by City of Montrose voters on November 5, 2019. This tax adds .58% to the general sales tax of 3% and is specifically designated to fund public safety activity. Through June, retail sales tax exceeded collections from the same time period of 2025 by **2.7%**. Total sales and use tax collections for public safety are slightly above the second quarter of 2025 by .4%.

- Budgeted revenues have been collected at **49%**, and **46%** of budgeted expenditures have been paid.
- Capital projects include new vehicles and equipment.

Montrose Recreation District Agency Fund

This fund was created after voters approved an additional **.3%** sales and use tax on April 1, 2014. These funds are transferred to the Montrose Recreation District to support the new recreation center on Woodgate Road. Collections through June 2026 total **\$1,405,887**, which is a increase of .4% over 2025.

Special Revenue Funds

Retail Sales Enhancement Fund

This fund is managed by the Development and Revitalization Team (DART) and is funded by **2% of the vendor's fee** from sales and use tax collection. This revenue supports city events, marketing, and beautification efforts, including flower baskets, alleyway lighting, and façade improvements. Collections through June total **\$179,708**, which is an increase of 1.12% over second quarter 2025 collections. RSE met **48%** of budgeted revenue by June 30, 2026 and recorded **48%** in expenditures.

Tourism Fund

The **Tourism Fund** is supported by lodging and restaurant excise taxes. These taxes, collected at **6%** and **.8%**, respectively, fund Guest Services, Community Events, Marketing, City Enhancement and Sports Tourism.

Following the public vote, the lodging excise tax was increased from 0.9% to 6% on January 1, 2025. In 2025, total revenue reached **\$1,167,048**. As of June 30, 2026, an additional **\$539,319** has been collected. This represents an 18.5% increase over the second quarter of 2025. These funds have been allocated to fund the following five key initiatives:

- o Childcare (**17%**)
- o Affordable Housing (**33%**)
- o Public Transit (**5%**)
- o Tourism (**20%**)
- o Right of Way improvements (**25%**)

As of June 30, 2026, the **restaurant excise tax** collections total **\$379,587**. The second quarter 2026 collections of **\$199,128** is an increase of 10.53% from the second quarter of 2025. The Tourism Fund met **52%** of budgeted revenue by June 30, 2026 and recorded **45%** in expenditures.

Montrose Urban Renewal Authority (MURA)

MURA is funded by collecting a tax increment from property, sales, use, and excise taxes that exceed the established base rate. Collections through June totaled **\$168,036**, this funding is used to further develop within the MURA district.

Capital Infrastructure and Facility Improvement Funds

Revenue for these funds is primarily derived from **General Fund transfers** and grant funding.

- **Infrastructure projects** in 2026 include road maintenance, curb/gutter and sidewalk

replacements, 6700 Road bridge design, construction of the new roundabout at Rio Grande and East Oak Grove Roads as well as the Rio Grande Extension Phase One.

- Facility projects involve the renovation of the building at 703 South 9th Street to complete the new childcare facility and the new Public Works Facility.

Enterprise Funds

These funds operate like businesses, with revenues collected from users of each specific services.

- **Water Fund:** Revenues are collected from the users of city water. Capital projects include water line replacements in conjunction with the new roundabout at Rio Grande and East Oak Grove Roads as well as replacements needed when the roads are improved, replacing valves and hydrants, and an additional truck.
 - o Through June of 2026 about **44%** of the budgeted revenues have been received, and **45%** of the budgeted expenditures have been spent.
- **Sewer Fund:** Revenues are collected from users of the sewer collection service. Capital projects will focus on sewer line and manhole rehabilitations. A \$40 million revenue bond was issued in early 2026 to fund the improvements at the Wastewater Treatment plant and the NE quadrant sewer line.
 - o Through June of 2026 **94%** of the operating budgeted revenues have been received. This amount includes the capital bond revenue of \$40 million managed bond funds for the WWTP project. **100%** of the budgeted expenditures have been spent. The bond funded capital expenses through June for the Wastewater Treatment plant total \$4,511,247.88.
- **Trash and Recycle Fund:** Revenues are from trash and recycling services.
 - o Through June of 2026 **50%** of the budgeted revenues have been received, and **42%** of the budgeted expenditures have been spent.
- **Black Canyon Golf Course:** This is a quasi-enterprise fund that collects about 60% of its revenue from golf fees and restaurant sales, with the **General Fund** covering the remaining expenses.
 - o Through June of 2026 **68%** of the budgeted revenues have been received, and **40%** of the budgeted expenditures have been spent.

The unaudited Treasurer's report through June of 2026 represents unrestricted cash and investments that total \$19,558,887 which includes all Governmental, Special Revenue, Debt, Capital and Enterprise funds of the city. The city has restricted cash in the amount of \$37,610,342. Restricted cash is designated by resolution or ordinance of the City Council and includes the investment of the sewer revenue bond proceeds. Investments are made with excess cash, and current interest rates average 3.5%.

This report is intended to provide the City Council with an overview of the city's financial performance of many of its funds. For any questions, please contact the city's Finance Director, Heather MacDougall.